

STATE OF NORTH DAKOTA

Journal of the House

of the

Twenty-seventh Session

of the

Legislative Assembly

Begun and held in the Capitol Building at Bismarck,
January 7th to March 7th, 1941, Inclusive

EARL D. SYMINGTON,
Neche, North Dakota
Speaker of the House

C. R. VERRY,
Minot, North Dakota
Chief Clerk



OFFICERS AND EMPLOYEES

of the
 HOUSE OF REPRESENTATIVES OF NORTH DAKOTA
 for the
 TWENTY-SEVENTH LEGISLATIVE ASSEMBLY
 1941

OFFICERS AND EMPLOYEES

Name	Home Address	Duties
Earl D. Symington.....	Neche	Speaker
C. R. Verry.....	Minot.....	Chief Clerk
Kenneth Morgan.....	Walcott.....	Ass't. Chief Clerk
Fred Koch.....	Jamestown.....	Desk Clerk
Marie Garske.....	Bismarck.....	Desk Reporter
Gunder Olson.....	Fargo.....	Sergeant-at-Arms
Kirb Parnell.....	Cavalier.....	Ass't. Sergeant-at-Arms
Clara A. Kane.....	Fargo.....	Chief Stenographer
Marie Tunell.....	Bismarck.....	Stenographer
Evelyn Brown.....	Forman.....	Stenographer
Della Wardrope.....	Leeds.....	Stenographer
Thelma Campbell.....	Fargo.....	Bill Clerk
Albert Homelvig.....	Amidon.....	Bill Room Clerk
Fred Ingstad.....	Fargo.....	En. and Eng. Clerk
Ray Huard.....	Grand Forks.....	Ass't. En. & Eng. Clerk
James Miller.....	Minot.....	Calendar Clerk
Earl McInnis.....	Kelso.....	Postmaster
Richard Benoit.....	Walhalla.....	Page
Raymond McKenna.....	Edgeley.....	Page
Victor Stebbins.....	Bowman.....	Page
Arnold Holden.....	Bucyrus.....	Page
Luella Langness.....	Crary.....	Telephone Attendant
I. C. Auerbach.....	Garrison.....	Proofreader
Arnold Banse.....	Rolla.....	Proofreader
Miles Nelson.....	Erie.....	Mailing Clerk
Leo Sticka.....	New England.....	Ass't. Mailing Clerk
Maynard Kitzman.....	Upham.....	Ass't. Mailing Clerk
Almon Norton.....	Pembina.....	Ass't. Mailing Clerk
Albert Jacobson.....	Fort Ransom.....	Doorkeeper
Carl Dronen.....	Finley.....	Doorkeeper
Oswald Krusick.....	Rocklake.....	Doorkeeper
H. E. Jury.....	Ellendale.....	Doorkeeper
Emil Broten.....	Rugby.....	Janitor
C. O. Lindgren.....	Valley City.....	Janitor
Mike Burns.....	Mohall.....	Janitor
J. B. Fisher.....	Streeter.....	Janitor
C. E. Mattson.....	Maddock.....	Night Watchman
C. H. Lincoln.....	Bismarck.....	Clerk Appr. Committee
E. K. Schaeffer.....	Carrington.....	Clerk State Aff. Committee
Joe Lepire.....	Osnabrock.....	Committee Clerk
Bertha Ovri.....	Stanton.....	Committee Clerk
F. J. Freund.....	Glenburn.....	Committee Clerk
Sidney Solberg.....	Appam.....	Committee Clerk
Ruth Neste.....	Park River.....	Committee Clerk
E. G. Hendrickson.....	Mandan.....	Loud Speaker Control Operator

HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pembina	A. Dalzell	Walhalla
		Harry Carlson	Concrete
		E. Symington	Neche
2.	Pt. Ward	Chas. H. Black	Foxholm
		M. T. Lillehaugen	Brocket
3.	Pt. Walsh	Palmer Levin	Park River
		Wilfred Collette	Grafton
5.	Pt. Grand Forks	K. L. Boulden	Larimore
		George Saumur	Grand Forks
7.	Pt. Grand Forks	Targie Trydahl	Thompson
		H. W. McInnes	Kelso
8.	Traill	Arthur Rygg	Clifford
		Alva Wambheim	Hatton
		A. R. Bergesen	Fargo
9.	Pt. Cass	K. A. Fitch	Fargo
		Arthur C. Johnson	Fargo
		W. H. Shure	Fargo
		L. L. Twichell	Fargo
10.	Pt. Cass	Manfred R. Ohnstad	W. Fargo
		Otis Nelson	Mapleton
11.	Pt. Cass	Wesley L. Bolmeier	Erie
		Carl H. Dittmer	Leonard
12.	Pt. Richland	Vernon M. Johnson	Wahpeton
		Harley R. Swanson	Fairmount
13.	Sargent	A. Z. Nelson	Cayuga
		Mal Gainor	DeLamere
14.	Ransom	J. T. Peterson	Englevalle
		H. G. Severson	Ft. Ransom
15.	Pt. Barnes	Curtis Olson	Valley City
		Bjorn Fuglestad	Cooperstown
16.	Griggs-Steele	Steven C. Nelson	Finley
		Tom V. Devlin	Finley
		P. K. Holm	Pekin
17.	Nelson	A. O. Arneson	McVile
		W. M. Crockett	Wales
		Harvey Brusseau	Walhalla
18.	Cavalier	Peter Moe	Osnabrock
		John Coghlan	Rolla
19.	Rolette	Frank Fitzharris	Rolla
		A. N. Kindem	Oberon
20.	Benson	C. H. Hofstrand	Churchs Ferry
		Alfred Nelson	Crary
21.	Ramsey	E. A. Lunde	Lawton
		Harry Stormon	Devils Lake
		D. S. Blair	Maza
22.	Towner	E. J. Langley	Rocklake
		Carl F. Arndt	Streeter
23.	Stutsman	C. G. Kee	Spiritwood
		P. G. Westby	Jamestown
		Henry Williams	Jamestown
		M. W. Gackle	Kulm
24.	LaMoure	A. J. Sandness	LaMoure
		C. Bymers	Ellendale
25.	Dickey	W. R. Singleton	Oakes
		Joseph Glas	Linton
26.	Emmons	Ray Juhola	Braddock

Dist.	County	Name	Address
27.	Burleigh	Wm. B. Falconer	Bismarck
		Walter E. Sellens	Bismarck
		John R. Fleck	Bismarck
28.	Bottineau	W. E. Bingenheimer	Newburg
		Duncan Fraser	Omeme
		Peter Peterson	Antler
29.	Pt. Ward	A. W. Benno	Minot
		Brynhild Haugland	Minot
		Roy A. Ivedson	Minot
		W. M. Smart	Minot
30.	Morton	Tony Starek	Judson
		W. M. Nelson	Mandan
		Richard E. Wolf	New Salem
31.	Stark	George P. Braun	Dickinson
		E. D. Culver	Dickinson
		Mike Gress	Dickinson
32.	Eddy-Foster	A. H. Nystrom	Sheyenne
		A. I. Sharpe	Glenfield
33.	Wells	Leonas Myers	Bowdon
		Morris Larson	Heimdal
34.	McHenry	L. W. Belzer	Balfour
		Andrew Halvorson	Upham
		Fred T. Schmidt	Anamoose
35.	Kidder-Sheridan	Harold T. Morrison	Robinson
36.	McIntosh-Logan	Ed. Rieker	Tappen
		S. N. Welder	Napoleon
		Ed. Haag	Fredonia
		Ben J. Wolf	Zeeland
37.	Pt. Richland	Maurice S. Aker	Hankinson
		H. C. Williams	Lidgerwood
38.	Pt. Barnes	John N. McIntyre	Valley City
39.	Billings, Bowman Golden Valley and Slope	M. B. Hogoboom	Alpha
		L. K. Morland	Scranton
		C. T. Olson	Bowman
40.	Burke-Divide	J. H. Heckman	Alkabo
		Ed. McIntee	Northgate
		Ivan Erickson	Crosby
41.	McKenzie	Bernt Anderson	Charlson
		Iver Drovdal	Arnegard
42.	Pierce	George Allen	Pleasant Lake
		Wm. H. Tuff	Barton
43.	Renville	N. W. Nicholsen	Mohall
44.	Mountrail	Joseph N. Mollet	Powers Lake
		Theodore O. Rohde	Van Hook
45.	Williams	Carl Erickson	Springbrook
		William Ireland	Corinth
		Asle Bjella	Epping
46.	McLean	Fred Braun	Turtle Lake
		Donnell Haugen	Roseglen
		J. W. Jennings	Washburn
47.	Grant-Sioux	Ralph G. Beede	Elgin
		Dan Panko	McIntosh, S. D.
48.	Mercer, Oliver and Dunn	Walter Bubel	Center
		Eldor G. Sagehorn	Stanton
		Harry Semerad	Dickinson
49.	Adams-Hettinger	Geo. Schwartz	Mott
		Carl J. Austad	Hettinger

SENATE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Franklin Page	Hamilton
2.	Pt. Ward	Walter Troxel	Berthold
3.	Pt. Walsh	Harry O'Brien	Park River
4.	Pt. Walsh	Rilie R. Morgan	Grafton
5.	Pt. Grand Forks	Oliver Bilden	Northwood
6.	Pt. Grand Forks	Nick N. Nelson	Emerado
7.	Pt. Grand Forks	J. B. Bridston	Grand Forks
8.	Trail	C. Norman Brunsdale*	Mayville
9.	Pt. Cass	Arthur W. Fowler	Fargo
10.	Pt. Cass	Frank H. Beaton	Fargo
11.	Pt. Cass	Wm. Watt	Leonard
12.	Pt. Richland	Wm. J. Braun	Wahpeton
13.	Sargent	A. N. Lavik	Milnor
14.	Ransom	J. L. Flatt	Sheldon
15.	Pt. Barnes	P. L. Foss	Valley City
16.	Griggs-Steele	C. P. Dahl	Jessie
17.	Nelson	R. R. Lofthus	McVilleville
18.	Cavalier	Ed. A. Hill	Wales
19.	Rolette	H. G. Guenther	Rolla
20.	Benson	Gust Tweten	Oberon
21.	Ramsey	G. F. Drew	Devils Lake
22.	Towner	J. J. Kehoe	Cando
23.	Stutsman	G. I. Feton	Jamestown
24.	LaMoure	M. R. Young	Berlin
25.	Dickey	John G. Nelson	Fullerton
26.	Emmons	E. H. Brant	Linton
27.	Burleigh	Milton L. Rue	Bismarck
28.	Bottineau	Wm. A. Thatcher	Bottineau
29.	Pt. Ward	Walter R. Bond	Minot
30.	Morton	Philip W. Blank	Mandan
31.	Stark	M. J. Raschko	Dickinson
32.	Eddy-Foster	Otto Topp	Grace City
33.	Wells	R. M. Streibel	Fessenden
34.	McHenry	Martin Olson	Butte
35.	Kidder-Sheridan	John J. Adam	Anamoose
36.	McIntosh-Logan	Robert Greiser	Wishek
37.	Pt. Richland	H. R. Morgan	Walcott
38.	Pt. Barnes	Fred Aandahl	Litchville
39.	Billings, Bowman, Golden Valley and Slope	Gust Wog	Belfield
40.	Burke-Divide	R. A. Owings	Lignite
41.	McKenzie	Hjalmar Nelson	Schafer
42.	Pierce	F. T. Gronvold	Rugby
43.	Renville	Albert Nelson	Glenburn
44.	Mountrail	Axel Olson	Parshall
45.	Williams	Iver Solberg	Ray
46.	McLean	E. C. Stucke	Garrison
47.	Grant-Sioux	William Kamrath	Leith
48.	Mercer, Oliver and Dunn	Gottlieb Isaak	Dodge
49.	Adams-Hettinger	Chas. A. Ginter	Hettinger

MEMBERS OF HOUSE, 1941

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
37	Aker, M. S.	Hankinson	Lawyer	Married	North Dakota	1898	1941
42	Allen, George	Pleasant Lake	Farmer	Married	Missouri	1871	1939, 1941
41	Anderson, Bernt	Charlson	Farmer	Married	Norway	1886	1937, 1939, 1941
17	Arneson, A. O.	McVille	Medical Doctor	Married	Minnesota	1879	1939, 1941
23	Arndt, Carl	Streeter	Lumberman	Married	Wisconsin	1892	1941
49	Austad, Carl	Hettinger	Merchant	Married	Iowa	1880	1941
47	Beede, Ralph G.	Elgin	Newspaperman, Lawyer	Married	South Dakota	1895	1939, 1941
34	Belzer, L. W.	Balfour	Farmer	Married	Iowa	1894	1939, 1941
29	Benno, A. W.	Minot	Farmer	Married	Minnesota	1888	1937, 1939, 1941
9	Bergesen, A. R.	Fargo	Lawyer	Married	Illinois	1890	1939, 1941
28	Bingenheimer, W. E.	Newburg	Farmer	Married	Minnesota	1885	1939, 1941
45	Bjella, Asle	Epping	Blacksmith	Married	Norway	1877	1941
2	Black, Chas. H.	Foxholm	Farmer	Married	Wisconsin	1885	1935, 1937, 1941
22	Blair, D. S.	Maza	Farmer	Married	Ontario	1881	1937, 1939, 1941
11	Bolmeier, Wesley, L.	Erie	Merchant	Married	North Dakota	1902	1939, 1941
5	Boulden, K. L.	Larimore	Farmer	Married	Wisconsin	1879	1939, 1941
46	Braun, Fred	Turtle Lake	Farmer	Married	Russia	1882	1939, 1941
31	Braun, G. R.	Dickinson	Farmer	Married	North Dakota	1907	1939, 1941
13	Brusseau, Harvey	Walhalla	Farmer	Married	North Dakota	1898	1935, 1937, 1941
48	Bubel, Walter	Center	Farmer	Married	North Dakota	1903	1941
25	Bymers, C. H.	Ellendale	Farmer	Married	Wisconsin	1890	1941
1	Carlson, Harry	Concrete	Farmer	Married	Illinois	1896	1941
19	Coghlan, John	Rolla	Contractor	Married	North Dakota	1884	1941
4	Collette, Wilfred	Grafton	Farmer	Married	North Dakota	1895	1941
18	Crockett, Wm.	Wales	Farmer	Married	North Dakota	1894	1931, 1933, 1935, 1939, 1941

MEMBERS OF HOUSE, 1941—(Continued)

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
31	Culver, E. D.	Dickinson	Farmer	Married	Wisconsin	1883	1939, 1941
1	Dalzell, Alex	Walhalla	Farmer	Married	North Dakota	1894	1935, '37, '39, '41
16	Devlin, T. V.	Finley	Farmer-Merchant	Married	North Dakota		1939, 1941
11	Dittmer, Carl H.	Leonard	Farmer	Married	North Dakota	1889	1933, 1935, 1937, 1939, 1941
41	Drovdal, Iver	Arnegard	Farmer	Single	Norway	1889	1941
40	Erickson, Ivan	Crosby	Farmer	Married	North Dakota	1912	1941
45	Erickson, Carl	Springbrook	Farmer	Married	Iowa	1870	1939, 1941
27	Falconer, Wm. B.	Bismarck	Farmer	Married	North Dakota	1889	1933, 1941
9	Fitch, K. A.	Fargo	Insurance Broker	Married	North Dakota	1899	1931, 1933, 1937, 1939, 1941
19	Fitzharris, Frank	Rolla	Grain Buyer	Married	Minnesota	1884	1941
27	Fleck, John R.	Bismarck	Automobiles	Married	North Dakota	1900	1941
28	Fraser, Duncan	Omemece	Farmer	Married	North Dakota	1890	1939, 1941
16	Fuglestad, Bjorn	Cooperstown	Farmer	Single	North Dakota	1894	1933, 1939, 1941
24	Gackle, M. W.	Kulm	Hardware Dealer	Married	North Dakota	1894	1941
13	Gainor, Mal	DeLamere	Farmer	Married	Minnesota	1875	1939, 1941
23	Glas, Joseph	Linton	Farmer	Married	Russia	1878	1939, 1941
31	Gress, Mike	Dickinson	Farmer	Married	Russia	1883	1941
36	Haag, Ed	Fredonia	Farmer	Single	North Dakota	1901	1939, 1941
34	Halvorson, Andrew	Upham	Farmer	Married	North Dakota	1903	1939, 1941
46	Haugen, Donnell	Roseglen	Farmer	Married	North Dakota	1907	1941
29	Haugland, Brynhild	Minot	Farmer	Single	North Dakota	1905	1939, 1941
40	Heckman, J. H.	Alkabo	Farmer	Married	Canada	1879	1939, 1941
20	Hofstrand, C. H.	Churchs Ferry	Veterinary	Married	North Dakota	1890	1937, 1939, 1941

MEMBERS OF HOUSE, 1941—(Continued)

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
39	Hogoboom, M. B.	Alpha	Farmer	Single	Minnesota	1870	1941
17	Holm, P. K.	Pekin	Farmer	Married	Norway	1875	1937, 1939, 1941
45	Ireland, William	Corinth	Farmer	Married	Iowa	1882	1937, 1939, 1941
46	Jennings, J. W.	Washburn	Stock Farmer	Married	Iowa	1884	1941
9	Johnson, E. C.	Fargo	Contractor	Married	North Dakota	1891	1933, '37, '39, '41
12	Johnson, Vernon M.	Wahpeton	Lawyer	Married	North Dakota	1910	1941
26	Juhola, Ray	Braddock	Farmer	Married	North Dakota	1915	1941
23	Kee, C. G.	Spiritwood	Merchant	Single			1941
20	Kindem, A. N.	Oberon	Farmer	Married	Norway	1889	1941
22	Langley, E. J.	Rock Lake	Imp. Dealer	Married	Minnesota	1884	1941
33	Larson, Morris	Hemdal	Farmer	Married	North Dakota	1895	1941
3	Levin, Palmer	Park River	Farmer	Married	North Dakota	1893	1935, '37, '39, '41
3	Lillehaugen, M. T.	Brocket	Farmer	Married	Norway	1881	1927, '29, '33, '41
21	Lunde, E. A.	Lawton	Hardware Merchant	Married	Minnesota	1873	1931, 1939, 1941
8	McInnis, H. W.	Kelso	Farmer	Single	North Dakota	1885	1933, to 1941
40	McIntee, Ed	Northgate	Farmer	Married	Minnesota	1878	1937, 1939, 1941
38	McIntyre, John	Valley City	Farmer	Married	Norway	1876	1939, 1941
18	Moe, Peter	Osnabrock	Farmer	Married	Norway	1871	1939, 1941
44	Mollet, J. N.	Powers Lake	Farmer	Married	Missouri	1884	1939, 1941
39	Morland, L. K.	Scranton	Farmer	Married	Norway	1887	1937, 1939, 1941
35	Morrison, Harold T.	Robinson	Farmer	Single	North Dakota	1917	1941
33	Myers, Leonas	Bowdon	Farmer	Married	Kansas	1887	1935 to 1941
10	Nelson, Otis	Mapleton	Farmer	Married	Minnesota	1886	1937, 1939, 1941
30	Nelson, W. M.	Mandan	R. R. Machinist	Married	North Dakota	1898	1941
21	Nelson, Alfred	Crary	Farmer	Married	North Dakota	1907	1941

MEMBERS OF HOUSE, 1941—(Continued)

Dist.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
13	Nelson, A. Z.	Cayuga	Farmer	Married	North Dakota	1896	1939, 1941
16	Nelson, Steven C.	Finley	Farmer	Married	North Dakota	1886	1939, 1941
43	Nicholsen, N. W.	Mohall	Hardware Merchant	Married	Minnesota	1876	1941
32	Nystrom, A. H.	Sheyenne	Farmer	Married	North Dakota		1939, 1941
10	Ohnstad, Manfred	W. Fargo	Lawyer	Single	North Dakota	1914	1941
15	Olson, Curtis	Valley City	Service Station	Married	North Dakota	1908	1941
39	Olson of Bowman	Bowman	Farmer	Married	Wisconsin	1884	1933, 1937, 1941
47	Panko, Dan	McIntosh, S. Dak.	Farmer	Married	Ukrania	1896	1839, 1941
28	Peterson, Peter	Antler	Farmer	Married	Minnesota	1878	1933 to 1941
14	Peterson, J. T.	Englevale	Merchant	Married	Iowa	1871	1939, 1941
35	Rieker, Ed.	Tappen	Farmer	Married	Russia	1891	1941
44	Rohde, T. O.	Van Hook	Farmer	Married	Wisconsin	1896	1939, 1941
8	Rygg, Arthur	Clifford	Farmer	Married	North Dakota	1894	1941
48	Sagehorn, Eldor	Stanton	Co. Officer	Married	North Dakota	1898	1941
24	Sandness, A. J.	LaMoure	Farmer	Married	North Dakota	1894	1941
6	Saumur, Geo. H.	Grand Forks	Farmer	Married	North Dakota	1892	1935 to 1941
34	Schmidt, Fred T.	Anamoose	Farmer	Married	North Dakota	1902	1939, 1941
49	Schwartz, Geo.	Mott	Farmer	Married	South Dakota	1894	1939, 1941
27	Sellens, W. E.	Bismarck	Farmer	Married	Missouri	1876	1939, 1941
48	Semerad, Harry	Dickinson	Farmer	Married	North Dakota	1902	1937 to 1941
14	Severson, H. G.	Ft. Ransom	Farmer	Married	Rhode Island	1896	1937 to 1941
32	Sharpe, A. I.	Glenfield	Grain & Lumber Dealer	Married	Norway	1886	1939, 1941
9	Shure, W. H.	Fargo	Lawyer	Married	Illinois	1886	1937 to 1941
25	Singleton, W. R.	Oakes	Farmer	Married	Canada	1872	1939, 1941
29	Smart, W. M.	Minot	Hotel Prop.	Married	Wisconsin	1879	1941

MEMBERS OF HOUSE, 1941—(Continued)

D.st.	NAME	HOME ADDRESS	OCCUPATION	MARRIED or SINGLE	WHERE BORN	WHEN BORN	MEMBER DURING SESSION OF
30	Starck, Tony	Judson	Farmer	Married	North Dakota	1893	1941
21	Stormon, Harry	Devils Lake	Farmer	Married	North Dakota	1892	1939, 1941
12	Swanson, H. R.	Fairmount	Farmer	Married	Illinois	1897	1941
1	Symington, Earl D.	Neché	Farmer	Married	North Dakota	1893	1933 to 1941 Speaker in 1941
7	Trydahl, Targie	Thompson	Blacksmith	Married	Norway	1883	1937 to 1941
42	Tuff, Wm. H.	Barton	Farmer	Married	Canada	1880	1935 to 1941
9	Twichell, L. L.	Fargo	Lawyer	Single	Minnesota	1872	1913 to 1941
8	Wambheim, Alva	Hatton	Farmer	Single	North Dakota	1898	1939, 1941
36	Welder, S. N.	Napoleon	Teacher	Married	North Dakota	1908	1941
23	Westby, P. G.	Jamestown	R. R. Conductor	Married	Norway	1889	1939, 1941
37	Williams, H. C.	Lidgerwood	Farmer	Married	Minnesota	1876	1935 to 1941
23	Williams, Henry	Jamestown	Farmer	Married	North Dakota	1864	1941
36	Wolf, B. J.	Zeeland	Service Station	Married	North Dakota	1907	1941
30	Wolf, R. E.	New Salem	Farmer	Married	Germany	1885	1939, 1941

ERRATA

Page 209—Should show first reading of Senate Bill 26 and “Referred to Appropriations Committee”.

Page 393—8th line from bottom of page should be “House” in lieu of “Senate”.

Page 477—Should show Senate Concurrent Resolution 4 as being read and referred to Committee on State Affairs.

Page 836—Bottom of page, insert “House Bill No. 218”.

Page 845—House Bill 218 in lieu of 210.

Page 1100—20 lines from top of page show “28” in lieu of “38”.

Page 1105—Fifth line from bottom should show House Bill “No. 335” in lieu of “235”.

Page 1146—Should show House Bill 331 as being delivered to Governor.

Page 1219—Should not show House Bill 247 as signed by Speaker.

Page 1225—Should show House Bill 284 as indefinitely postponed in the Senate. Senate report as bill having passed, an error by the Senate.

Page 1246—Insert line following House Bill No. 337—“and find the same enrolled.”

Page 1305—Senate report at top of page showing return of House Bill 205 an error as this bill was withdrawn, page 485.

Page 1332—Strike out second insertion of enrollment and engrossment committee.

Page 1332—Should show House Bill 336 as being delivered to Governor.

Page 1355—Show Senate Bill 27 in lieu of Senate Bill 227.

Page 1361—At top of page show House Bill 33 as being signed by Speaker.

Page 1430—Should show H. B. 277 as forwarded to Governor in place of 227.

Page 1324—House Bill No. 151 as amended by the Senate was concurred in with a correction in last line of committee report to read “1943” in lieu of the error in printing of “1941”.

House Bill 208—Amended in Senate, came back as unchanged.

House Bill 306—Amended in Senate, came back as unchanged.

House Bill 284—Indefinitely postponed in Senate, they messaged it back on page 1251 as passed.

Buy "Dakota Maid" Flour

Journal of the House



Twenty-seventh Legislative Assembly

FIRST DAY

Bismarck, January 7, 1941.

At the hour of twelve o'clock, Meridian, the seventh day of January, 1941, being the day and hour designated by law for the convening of the Legislative Assembly of the State of North Dakota, the members-elect of the House of Representatives of the Twenty-seventh Legislative Assembly, assembled in the House Chamber in the State Capitol Building at Bismarck, North Dakota, and were called to order by Minnie D. Craig, Chief Clerk of the House of Representatives of the Twenty-sixth Legislative Assembly of the State of North Dakota.

The following communication, being the list of the qualified members as certified to by the Secretary of State, was read:

DEPARTMENT OF STATE

Bismarck, North Dakota

January 7, 1941.

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

Dear Madam:

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 qualified as members of the House of Representatives of the Twenty-seventh Legislative Assembly of the State of North Dakota:

Dist.	County	Name	Address
1.	Pembina	A. Dalzell.....	Walhalla
		Harry Carlson.....	Concrete
		E. Symington.....	Neche
2.	Pt. Ward	Chas. H. Black.....	Foxholm
3.	Pt. Walsh	M. T. Lillehaugen.....	Brocket
		Palmer Levin.....	Park River
4.	Pt. Walsh	Wilfred Collette.....	Grafton..
5.	Pt. Grand Forks	K. L. Boulden.....	Larimore
6.	Pt. Grand Forks	George Saumur.....	Grand Forks
7.	Pt. Grand Forks	Targie Trydahl.....	Thompson
8.	Traill	H. W. McInnes.....	Kelso
		Arthur Rygg.....	Clifford
		Alva Wambheim.....	Hatton

Dist.	County	Name	Address
9.	Pt. Cass	A. R. Bergesen.....	Fargo
		K. A. Fitch.....	Fargo
		Arthur C. Johnson.....	Fargo
		W. H. Shure.....	Fargo
		L. L. Twichell.....	Fargo
10.	Pt. Cass	Manfred R. Ohnstad.....	W. Fargo
		Otis Nelson.....	Mapleton
11.	Pt. Cass	Wesley L. Bolmeier.....	Erie
		Carl H. Dittmer.....	Leonard
12.	Pt. Richland	Vernon M. Johnson.....	Wahpeton
		Harley R. Swanson.....	Fairmount
13.	Sargent	A. Z. Nelson.....	Cayuga
		Mal Gainor.....	DeLamere
14.	Ransom	J. T. Peterson.....	Englevale
		H. G. Severson.....	Ft. Ransom
15.	Pt. Barnes	Curtis Olson.....	Valley City
		16.	Griggs-Steele	Bjorn Fuglestad.....	Cooperstown
Steven C. Nelson.....	Finley		
Tom V. Devlin.....	Finley		
17.	Nelson	P. K. Holm.....	Pekin
		A. O. Arneson.....	McVile
18.	Cavalier	W. M. Crockett.....	Wales
		Harvey Brusseau.....	Walhalla
		Peter Moe.....	Osnabrock
19.	Rolette	John Coghlan.....	Rolla
		Frank Fitzharris.....	Rolla
20.	Benson	A. N. Kindem.....	Oberon
		C. H. Hofstrand.....	Churchs Ferry
21.	Ramsey	Alfred Nelson.....	Crary
		E. A. Lunde.....	Lawton
		Harry Stormon.....	Devils Lake
22.	Towner	D. S. Blair.....	Maza
		E. J. Langley.....	Rock Lake
		23.	Stutsman
C. G. Kee.....	Spiritwood		
P. G. Westby.....	Jamestown		
Henry Williams.....	Jamestown		
24.	LaMoure	M. W. Gackle.....	Kulm
		A. J. Sandness.....	LaMoure
25.	Dickey	C. Bymers.....	Ellendale
		W. R. Singleton.....	Oakes
26.	Emmons	Joseph Glas.....	Linton
		Ray Juhola.....	Braddock
27.	Burleigh	Wm. B. Falconer.....	Bismarck
		Walter E. Sellens.....	Bismarck
		John R. Fleck.....	Bismarck
28.	Bottineau	W. E. Bingenheimer.....	Newburg
		Duncan Fraser.....	Omeme
		Peter Peterson.....	Antler
29.	Pt. Ward	A. W. Benno.....	Minot
		Brynhild Haugland.....	Minot
		Roy A. Ilvedson.....	Minot
		W. M. Smart.....	Minot
30.	Morton	Tony Starck.....	Judson
		W. M. Nelson.....	Mandan
		Richard E. Wolf.....	New Salem

Dist.	County	Name	Address
31.	Stark	George P. Braun	Dickinson
		E. D. Culver	Gladstone
		Mike Gress	Dickinson
32.	Eddy-Foster	A. H. Nystrom	Sheyenne
		A. I. Sharpe	Glenfield
33.	Wells	Leonas Myers	Bowdon
		Morris Larson	Heimdal
34.	McHenry	L. W. Belzer	Balfour
		Andrew Halvorson	Upham
		Fred T. Schmidt	Anamoose
35.	Kidder-Sheridan	Harold T. Morrison	Robinson
		Ed. Rieker	Tappen
36.	McIntosh-Logan	S. N. Welder	Napoleon
		Ed. Haag	Fredonia
		Ben J. Wolf	Zeeland
37.	Pt. Richland	Maurice S. Aker	Hankinson
		H. C. Williams	Lidgerwood
38.	Pt. Barnes	John N. McIntyre	Valley City
39.	Billings, Bowman Golden Valley and Slope	M. B. Hogoboom	Alpha
		L. K. Morland	Scranton
		C. T. Olson	Bowman
40.	Burke-Divide	J. H. Heckman	Alkabo
		Ed. McIntee	Northgate
		Ivan Erickson	Crosby
41.	McKenzie	Bernt Anderson	Charlson
42.	Pierce	Iver Drovdal	Arnegard
		George Allen	Pleasant Lake
43.	Renville	Wm. H. Tuff	Barton
		N. W. Nicholzen	Mohall
44.	Mountrail	Joseph N. Mollet	Powers Lake
		Theodore O. Rohde	Van Hook
45.	Williams	Carl Erickson	Springbrook
		William Ireland	Corinth
46.	McLean	Asle Bjella	Epping
		Fred Braun	Turtle Lake
		Donnell Haugen	Roseglen
47.	Grant-Sioux	J. W. Jennings	Washburn
		Ralph G. Beede	Elgin
48.	Mercer, Oliver and Dunn	Dan Panko	McIntosh, S. D.
		Walter Bubel	Center
		Eldor G. Sagehorn	Stanton
49.	Adams-Hettinger	Harry Semerad	Dickinson
		Geo. Schwartz	Mott
		Carl J. Austad	Hettinger

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 7th day of January, A. D., 1941.

HERMAN THORSON,

Secretary of State.

(SEAL)

The roll was called and there were 112 members present, and one absent, so a quorum was declared present.

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

The Chief Clerk appointed Representatives Lillehaugen, Heckman and Rohde to escort Chief Justice Burr to the rostrum.

Chief Justice Burr was escorted to the rostrum and administered the oath of office to the members of the House of Representatives.

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

Representative Fitch of Cass County, in presenting the name of Earl D. Symington, Representative from Pembina County, spoke as follows:

"Madam Chief Clerk:

"I welcome the opportunity of presenting to this House the name of a man of whom I think very highly, a man who has the ability to preside over this House in a very fair, honest and efficient manner, a man who, incidentally, is a dirt farmer and farms some 1,200 acres. To give you some idea of his qualifications I can say that he is the president of the Farmers Union Oil Co. in his community, the president of the Farmers Elevator in his community, president of the local school board in his district and has held offices in various other organizations in his community.

"I know of no man who would be better qualified for this position and I am sure that we will be highly pleased with Mr. Symington's work at the end of these next sixty days.

"I take great pleasure in presenting the name of Earl Symington of Neche in Pembina County for Speaker."

Representative Lillehaugen, in presenting the name of Palmer Levin, Representative from Walsh County, made the following nomination speech:

"During this first day's business of the Session we all appreciate the importance of the election of the Speaker of the House. In my estimation his position is more important than that of the Lieutenant Governor.

"The Speaker must be a man who has the respect and esteem of all the factions. He must be honest and fair-minded and possess the experience and qualifications necessary to guide us through this Session. We want a man who is a co-operator and whose record shows that he is willing to travel in the middle of the road.

"The name I wish to offer is not a new one in the legislative halls of North Dakota for his father has been a member of six successive Sessions of the House of Representatives of this state. Many of the members here know Mr. Levin's father personally and will remember him for his honesty and integrity.

"Mr. Levin has served in three successive Sessions in this body and has an excellent record. What can be said of the father can also be said of the son. He is progressive and honest, and his word is as good as his bond.

"Therefore, I take great pleasure in presenting the name of Palmer Levin of Walsh County."

Representative Crockett of Cavalier County:

"I want to second the nomination of Palmer Levin of Park River in Walsh County. The members of this House, a good majority of them, have had occasion to deliberate with Palmer

Levin over a period of sixty days, for four or five Sessions, and I know that you all found, when sitting in committees with Mr. Levin, that he is very broad-minded and has all the qualities required of a good Speaker. Those of you who have worked with him know that he just can't be beat.

"I take great pleasure in seconding the nomination of Palmer Levin."

Representative Myers of Wells County endorsed Palmer Levin's nomination as follows:

"I also consider it a privilege to endorse the nomination of Palmer Levin as Speaker of this House. You all know that under the present conditions the duties that fall upon this House of Representatives and the Senate are very great and that there are a number of big problems to be solved, especially financially. We need a man as Speaker who is fair and capable, and who understands the conditions at the present time in the State of North Dakota. Such a man is Palmer Levin. I have associated with him for a good many years and have found him to be honest and fair in all his decisions. He does not hold a grudge against anybody. It is most important that we have a man who is fair and prompt in his decisions and who will expedite the work of this House in these short sixty days we have here.

"I take pleasure in endorsement of his nomination."
Representative Trydahl of Grand Forks County spoke as follows:

"I have been a fellow legislator with Earl Symington here for two terms and in working with him here I have learned to know and appreciate Earl Symington.

"I think I will make it brief by just stating a paraphrase: 'He is a man in whom I have absolute confidence.' Therefore, it gives me great pleasure to second the nomination of Earl Symington."

Representative Beede of Sioux County:

"I would hate to pass the nominating speeches made in behalf of our friend Palmer Levin without expressing one thought and that is that we feel that he is sympathetic to the needs of all the people of the State of North Dakota who are struggling and fighting to make a living and pay their taxes.

"We feel that he is sympathetic to all of the people out in the vast regions of the Missouri Slope. We feel that in Palmer Levin we have a man who will do the best he can to help all of the state and especially those forgotten people who are struggling to make a living and to pay their taxes."

Representative Twichell of Cass County:

"I want to say a few words in favor of the man I am for. The only thing I am interested in is to get an able and capable man in for Speaker. He has just as much interest in the welfare of the farmers of the state as he has in any other direction.

"I say that Earl Symington is the man who should be elected, not because of any faction he belongs to but because of his qualifications for that position."

Representative Westby moved that the nominations for Speaker be closed and the motion prevailed.

Representative Fitch moved that a committee of three be appointed to escort Speaker-elect Symington to the rostrum, which motion prevailed and the Chief Clerk appointed Representatives Ireland, Levin and Aker on that committee.

Chief Justice Burr administered the oath of office to the Speaker-elect Symington.

Speaker Symington addressed the assembly as follows:
"Ladies and Gentlemen of this Assembly:

"It is indeed a great honor and responsibility that has been placed upon me by this honorable body this afternoon. I realize very fully the responsibility that I have to each one of you members during this coming sixty days, and I feel humble in your presence, and realize fully my shortcomings.

"During the coming sixty days I sincerely ask the co-operation of every member of this body. I assure you that I will try my utmost to preside fairly and impartially, and trust that my decisions will meet with your approval. If at any time the members of this assembly, either of the majority or minority, want to confer with me on any matter, I want them to feel free to do so.

"Each and every one of us must realize that we are here representing the people of this great State of North Dakota and that it is up to us to render to the state our very best services. Thank you."

Rev. Father Feehan of Bismarck offered prayer.

The Speaker announced that nominations were now in order for the office of Chief Clerk.

Representative Benno of Ward County:

"I wish to nominate C. R. Verry of Minot for the office of Chief Clerk."

Representative Schwartz:

"I wish to nominate for this important office a person whom all the people in North Dakota are acquainted with and whom all the members of this assembly know. She has plenty of ability with which to carry out the duties of this important office.

"I want to place the name of Minnie D. Craig for this important office of Chief Clerk."

Representative Smart:

"I wish to second the nomination of C. R. Verry for Chief Clerk. For the benefit of the new members I wish to state that he was Chief Clerk for many years in this House and is reputed to be one of the most efficient Chief Clerks North Dakota has had."

Representative Falconer moved that the nominations for Chief Clerk be closed, which motion prevailed.

ROLL CALL

The question being on the election of the Chief Clerk, the roll was called and there were 60 votes for C. R. Verry, 52 votes for Minnie D. Craig, absent and not voting, 1.

Those voting for C. R. Verry were:

Aker	Gackle	Olson, Barnes
Allen	Gainor	Olson, Bowman
Arneson	Haugland	Peterson, Ransom
Arndt	Hogoboom	Sagehorn

Austad	Holm	Sandness
Benno	Ireland	Saumur
Bergesen	Johnson, Cass	Sellens
Black	Johnson, Richland	Severson
Blair	Kee	Sharpe
Bolmeier	Kindem	Shure
Boulden	Langley	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Stormon
Collette	Moe	Swanson
Culver	Morland	Trydahl
Dalzell	Nelson, Cass	Twichell
Dittmer	Nelson, Sargent	Wambheim
Fitch	Nelson, Steele	Westby
Fitzharris	Nicholsen	Williams, Stutsman
Fuglestad	Nystrom	Mr. Speaker

Those voting for Minnie D. Craig were:

Anderson	Glas	Nelson, Morton
Beede	Gress	Nelson, Ramsey
Belzer	Haag	Ohnstad
Bingenheimer	Halvorson	Panko
Bjella	Haugen	Peterson, Bottineau
Braun, McLean	Heckman	Rieker
Braun, Stark	Hofstrand	Rohde
Brusseau	Jennings	Rygg
Bubel	Juhola	Schmidt
Bymers	Larson	Schwartz
Crockett	Levin	Semerad
Devlin	Lillehaugen	Stark
Drovdal	McIntee	Tuff
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Williams, Richland
Falconer	Morrison	Wolf, McIntosh
Fleck	Myers	Wolf, Morton

Absent and not voting:

Ilvedson

So C. R. Verry was declared elected as Chief Clerk.

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

The Speaker administered the oath of office to C. R. Verry, Chief Clerk.

The Speaker announced that nominations were now in order for Desk Reporter.

Representative Falconer of Burleigh County:

"I would like to nominate as Desk Reporter a girl from my own county. She held this position during the last session, and is very efficient and capable. I know that she will do the same work that she did before.

"She is a girl that we can all be proud of and her name is Miss Marie Garske."

Representative Fitch:

"Mr. Speaker: I would like to second that nomination."

Representative Bergesen moved that nominations for the Desk Reporter be closed, which motion prevailed.

ROLL CALL

The question being on the nomination of Marie Garske as

Desk Reporter, the roll was called and there were ayes, 112, absent and not voting, 1.

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad		

Absent and not voting:

Ilvedson

So Miss Marie Garske was declared elected as Desk Reporter.

The Speaker administered the oath of office to Marie Garske.

Representative Fitch moved that the Speaker appoint a committee of three to notify the Senate that the House is now organized and ready for business, which motion prevailed and the Speaker appointed on that committee Representatives Fitch, Anderson and Coghlan.

Representative Benno moved that the Speaker appoint a permanent Committee on Employment, which motion prevailed and the Speaker appointed on that committee Representatives Benno, Dalzell and Halvorson.

Representative Bolmeier moved that the Speaker appoint a temporary Committee on Revision and Correction of the Journal, which motion prevailed and the Speaker appointed on

that committee Representatives Bolmeier, Johnson of Richland and Levin.

Representative Carlson moved that the Chair appoint a committee of three on Mileage and Per Diem, which motion prevailed and the Speaker appointed on that committee Representatives Saumur, Brusseau and Carlson.

Representative Nelson of Cass moved that the Speaker appoint a committee of three to notify the Governor that the House is now organized and ready for business, which motion prevailed.

The Speaker appointed a committee consisting of Representatives Nelson of Cass, Twichell and Beede to notify the Governor that the House is organized and ready for business.

Representative Trydahl moved that the House proceed to draw for seats, and that the ex-Speakers and their delegations have their first choice of seats, which motion prevailed.

Representative Fitch announced that the committee appointed to notify the Senate that the House was organized and ready for business had performed its duty and moved that it be discharged, which motion prevailed.

Representative Morland:

"I want to place the name of Kenneth Morgan of Wolford as First Assistant Chief Clerk."

Representative Myers:

"I wish to place the name of a man who had experience as Chief Clerk in 1935. Most of you know that he is very capable.

"I want to nominate Walter Martin."

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

ROLL CALL

The question being on the nomination of the First Assistant Chief Clerk, the roll was called and there were 63 votes for Kenneth Morgan, 48 votes for Walter Martin, absent and not voting, 2.

Those voting for Mr. Martin were:

Anderson	Gress	Nelson, Morton
Beede	Haag	Ohnstad
Belzer	Halvorson	Panko
Braun, Stark	Haugen	Peterson, Bottineau
Brusseau	Heckman	Rieker
Bubel	Hofstrand	Rohde
Bymers	Jennings	Rygg
Crockett	Juhola	Schmidt
Devlin	Larson	Schwartz
Drovdal	Levin	Semerad
Erickson, Divide	Lillehaugen	Starck
Erickson, Williams	McIntee	Tuff
Falconer	McIntyre	Welder
Fleck	Mollet	Williams, Richland
Fraser	Morrison	Wolf, McIntosh
Glas	Myers	Wolf, Morton

Those voting for Mr. Morgan were:

Aker	Fitzharris	Nystrom
Allen	Fuglestad	Olson, Barnes
Arneson	Gackle	Olson, Bowman
Arndt	Gainor	Peterson, Ransom

Austad	Haugland	Sagehorn
Benno	Hogoboom	Sandness
Bergesen	Holm	Saumur
Bingenheimer	Ireland	Sellens
Bjella	Johnson, Cass	Severson
Black	Johnson, Richland	Sharpe
Blair	Kee	Shure
Bolmeier	Kindem	Singleton
Boulden	Langley	Smart
Braun, McLean	Lunde	Stormon
Carlson	McInnes	Swanson
Coghlan	Morland	Trydahl
Collette	Nelson, Cass	Twichell
Culver	Nelson, Ramsey	Wambheim
Dalzell	Nelson, Sargent	Westby
Dittmer	Nelson, Steele	Williams, Stutsman
Fitch	Nicholsen	Mr. Speaker

Absent and not voting:

Moe Ilvedson

So Kenneth Morgan was declared elected as First Assistant Chief Clerk.

Representative Morland: "I wish to nominate Gunder Olson of Walsh county as Sergeant-at-Arms."

Representative Halvorson: "I would like to nominate for Sergeant-at-Arms a man who was a member of the last Session, a very reliable person from Ward county. He is J. M. Joiner."

Representative Mollett moved that the nominations be closed, which motion prevailed.

ROLL CALL

The question being on the nomination of the Sergeant-at-Arms, the roll was called and there were 59 votes for Gunder Olson, 52 votes for J. M. Joiner, absent and not voting, 2.

Those voting for Mr. Olson were:

Aker	Gackle	Olson, Bowman
Allen	Gainor	Peterson, Ransom
Arneson	Hogoboom	Sagehorn
Arndt	Holm	Sandness
Austad	Ireland	Saumur
Benno	Johnson, Cass	Sellens
Bergesen	Johnson, Richland	Severson
Bjella	Kee	Sharpe
Black	Kindem	Shure
Blair	Langley	Singleton
Bolmeier	McInnes	Smart
Boulden	Moe	Stormon
Brusseau	Morland	Swanson
Carlson	Nelson, Cass	Trydahl
Coghlan	Nelson, Ramsey	Twichell
Collette	Nelson, Sargent	Wambheim
Dalzell	Nelson, Steele	Westby
Fitch	Nicholsen	Williams, Stutsman
Fitzharris	Nystrom	Mr. Speaker
Fuglestad	Olson, Barnes	

Those voting for Mr. Joiner were:

Anderson	Glas	Myers
Beede	Gress	Nelson, Morton
Belzer	Haag	Ohnstad
Bingenheimer	Halvorson	Panko
Braun, McLean	Haugen	Peterson, Bottineau
Braun, Stark	Haugland	Rieker
Bubel	Heckman	Rohde
Bymers	Hofstrand	Rygg
Crockett	Jennings	Schmidt
Culver	Juhola	Schwartz
Devlin	Larson	Semerad
Dittmer	Levin	Starck
Drovdal	Lillehaugen	Tuff
Erickson, Divide	McIntee	Welder
Erickson, Williams	McIntyre	Williams, Richland
Falconer	Mollet	Wolf, McIntosh
Fleck	Morrison	Wolf, Morton
Fraser		

Absent and not voting:

Ilvedson	Lunde
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So Gunder Olson was declared elected Sergeant-at-Arms.

Representative Trydahl moved that the Speaker appoint a committee of three to meet with a like committee of the Senate on the arranging of the inaugural program, which motion prevailed, and the Speaker appointed on that committee Representatives Trydahl, Dittmer and Fitch.

The Speaker administered the oath of office to Kenneth Morgan and Gunder Olson.

Representative Fitch moved that the rules of the Twenty-sixth Legislative Assembly be adopted as the rules of the Twenty-seventh Legislative Assembly, which motion prevailed.

Representative Fitch moved that the Board of Administration be authorized to furnish supplies and equipment for the legislative session, charging the same to legislative expense, which motion prevailed.

ROLL CALL

The question being that the Board of Administration be authorized to furnish supplies and equipment for the House to be charged to "Legislative Expense," the roll was called and there were ayes, 112; absent and not voting, 1.

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt

Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad		

Absent and not voting:

Ilvedson

Representative Fitch moved that the Speaker appoint a committee of three to notify the Board of Administration of the action of the House of Representatives.

Which motion prevailed and the Speaker appointed on that committee Representatives Morland, McInnes and Schmidt of McHenry.

Representative Morland: "I wish to nominate Clara Kane and Marie Tunell as stenographers. Both have served before and are very capable.

ROLL CALL

The question being on the nomination of Clara Kane and Marie Tunell, the roll was called and there were ayes, 112; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad

Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad		

Absent and not voting:

Ilvedson

So Clara Kane and Marie Tunell were declared elected.

Representative Benno nominated Luella Langness as telephone messenger.

Representative Lunde seconded that nomination.

Representative Nelson of Cass moved that the nominations be closed, which motion prevailed.

ROLL CALL

The question being on the nomination of Luella Langness, the roll was called and there were ayes, 111; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck

Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Myers	Westby
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Absent and not voting:

Crockett	Ilvedson
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So Luella Langness was declared elected as telephone messenger.

Representative Falconer:

"I would like to nominate a man for Postmaster for the House who I know to be honest, efficient, well-qualified and trustworthy and that man is Charles G. Boise."

Representative Morland:

"I wish to place the name of Earl McInnis for Postmaster of the House."

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

ROLL CALL

The question being on the nomination of Charles G. Boise and Earl McInnis, the roll was called and there were 64 votes for Earl McInnis, 44 votes for Charles G. Boise, absent and not voting, 5.

Those voting for Earl McGinnis were:

Aker	Gackle	Nystrom
Allen	Gainor	Olson, Barnes
Arneson	Haugland	Olson, Bowman
Arndt	Hogoboom	Peterson, Ransom
Austad	Holm	Rygg
Benno	Ireland	Sagehorn
Bergesen	Johnson, Cass	Sandness
Bjella	Johnson, Richland	Saumur
Black	Kee	Severson
Blair	Kindem	Sharpe
Bolmeier	Langley	Shure
Boulder	Lillehaugen	Singleton
Braun, Stark	Lunde	Smart
Carlson	McInnes	Stormon
Coghlan	Moe	Swanson
Collette	Morland	Trydahl
Culver	Nelson, Cass	Twichell
Dalzell	Nelson, Ramsey	Wambheim
Dittmer	Nelson, Sargent	Westby
Fitch	Nelson, Steele	Williams, Stutsman
Fitzharris	Nicholsen	Mr. Speaker
Fuglestad		

Those voting for Charles G. Boise were:

Anderson	Gress	Ohnstad
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Bingenheimer	Haugen	Rieker
Braun, McLean	Heckman	Rohde
Bubel	Jennings	Schmidt
Bymers	Juhola	Schwartz
Devlin	Larson	Sellens
Drovdal	Levin	Semerad
Erickson, Divide	McIntee	Starck
Erickson, Williams	McIntyre	Welder
Falconer	Mollet	Williams, Richland
Fleck	Morrison	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Glas	Nelson, Morton	

Absent and not voting:

Brusseau	Hofstrand	Tuff
Crockett	Iivedson	

So Earl McInnis was declared elected as Postmaster of the House.

Representative Fitch moved that employment of doorkeepers be referred to the Permanent Committee on Employment, which motion prevailed.

Representative Fitch moved that the arrangement for the services of a Chaplain be turned over to the Ministerial Association of this district, which motion prevailed.

ROLL CALL

The question being on the election of Chaplains, the roll was called and there were ayes, 110; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Culver	McInnes	Swanson

Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morlander	Welder
Erickson, Williams	Morrison	Westby
Falconer	Myers	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad	Nelson, Steele	

Absent and not voting:

Crockett	Iivedson	Schmidt
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Representative Westby moved that the Speaker appoint a committee of three to arrange for telephone connections for the House, which motion prevailed and the Speaker appointed on that committee Representatives Westby, Haugland and Crockett.

ROLL CALL

The question being on the arrangement of telephone connections for the House, the roll was called and there were ayes, 108; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Myers	Westby
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman

Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Absent and not voting:

Brusseau	Ilvedson	Schmidt
Crockett	Morland	

Representative Dalzell moved that the Speaker appoint a committee of three to arrange for the photographing of the members of the House, which motion prevailed.

ROLL CALL

The question being on the arrangement for the photographing of the members of the House, the roll was called and there were ayes, 105; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Absent and not voting:

Brusseau	Ilvedson	Schmidt
Crockett	Levin	Twichell
Fleck	Morland	

Representative Fitch moved that the Speaker appoint a committee of three to meet with a like committee from the Senate to arrange for the printing and distribution of the bills

and journals, which motion prevailed and the Speaker appointed on that committee Representatives Olson of Bowman, Kee and Lillehaugen.

Representative Morland reported that the committee appointed to notify the Board of Administration of the action of the House in regard to supplies and equipment had performed its duty and moved that it be discharged, which motion prevailed.

Representative Nelson of Cass reported that the committee appointed to notify the Governor that the House is organized and ready for business has performed its duty and moved that the committee be now discharged, which motion prevailed.

Representative Fitch moved that the House do now recess until 1:15 P. M., tomorrow, which motion prevailed.

C. R. VERRY,
Chief Clerk.

FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 8, 1941.

The House convened at 1:15 p. m., pursuant to recess, Speaker Symington presiding.

Representative Benno: "Mr. Speaker: Your Committee on Employment places in nomination the following names for the following positions and recommends that the group be given a collective roll call.

Pages:

Richard Benoit, Walhalla.

Ferd Koch, Jamestown.

Victor Stebbins, Bowman county.

Arnold Holden, Bucyrus.

Fred Ingstad, Fargo, Enrolling and Engrossing Clerk.

Ray Huard, Grand Forks county, Asst. Enrolling and Engrossing Clerk.

Evelyn Brown, Forman, Stenographer.

James Miller, Minot, Calendar Clerk.

Albert Homelvig, Amidon, Bill Room Clerk.

Albert Jacobson, Ransom county, Upstairs Doorkeeper.

Carl Dronen, Sharon, and Oswald Kriusk, Rock Lake,

Downstairs Doorkeepers.

Miles Nelson, Cass county, Asst. Mailing Clerk.

Clerks:

Thelma Campbell, Fargo.

Maynard Kritzman, Upham.

Almon Norton, Burleigh.

ROLL CALL

The question being on the employment of the above named nominees, the roll was called and there were ayes, 109; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gainor	Nicholsen
Allen	Glas	Nystrom
Anderson	Gress	Ohnstad
Arneson	Haag	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Austad	Haugen	Panko
Beede	Haugland	Peterson, Bottineau
Belzer	Heckman	Peterson, Ransom
Benno	Hofstrand	Rieker

Bergesen	Hogoboom	Rohde
Bingenheimer	Holm	Rygg
Bjella	Ireland	Sagehorn
Black	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmidt
Boulden	Juhola	Schwartz
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Stark
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker
Gackle		
Absent and not voting:		
Braun, McLean	Fleck	Sellens
Ilvedson		

So the above named nominees were declared elected.

The Speaker administered the oath of office to the above named employees, also Clara Kane and Marie Tunell and Luella Langness, and also Earl McLinnis as Postmaster.

Representative Beede moved that Minnie D. Craig, Chief Clerk of the Twenty-sixth Legislative Assembly, be allowed three days pay as Chief Clerk for services rendered in preparing the Legislative Hall and calling the House to order on January 7th, also for 409 miles of travel at 10c per mile, incurred in coming from Esmond to Bismarck and return, the same to be charged to Legislative Expense.

ROLL CALL

The question being on the allowance for Minnie D. Craig, Chief Clerk of the Twenty-sixth Legislative Assembly, the roll was called and there were ayes, 111; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom

Bergesen	Heckman	Rieker
Bingenheimer	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Myers	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Absent and not voting:		
Sellens	Ilvedson	

Representative Black moved that the absent members be excused, which motion prevailed.

Representative Fitch moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

SECOND DAY

Bismarck, January 8, 1941.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Fr. Robt. Feehan, Bismarck.

Roll Call: All Representatives present except Representative Ilvedson.

So a quorum was declared present.

The Speaker announced that the House would be on the Fifth Order of Business.

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

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

On page 4, line 9, the word "of" is misspelled.

On page 12, line 16, after the word "adopted" and before the word "the" insert the word "as."

On page 14, line 9, the word "closed" is misspelled.

On page 6 Roll Call should read 63 for Symington, 47 for Levin, 2 passing and 1 absent and not voting.

"On page 10, line 2, after the name "Nelson" add two words "of Cass."

On page 9 at the bottom of the page insert the following:

"Representative Nelson of Cass moved that the Speaker appoint a committee of three to notify the Governor that the House is now organized and ready for business, which motion prevailed."

On page 18 insert as the second paragraph from the bottom of the page the following:

"Representative Nelson of Cass reported that the committee appointed to notify the Governor that the House is organized and ready for business has performed its duty and moved that the committee be now discharged, which motion prevailed."

On page 10, Bingenheimer should be recorded in the Roll Call as voting for Kenneth Morgan.

On page 11, in the Roll Call for Sergeant-at-Arms, Representative Moe should be recorded as voting for Gunder Olson.

On page 7, Representative Gress and Representative Haag are recorded as voting for C. R. Verry whereas they voted for Minnie D. Craig.

On page 8, Representative Bergesen is recorded as voting for Minnie D. Craig, whereas he voted for C. R. Verry.

On roll call for Chief Clerk, Representative Black is to be recorded as voting for C. R. Verry instead of Minnie D. Craig.

On page 10, Representative Bymers should be shown as voting for Walter Martin instead of Kenneth Morgan.

On page 10, Representative Gackle should be recorded as voting for Kenneth Morgan instead of Walter Martin.

On page 10, Representative Aker should be recorded as voting for Kenneth Morgan instead of Walter Martin.

On pages 10 and 11, Representative Nelson of Morton is recorded as voting for Kenneth Morgan, whereas he voted for Walter Martin.

And when so corrected recommends that the same be approved.

WESLEY L. BOLMEIER,
Chairman.

Representative Levin moved that the report be adopted, which motion prevailed and the report was adopted.

Representative McInnes moved that the Speaker appoint a committee of three to make arrangements for committee rooms for the various committees of the House, which motion prevailed and the Speaker appointed on that committee Representatives McInnes, Swanson of Richland and Rhode.

Representative Stormon moved that a committee of three be appointed to notify the Senate that the House is now ready to receive them in Joint Session, which motion prevailed and the Speaker appointed on that committee Representatives Stormon, Swanson of Richland and Crockett.

The Speaker announced that the House would be on the Fourth Order of Business to receive a message from the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 8, 1941

Mr. Speaker: I have the honor to transmit:

Senate Joint Resolution No. 1. A Joint Resolution requesting that the State of North Dakota be represented on the Committee on Agriculture of the House of Representatives in Congress.

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

W. J. TROUT,
Secretary.

Representative Fitch moved that the House be on the Twelfth Order of Business for the consideration of Senate Joint Resolution No. 1, which motion prevailed and the Chief Clerk read the resolution.

Representative Fitch moved that the House be on the Fourth Order of Business for the reading of Senate Joint Resolution No. 1, which motion prevailed and the Chief Clerk read the resolution.

Representative Fitch moved that the House concur with the action of the Senate on Senate Joint Resolution No. 1, which motion prevailed, and Senate Joint Resolution No. 1 was adopted.

Representative Trydahl moved that the House do now recess subject to the call of the Speaker, which motion prevailed, and the House stood recessed.

JOINT SESSION

Joint Session was called to order by Lieutenant Governor Oscar Hagen.

Prayer was offered by Rev. Opie S. Rindahl.

Roll Call of the Senate by the Secretary of the Senate disclosed all members present.

Roll Call of the House by the Chief Clerk disclosed all members present.

Senator Stucke moved that the President of the Joint Assembly appoint a committee of three to escort the members of the Supreme Court to the rostrum, which motion prevailed and the President appointed on that committee Senator Stucke, Representative Morland and Representative Anderson of McKenzie.

Representative Fitch moved that the President of the Joint Assembly appoint a committee of three to escort the State Officials to the rostrum, which motion prevailed and the President appointed on that committee Representative Fitch, Representative Haugland and Senator Hill.

Senator Nelson of Grand Forks county moved that the President of the Joint Assembly appoint a committee of three to escort Governor John Moses to the rostrum, which motion prevailed and the President appointed on that committee Senator Nelson of Grand Forks county, Representative Sharpe and Representative Levin.

The members of the Supreme Court, the State Officials and Governor John Moses were escorted to the rostrum by the committees delegated for such purpose.

The invocation was pronounced by The Rt. Rev. David Stoeve, D.D., of Fargo.

The oath of office was administered to the elected officials by the Honorable A. G. Burr, Chief Justice of the Supreme Court.

The oath of office was administered to Governor-elect John Moses by the Honorable A. G. Burr, Chief Justice of the Supreme Court.

President Hagen:

"Members of the Twenty-seventh Legislative Assembly, Justices of the Supreme Court, Governor John Moses, State Officials, Guests and Fellow Citizens:

"At the joint session of the Twenty-sixth Legislative Assembly two years ago the Honorable John Moses appeared before this body as our incoming Governor and delivered his message. Today Governor Moses appears again before this body to report on his administration of our state affairs for the past two years and also as our newly elected Governor with recommendations for our consideration.

"I have the honor and privilege to present the Honorable John Moses, Governor of the State of North Dakota."

MESSAGE OF GOVERNOR MOSES

LADIES AND GENTLEMEN OF THE TWENTY-SEVENTH LEGISLATIVE ASSEMBLY:

I am here today by constitutional mandate to give an account of my stewardship of the past two years and to report to this legislative assembly upon the condition of the state as it exists at the commencement of your deliberations. In this connection it is both my duty and my desire to recommend, for your consideration, measures which I believe will promote the welfare of our people and our state.

We stand at the threshold of a new year. The past is dead; but in dying it bequeathed us many problems which can only be solved by the united and courageous action of this assembly. These problems are administrative, economic and social in their nature. They are the concern of all of the people of the state and partisan politics can have no rightful place in the deliberations which seek to solve them. It is our duty, mine as the chief executive and yours as legislators, to cope with these problems in that spirit of thoughtful tolerance which is the foundation of democracy. I assure you that such is my purpose and that of every other state officer.

While we shall for the next 60 days be chiefly concerned with planning the future of our state, we must be more than ever mindful of our duties as citizens of the United States. Peace reigns in the western hemisphere, but across the oceans which separate us from the old world war wages upon three continents. We have a duty as inheritors of the American traditions of liberty and democracy. We are prepared to meet our responsibility and to defend our freedom and our representative government against the destruction of war and external danger by making ourselves strong; strong in guns, tanks and airplanes and strong in a spirit of national unity. We in North Dakota are prepared to make whatever sacrifices may be necessary to gain and preserve that strength. In North Dakota and throughout the land we are a united people of all classes, faiths and races. We are one in our determination that the blessings of liberty shall be

retained for our posterity. America united will stand forever, a symbol to a world yearning for peace, freedom and prosperity.

Our kind, the American kind, of national unity, is in the tradition of democracy, for there can be no unity on any other basis in America. This democratic unity recognizes and insists upon freedom for opposing opinions, freedom to criticize the policies of your government and its officers, but it requires that we, as believers in democracy, do not oppose for the sake of opposition alone; that when we debate we do so to arrive at a sound decision. Before the curtain falls upon the final scene of this session, we shall differ, one with another, in many matters; may we, however, after expressing our opinions, continue to strive toward the goal that the fruits of our labors, the considered opinion of the legislative and executive branches of government, may accomplish lasting good for the people of this great state.

CONDITION OF THE STATE

Generally, the financial condition of the people within our state has materially improved during the last two years. Farming and business conditions have seen a marked improvement. 1940 crops throughout most of the state yielded more than any year since 1932. While grain prices were not as good as we should have wished and did not approach the cost of production, our farmers have been able to take care of some old bills, pay operating expenses and make necessary purchases. The livestock industry has made substantial recoveries. Good cattle prices as well as favorable wool markets have enabled North Dakota to regain, in a measure, the losses sustained in the drouth years. Livestock herds are definitely on the increase; better systems of farming coupled with soil conservation have improved the stability of our farming industry. A renewed spirit of courage, of self-reliance and of determination to work our own way through the difficulties that have beset us is a happy augury for the future of our great state.

Coupled with the recovery made by agriculture has come a general improvement in the business conditions of the state. All of this is reflected in the state's business and the business of the counties and other political subdivisions. We have seen a general reduction of state, county and school district indebtedness; we have experienced a realization that the ultimate solution of most of our problems, financial, and economic and administrative, must be sought at home.

The realization that the problems of the common school are primarily the problems of the local school district and the state cannot assume all that burden, but can at best aid and assist those who cannot assist themselves, has brought a tremendous reduction in the expenditure of school district funds with a resultant improvement in their financial condition.

During recent years we have relied on government help. We have demanded much from the national government in the way of aid and assistance. We also have demanded much from the state government. We have received much from the national government and for this the people of our state are grateful. Our state has responded to these

demands as far as it has been able. New demands continue to be made on national and state governments. In recent years we in North Dakota have been unable to pay for these demands out of the current revenue, and the revenue of the federal government has been insufficient to meet all demands. Consequently, the national indebtedness has continued to rise. This same condition is true in our counties and in other political subdivisions. We now begin to realize that we are the government.

Our needy people must be cared for and our schools must be maintained. We must continue our advance in social betterment. However, the more service we demand from government the more we must expect to pay. Whether that be in the maintenance of our schools, in terms of relief, in carrying out the many services which the state departments and state institutions furnish our people in building of roads, in utilization of the water of our state, or in aid of the farming industry of North Dakota.

Of necessity, in this message I can only touch very briefly some of the more important subjects requiring legislative attention and can only give you the most essential information available in suggesting a legislative program and policy which to me appears appropriate for the needs and welfare of the state.

FINANCIAL CONDITION OF THE STATE

Two years ago when I first assumed the office of chief executive of this state, the state treasurer reported the indebtedness of the state, under date of December 24, 1938, as follows:

Obligations outstanding:		
Real estate bonds.....	\$ 19,847,000.00	
Mill and Elevator construction bonds	2,500,000.00	
Capitol building certificates.....	401,000.00	
General certificates of indebtedness	2,180,000.00	
Total funded debt		\$ 24,298,000.00
Sinking Fund Assets:		
Real estate bond payment fund..\$	1,217,105.03	
Mill and Elevator construction....	46,494.44	
(after January interest)		
Certificate retirement fund.....	144,747.08	
(interest accrued)		
Total sinking fund assets		\$ 1,408,346.55
Net funded debt, Dec. 24, 1938		\$ 23,519,653.45

The indebtedness of the state today, pursuant to statement furnished me by State Treasurer John Omland at the close of business December 31, 1940, is as follows:

Obligations outstanding:	
Real estate bonds	\$ 19,145,700.00
Mill and Elevator construction bonds	2,500,000.00
Capitol building certificates	268,000.00
General certificates of indebtedness	1,351,000.00

Bank of North Dakota, past due	150.00
Total bondsd debt	\$ 23,254,850.00
Sinking fund assets:	
Real estate bond payment fund..\$	1,131,157.78
Mill and Elevator bond payment fund	364,894.92
Capitol building certificate redemption	8,129.85
Certificates of indebtedness retirement	204,222.25
Bank of North Dakota bond payment	1,725.49
Total sinking fund assets.....\$	1,710,130.29
Net funded debt, Dec. 31, 1940..\$	21,544,719.71

It will be noted that the state's debt has been reduced during the past two years in the sum of a few thousand dollars less than two million dollars.

STATE OF THE GENERAL FUND

At the close of business Dec. 24, 1938, the state treasurer reported the following:

Cash balance	\$ 608,048.84
Less:	
Instit. collections	\$ 250,000.00
Federal funds	16,500.00
Commss. beer fund	178,500.00 \$ 445,000.00

Available balance state treasurer's books. (This figure will be further reduced by state auditor's warrants outstanding, not presented)

\$ 163,048.84

The state of the general fund today, at the close of business Dec. 31, 1940, is as follows:

Cash balance	\$ 1,420,926.93
Less:	
Instit. collections and earmarked funds	\$ 374,093.41
Public welfare fund, collected from sales tax	35,252.64
Equalization fund, collected from sales tax	421,892.48
	\$ 831,238.53

Available balance for various appropriations, general fund

\$ 589,688.40

It will be readily seen that the cash position of the general fund of the state likewise shows considerable improvement.

STATE INDEBTEDNESS

I am calling your attention to the state's indebtedness. There are now outstanding and unpaid Mill and Elevator Construction Series Bonds in the amount of \$2,500,000. Of this \$1,200,000 will become due and payable on January 1, 1942, and \$1,300,000 January 1, 1947. These bonds carry interest

at the rate of 5½ per cent and 6 per cent. The bonds have been judicially construed to be non-callable and a general refinancing, by calling in the old bonds and issuing new bonds at a lower rate of interest, is therefore not possible.

I recommend that legislation be now passed for the purpose of enabling the state to refund these bonds, at a lower rate of interest. Interest rates are lower today than they have been in a great many years and I do not believe that it is practicable to increase the tax burden at this time by making a levy sufficiently large to retire these bonds when due. Let it be remembered that during the previous administration, Motor Vehicle receipts and later Beer Tax Income were allocated for the purpose of paying interest on state indebtedness. This practice has been stopped, making it necessary to make a general property levy for interest and principal payments. This should not be increased to the point of making it unduly burdensome in any one year, but spread over a longer period of time.

It would also be well for this legislature to make a careful study of the outstanding real estate series bonds, totaling \$19,143,000, with a view to developing a possible plan for the refinancing of such bonds.

I also direct your attention to the capitol building certificates now outstanding and unpaid. For the purpose of retiring such certificates an annual levy of .20 mill was provided for by the 1933 legislature. This levy has expired, making it necessary to take legislative action in order to provide sufficient funds for the payment of the remaining outstanding certificates, totaling the sum of \$268,000.

APPROPRIATIONS AND TAXES

The 26th legislative assembly made total appropriations from the general fund amounting to \$16,222,073.25, together with deficiency relief appropriations in the sum of \$547,450.00, also drawn on the general fund, and \$380,473.17 for relief, emergency and deficiency appropriations, the latter from the sales tax fund.

Through the economy program, commenced in the fall of 1939, reductions in an amount of more than one million dollars from these appropriations were effected. Many state departments and institutions agreed to an 18 per cent reduction of appropriations; other departments promised reduction in smaller amounts; some state departments made no reductions in their appropriations. By and large, the departments and institutions have faithfully complied with the economy program. The net result of the program, however, cannot be given in dollars and cents until the close of the present biennium. As it is, the state's income for the present biennium is not sufficient, while greatly exceeding expectations even at so late a date as the fall of 1939; it will not be possible to definitely forecast the exact amount of the reduced spending until the end of the present biennium.

During the fiscal year just passed, beginning July 1, 1939, and ending June 30, 1940, the income of the state from all sources has been the highest in several years. The general fund income is \$4,648,863.52, as compared with the following

general fund collections for previous fiscal years, as follows:

1936	\$3,205,658.45
1937	2,984,726.24
1938	3,619,603.08
1939	3,248,577.80
1940	4,648,863.52

In addition to the foregoing income, all of which accrues to the general fund of the state, I have the figures on the sales tax income for the last five fiscal years, each year ending on the 30th of June:

1936	\$2,507,859.56
1937	2,782,166.89
1938	2,906,808.88
1939	2,750,571.96
1940	3,100,543.19

If we take the income accruing to the general fund for the fiscal year ending June 30, 1940, \$4,648,863.52, and add to that the sales tax income for the same year, \$3,100,543.19, we get a total income for that fiscal year of \$7,749,408.71.

There is no safe and certain way of estimating what the income of the state will be for the fiscal year ending June 30, 1941. While six months of that year have now elapsed, the figures for that six-month period are not completely available. If we are to guess, or estimate, if you prefer, what that income will be, one might say that with the improved economic conditions in the state that that income should be the same as it was in the fiscal year 1940, and if that reasoning is followed the income might be estimated to be \$15,498,813.42. I do not, however, believe that we can conservatively estimate the income for the present fiscal year to be as large as the income for the year ending June 30, 1940.

Let us consider briefly the general fund tax collections, derived from the 3.8 mill levy: they are as follows:

1936	\$1,360,296.46
1937	966,540.90
1938	1,577,413.49
1939	1,357,598.33
1940	2,131,249.19

It is noted that the general tax collections for the fiscal year ending June 30, 1940, were very much greater than the collections for the preceding four years. It is interesting to break down these figures so as to learn how much of this represents current, 1939, taxes, and how much of it represents taxes for previous years. These are the figures:

1934 and prior years	\$ 411,255.54
1935	54,926.30
1936	82,477.89
1937	162,679.21
1938	499,498.35
1939	920,411.90
Total	\$2,131,249.19

A similar breakdown for prior years, take for instance, 1939, shows current tax collections approximately \$775,000, the year immediately previous thereto \$330,000 and the preceding years \$53,000, \$44,000, \$45,000 and \$120,000 for 1933 and prior

At no time within recent years has the amount of the old tax collections, representing taxes five years back and further, been anywhere near the impressive total of \$411,255.54 during the past fiscal year. The corresponding totals, five years and over, for the previous years are as follows:

1939	\$ 120,000.00
1938	168,000.00
1937	50,000.00
1936	113,500.00

The result of the removal of the moratorium on tax deeds is definitely shown in the great increase of old taxes paid. It is to be noted that the tax collections for the fiscal year ending June 30, 1940, including taxes collected for 1939 and prior years, are more than \$400,000 in excess of the taxes levied for the year 1939 (\$1,727,978; levy in 1940 being \$1,711,886), and it is not good business to estimate that the fiscal year ending June 30, 1941, will show a corresponding amount of old taxes paid.

While we have every right to anticipate that the taxes of the current year, 1940, will be paid fully as well, if not better, than the current taxes were paid during the past fiscal year, we can not estimate that the old taxes will be paid in an amount corresponding to that of the previous year. Therefore, I would say, even though the financial conditions in the state are better than they have been in several years, it is not safe to estimate an income for the biennium ending June 30, 1941, of any amount in excess of \$15,000,000.

If it is difficult to forecast the income for the remainder of the present biennium, it is of course that much more difficult to estimate the income for the biennium ending June 30, 1943. We have the right to hope that the economic conditions of the state will continue to improve with the greater spirit of optimism prevailing throughout the state, with renewed courage, with greater self-reliance and renewed enterprise in farming as well as in business, and we have every right to face the future with confidence. We have, however, no guarantee that the relatively favorable conditions which prevailed in 1939 and to a higher degree in 1940, are going to be continued through the next two years, and I therefore believe that the state's income, from general taxes and from all present sources of taxation, including the sales tax, should not be estimated at more than \$14,500,000 for the biennium ending June 30, 1943.

This I believe to be a fair estimate. If we agree that it is a fair estimate and if reasonable men, viewing the financial future of the state in the light of the experience of the past will agree that this is a fair anticipated income for the next biennium, then the legislature, in my opinion, is faced with the task of reducing appropriations to the amount of tax income which can reasonably be expected or, to use a concrete figure, \$14,500,000.

At the 1939 session of the legislature the appropriations totaled \$16,300,000. Through the so-called Governor's Economy Program, commenced in the fall of 1939, reductions in an amount of more than one million dollars from these appropriations were effected. The economy drive in many cases worked a hardship on state institutions and departments in this, that the departments and institutions had planned their

work and had planned their expenditures on the basis of the appropriations and later were compelled to readjust their spending on the basis of a greatly reduced income. That this is not a good way of doing business goes without saying. I regard it as essentially necessary that the legislature reduce the proposed appropriations to an amount corresponding to the available income. In other words, it is necessary that the state limit its spending to the amount of the state's income. With the limited resources of North Dakota, with the difficult financial condition in which hundreds of school districts and many counties find themselves, with the need for large expenditures for debt service facing both the state and municipal subdivisions, it seems to be plain common sense to spend as we go and to appropriate no more money than we have to spend.

I, therefore, recommend to you, the members of the 27th legislative assembly, that in approaching the difficult task of appropriating money for the needs of the state, you have in mind the state's available income for the coming biennium, and that you do not appropriate money in excess thereof.

I recommend that you make it your business to carefully scrutinize the available sources of such income and that you determine to your own satisfaction what income the state can reasonably expect to receive, from all of the many sources of taxation, fees, licenses and otherwise, which now provide revenue for the conduct of the state's business, for relief, and for aid to the schools, and that when an agreement has been reached, you then proceed to appropriate money from the state general fund and from the anticipated income from the sales tax, and that you do not exceed that amount.

This will mean a sharp reduction from the figures presented by the budget board. It is to be remembered that the members of the budget board, in preparing the budget, have taken into consideration the requirements made by the various state departments and institutions; that these requirements have been greatly reduced by the board, but that there still is a big job to be done by the legislature by way of further reducing the budget, as a whole, to bring it within the state's ability to pay. During the few weeks available to the legislative members of the budget board it is not possible for them, together with the elective officials composing the board, to sit in judgment upon what the final appropriations should be. The budget board presents the requirements of the institutions and departments, as reduced by the board, to the legislature and leaves it to you gentlemen to eliminate, to reduce, and to grant appropriations, as your collective judgment dictates, after a careful study and investigation by the various committees of the house and senate.

The net result of the deliberations of the legislature should do substantial justice to all of the state departments and institutions and to the many demands which are now made upon state government, demands which must be met within the state's ability to meet them.

I do not believe that new or additional taxes should be levied at this time; real property in North Dakota is burdened with heavy taxes, hundreds of thousands of acres of North Dakota farm land have been lost to the farm home owner in recent years, largely through high taxes. There can be no increase

in real estate taxes and I am frank to say that I do not believe there should be any substantial increase in any state taxes. Such items as the removal of tax exemptions on the income of federal employes and possibly some adjustments in some of the so-called "nuisance taxes," a tightening up of many of these should receive consideration, but any substantial increase in taxation or any attempt to find new avenues of taxation or to find new tax bases should be discouraged.

SCHOOLS AND EDUCATION

It is encouraging to note the improvement in the financial condition of school districts in general and in the so-called distressed school districts in particular. The needs of the common schools are needs to which the State Administration must respond, but the primary responsibility is the responsibility of the individual school district and that district must literally make the maximum effort to function before it turns to the state asking for aid.

Chapter 209, session laws of 1939, was a wise and progressive enactment. Realizing the inability of the state to assist distressed school districts, except in case of absolute need, the 26th legislative assembly required the individual school district to make every effort to improve its financial condition and to submit a budget to the state department of public instruction for approval.

For the purpose of assisting the common schools and the high schools of the state, the 26th legislative assembly appropriated \$4,510,000, including two smaller items, one for vocational education and one for high school correspondence study. It does not appear likely that there will be sufficient income during the present biennium to meet these appropriations in full; it does not appear that the income of the state, from general fund taxes and the sales tax, will be sufficient during the coming biennium to enable the legislature to appropriate as much money as was appropriated for the aid of the common schools and the high schools in the state by the last legislature. I, therefore, respectfully direct your attention to the necessity for the most careful appraisal and study of the needs of the common schools and the high schools in the state, and to the appropriations to be made to assist the various school districts in meeting these needs.

We recognize that while the duty of furnishing education for the children, under our form of government, is primarily the duty of the local school district, and that the state can only assist the school district in carrying out its functions, nevertheless, we must not close our eyes to the sacred and inalienable right of every American child to a free public school education; even with the tremendous burdens which rest upon our people today, every effort must be made to see that this right is not denied to North Dakota children. I am sure that the legislature will approach this great task in a spirit of doing justice to the children of North Dakota.

INSTITUTIONS OF HIGHER LEARNING

The budget board will present for your consideration a unified budget for the institutions of higher learning in the sum of \$2,726,000, an increase of \$410,000 over the appropriation for the present biennium. In this connection I wish to make a few observations. You will recall that these institutions in 1933 suffered a tremendous slash, especially in salaries,

where the cut ranged as high as 60 per cent in some cases. To be specific, the total appropriations approved for the institutions of higher learning in 1933 were \$1,607,297.10 as compared with \$3,929,453.29 in 1931. While a few of these cuts have been partially restored since 1933, the salaries paid instructors are much lower than in neighboring states. The result of this is that our institutions have become, to a large extent, only a proving ground for young instructors who get their year or two of experience and promotion in rank and then move on to neighboring states. This is a distinct loss to the educational progress of our youth as well as to the stability of our institutions. The continued increase in enrollment in practically all of our institutions of higher learning up to the present year has greatly aggravated the financial problem.

In November, 1939, when I called upon these institutions to assist me in paring the state's budget so as to avoid calling a special session of the legislature, I received a very generous response. It is true it has not been possible for all of the institutions to meet the 18 per cent reduction, for to do so would have meant still further reduction of salaries. Substantial reductions have been effected by postponing appropriated expenditures for needed equipment and repairs, but you will understand that this postponing of essential improvements and repairs must be taken into account in the present appropriation.

To assist the institutions to make the voluntary reductions in expenditures the board of higher education authorized an increase in the schedule of student fees. Even with the proposed increase, student fees in North Dakota are still below the average in neighboring states, including South Dakota, where economic conditions are comparable to ours. The practice of charging term or semester fees, to place upon the student a share of the total expense of maintaining these institutions, is older than statehood. Also, successive legislatures have recognized this right to charge reasonable fees by deducting from the gross appropriations the estimated income from student fees and other sources of income to reach the net appropriation to be allowed from the general fund of the state. It is my duty to call to your attention the fact that a legal action is now pending in the courts attacking the system of charging any fees whatsoever to students enrolling in the institutions of higher learning. The outcome of this action is exceedingly important since the budgets have been figured on the basis of this increased income from fees.

PENAL AND CHARITABLE INSTITUTIONS

Some of these institutions, all under the charge of the board of administration, are facing important needs for additional buildings and repairs, which is called to your special attention.

The board of administration is faced with financial difficulties in the administration of the state hospital at Grafton, the State Hospital at Jamestown and the Sanatorium at San Haven, due to the failure of many counties to make any levies for the payment for county patients, and the failure of other counties to make sufficient levies. This problem has received the attention of the Debt Survey and Relief Commission, and I join in the recommendations made by the Commission, providing for remedial legislation.

WELFARE AND RELIEF

The state must deal justly and fairly with those of our citizens who are in need, old people who have no means of sustenance and nowhere to turn, and with dependent and crippled children. Those who through no fault of their own are unable to earn their own support or to get support from other sources must be cared for by the state and its political subdivisions. I am sure that you members of the legislature all share this view and that you agree that the first concern of the state is the welfare of its people.

The federal government through the Works Projects Administration has been of great assistance to the unemployed of North Dakota. I am informed that arrangements have been made to put 13,500 unemployed persons to work on various WPA projects during 1941. The Farm Security Administration is making studies and is prepared to come to the assistance of distressed farmers of our state, principally in those counties which have suffered most severely from drouth and other unfavorable conditions during the year just passed.

During the past two years the federal government through its various agencies has expended more than \$29,469,272 within the state. All of this money has gone to provide for the care of needy persons. For this we in North Dakota are extremely grateful, and I want, here and now, to express my sincere appreciation of the splendid co-operation I have received from the federal agencies in this state. I also publicly announce my gratitude for the splendid co-operation and ready understanding of President Roosevelt and the heads of the various federal departments and agencies. Without this assistance and without the deep sympathy and keen realization of the problems of our state the task of aiding and assisting our deserving people during the recent trying years would have been insurmountable.

The improved conditions in the state as a result of better crop conditions have, in a measure, been reflected in the need for public assistance. The number of farm families receiving relief grants from the Federal Farm Security Administration decreased from 30,924 in January, 1939, to 567 in October, 1940. The improved farm conditions, however, are reflected to a lesser degree in the relief programs financed in whole or in part from state or local funds.

Through the economy program the state administrative cost of relief was reduced more than 18 per cent. I acknowledge the splendid co-operation the Public Welfare Board gave me in bringing about this reduction.

Our relief problem will be one of the most difficult this legislature has to face. Our counties must not be forced into bankruptcy by placing too great a part of this burden upon them; the state must see to it that reasonable appropriations are made for our needy citizens. I urge that you earnestly study and try to solve this difficult problem.

HIGHWAYS

North Dakota has a highway system totaling 7,341 miles. Of this mileage, 1,516 miles is of oil surfacing, or higher type standard, 4,721 miles is gravel or scoria surfaced, 491 miles is graded and drained and 613 miles unimproved. As of Nov. 30, 1940, the department was maintaining 6,612 miles of highway.

For the fiscal year ending November 30, 1940, the Department received \$716,821.30 as its share of the Motor Vehicle receipts, and \$1,624,000 as its share of the three-cent gas tax collections, making a total of \$2,340,821.30 for the maintenance and administration of our state highway system. Receipts from the one cent gas tax enacted by the 1939 legislature, and which expires on June 30, 1941, totaled \$864,574.32 for the fiscal year ending November 30, 1940. This additional one cent gas tax is used exclusively for matching federal aid funds to be used in highway construction. For the fiscal year ending November 30, 1940, the department's construction program totaled \$2,925,365.92, this being construction projects entirely completed. An additional \$1,358,184.11 in construction work has been placed under contract or is under contract and partially completed. Of the \$2,925,365.92 in construction projects completed for the fiscal year ending November 30, 1940, \$1,088,236.12 was state funds, and \$1,837,129.80 was federal funds.

Heretofore the federal government made large sums of money available for construction of highways in the states without the need of matching. Now, however, the state must match federal funds for constructing and reconstructing highways. There is available to North Dakota in federal funds for road construction purposes the sum of \$2,338,870.54 for 1941, and \$2,446,151 for 1942; of these funds, however, the sum of \$1,423,158.34 for 1941 and \$1,755,204 for 1942, must be matched by the state, or the state must use 90 per cent of its net receipts from motor vehicle fuel tax and motor vehicle fees for highway maintenance and construction purposes on our state highway system; otherwise, the federal funds requiring matching will revert to the secretary of agriculture, and will be allocated to other states.

The finances of the state highway department have improved during the last two years. During the last two years the cost of maintenance and operation of the highway department proper, exclusive of new highway construction, has been reduced in the sum of more than \$1,000,000 each year, as compared with the year 1938. This has made it possible for the highway department to spend, out of its regular revenues, a much greater amount toward matching of federal funds for hard surfacing roads. On January 1, 1939, the state highway department had on hand in cash \$596.70 and was indebted a total sum of \$1,085,194.17. On January 1, 1941, the highway department had on hand \$290,569.05, and no outstanding indebtedness except for current bills and promissory notes from a former administration to the Bank of North Dakota, in the sum of \$600,000, with interest.

It is my belief that this loan should be repaid, although some doubt exists as to the legality of the original transaction and some doubt exists as to the repayment of the loan in view of the non-diversion statute. If you find, however, that the loan can legally be repaid, then I recommend that you, by specific legislative enactment, provide for the repayment thereof, out of highway funds, in annual installments, at a nominal rate of interest, extending over a period of years so as not to seriously impede and retard the program of resurfacing the primary road system in North Dakota. I do not believe that the practice of borrowing money from the Bank of North Dakota by executive departments and state

institutions should be encouraged, in the absence of express legislative authority so to do, and therefore recommend that a study of such practices be made and if necessary, you pass appropriate legislation to correct such practices.

Under the refund method of handling gasoline used for agricultural or non-highway purposes, the average yearly refund payments for the period from 1935 to 1938, inclusive, were 27.9 per cent of the gross collections. Since the enactment of the tax-exempt law, that is, from July 1, 1939 to November 30, 1940, the tax exempt sales have totaled 41 per cent.

North Dakota must face the facts. We are maintaining the largest highway system in point of mileage per car of any state in the union. We are among those who charge the lowest Motor Vehicle registration fee of any state in the Union. Two years ago we changed from the old refund system to the tax-exempt system. The percentage of gasoline tax refunds in North Dakota has uniformly been high, as compared with neighboring states. Let me call attention to the situation in South Dakota. No two states are more alike in their agricultural problems than North Dakota and South Dakota. During the year 1939, the refunds in South Dakota were only 20 per cent, whereas our refunds, as stated, amounted to 41 per cent for the fiscal year ending November 30, 1940. South Dakota uses the refund system. Comparative figures show that in 1930, South Dakota had 33,837 tractors, whereas North Dakota had 37,605. The North Dakota figure for 1940 is 41,405. For the same year, 1940, the South Dakota figures are 41,805. Other comparative figures indicate that the South Dakota consumption of tax exempt gasoline should not be far from our consumption. The cultivated acreage in South Dakota is almost 1,000,000 acres larger than that in our state, according to information furnished me today.

One can readily see that there is something radically wrong with our method of handling gasoline taxes. Without question, and means must be found for tightening up the present system of handling this difficult subject; I recommend this problem for your earnest consideration.

No matter which conclusion you come to, I believe that it will be more advantageous to have all matters pertaining to the handling of tax exempt licenses, or gas tax refunds, as the case may be, handled in the office of the state tax commissioner, and I therefore recommend that legislation be passed to accomplish that purpose.

The importance of having part of the revenue from the motor vehicle fuel tax used exclusively for matching federal aid funds cannot be overemphasized. I earnestly recommend that the one cent additional tax passed by the last legislature be continued.

North Dakota can not hope to maintain its present state highway system and provide funds for new hard surface construction without additional funds. We must decide which course to pursue in the interest of our people, taking into consideration the needs of the state, the employment of our people, the necessity for progress along sound and economical lines, and likewise taking into consideration the ability of our people to pay. What we do now will in a measure determine the future of our state highway system.

DRIVER'S LICENSE AND HIGHWAY PATROL

North Dakota charges a 50-cent driver's license fee, good for two years, and from the proceeds of this license maintains the highway police patrol and the driver's license bureau. I recommend that this license be increased from 50 cents to \$1.00, thereby enabling the highway department to maintain about 25 highway patrolmen in addition to the director and the safety inspector.

I recommend that rigid examinations be conducted in the selection of men for the highway patrol, including a strict physical examination, and that the entire force be placed under the merit system.

I further recommend that there be delegated to the highway police force the additional duties of checking possible violations of the gas tax and the motor vehicle laws of the state.

STATE MILL AND ELEVATOR

The state mill and elevator is managed in an efficient and a businesslike manner. The last available audit, as of date June 30, 1940, shows net earnings of the mill for the 11 months period, August 1, 1939 to June 30, 1940, to be slightly less than \$200,000, after making allowances for depreciation, for interest on the outstanding bonds and for reserve for bad debts.

I can truly say that the condition of the state mill and elevator is the best that it has been in many, many years.

BANK OF NORTH DAKOTA

Conditions in the Bank of North Dakota have also improved and the most recent statement shows this institution to be in a healthy condition.

During the past two years the Bank, as well as all state funds, has discontinued purchasing new bond issues of political subdivisions through any broker.

During the past year upward of eight hundred farms have been sold by the Bank of North Dakota to individual farmers and again placed on our tax rolls.

NATURAL RESOURCES

The state water commission has done efficient work in promoting the water use and irrigation program of the state. Sufficient funds should be provided for the continued operation of this important state agency.

I also desire to call your attention to other natural resources of the state, lignite coal, gas and oil deposits, bentonite, sodium sulphate and other deposits, as well as the need for a survey of the industrial possibilities of the state. In my opinion, a resources council should be established by legislative authority, its administrative functions lodged in the present industrial commission, with authority to employ competent help and perhaps a small appropriation to enable the state to safeguard its natural resources and to make studies leading to their future development.

GOVERNMENTAL REFORM COMMISSION

Much good work can be done by the 27th legislative assembly by way of reducing expenses, eliminating unnecessary functions of government and unnecessary services and agencies of government. Much good can be accomplished to the same purpose by succeeding legislatures. I believe, however, that

the time has come in North Dakota for the making of a thorough study of our entire governmental structure, state and county, city, township and school district, with the purpose in mind of effecting, through constitutional amendment if necessary, a thorough reorganization of governmental functions in our state. In state government we have much overlapping of authority; in many departments we are doing business today as we did 50 years ago; our local governmental structure is substantially unchanged from the days of statehood. Our entire governmental structure should be carefully examined and the touchstone should be: Is it necessary?

It is difficult for the executive to gain a complete perspective of the needs of each state department and the necessity for the continuation of that department and for the continuation of the functions in that department. The information is here; the experience of other states, notably Virginia, Kentucky, Alabama, Minnesota, and many others, is available; and we can draw upon the experience of those states which have, after a careful study, effected a reorganization of governmental functions.

It is a hard task to pay taxes in North Dakota; it is a hard job for the taxpayer to earn enough money with which to pay taxes. The demands upon government and the need for government assistance, state and municipal, have increased by leaps and bounds in recent years. With so little to do with and with so great a field to cover, we need to husband our resources and we need to spend money only for that which is necessary in the administration of orderly government, in the protection of life and property, in educating our people, and in the relief of distress. We can well afford to spend a reasonable amount for the purpose of co-ordinating the facts, studying the experience of others and presenting to the legislature a comprehensive proposal for governmental reform.

It is my earnest belief that this legislature should take action to create a commission composed of one member of each of the three branches of government, for instance, the governor, one of the justices of the supreme court, and a member of the legislature, provide such commission with a small appropriation to enable the commission to hire the necessary skilled help and to prepare a comprehensive reform plan. It is my belief that such plan should be accompanied by proposed legislation and proposed constitutional amendments which may be necessary, to be acted upon by the next legislative assembly, and thereafter submitted to the people for approval or rejection.

PUBLIC LANDS AND LAND USE PROBLEMS

During these years of drouth and crop failures, an increasing amount of farm land has been acquired by the state, by the counties and by the federal land bank. These lands constitute an increasing problem to the state and to the subdivisions. An inherent desire for farm home ownership in North Dakota has found expression in the fact that the state, through the Bank of North Dakota, has, during the past year sold nearly 800 farms, while thousands of other farms have been sold, mostly to renters, by agencies able to offer the attractions of low prices, low interest rates and long term contracts. It was a direct benefit to the state to have these farms returned to the tax rolls, and to have land returned to private owner-

ship. It is my best judgment that many thousands more of renters and worthy young farmers have like desires to own their own farms, but they are unable to buy because there is no agency able to care for the deferred payments over long-term periods.

In this connection, may I again call your attention to the report of the Debt Survey and Relief Commission, just completed, copies of which will be placed in the hands of members of the 27th legislative assembly. This report contains valuable suggestions and recommendations for the adoption of an intelligent land use and land sale program which I shall not repeat here. Your attention is also called to the suggestions for legislation affecting land use, adopted last August at a meeting of representative citizens, called by your governor to consider problems affecting land use; I respectfully refer these suggestions and this report, entitled "Publicly Owned Land and Related Factors," copies of which have likewise been provided for each member of these bodies.

A dangerous situation has arisen through the acquisition of thousands and thousands of farms by state, county and federal agencies. While it is true that some of these farms have been sold as hereinbefore stated, the vast majority of them are still in public ownership. To throw additional large tracts of land on the market within the near future is, in my opinion, dangerous, and I therefore recommend to you a study of the Corporation Farming Act of 1932, with a view to defining particularly corporation farming. While I most heartily endorse the intent of this law, I believe that this legislature should carefully scrutinize the application thereof to North Dakota conditions and make such clarifying amendments, changes or extensions of time limitations as you may find to be warranted.

I further recommend that you direct your attention to the benefits which may be obtained to farmers in North Dakota through the re-entry of the federal land bank into the farm loaning field in this state. If you find that the facilities of the federal land bank, if made available to North Dakota, will be of assistance to North Dakota farmers in acquiring farm homes, in keeping with the policy which I firmly believe ought to be the guiding policy of North Dakota; that is to say, that the man who tills the soil is the man who should own that soil; then I suggest that you may desire to give your attention to possible legislation to facilitate the re-entry of the federal land bank in the farm loan field in our state.

I recommend that provisions be made for the leasing and sale of all lands owned by the board of university and school lands and the Bank of North Dakota, in trust for the state of North Dakota, under one agency, for the purpose of avoiding duplication of effort and needless expense.

Consideration should be given to a uniform system of land classification, to be used as a basis, in whole or in part, for the assessment of farm and ranch lands.

GENERAL

STATE ENGINEER

Chapter 224 of the session laws of 1929 provide for the appointment by the governor of a state engineer and provide that he shall have general supervision over the waters of the

state and of the measurement and appropriation thereof. Chapter 256 of the session laws of 1939, creating the state water conservation commission, vests in that commission jurisdiction and control over the waters of the state. Those powers and duties formerly vested in the state engineer are now vested in the state water conservation commission. I therefore recommend that Chapter 224 of the session laws of 1929 be amended so as to provide for the appointment of the state engineer by the state water conservation commission, thereby making him an employe of that commission, and further, to provide that the state engineer shall be ex-officio secretary and chief engineer of the commission. I recommend that section 2 of Chapter 224 of the laws of 1929 be repealed.

MORATORIUM

I recommend that the Moratorium Act of 1935, re-enacted in 1937 and in 1939, be again re-enacted.

ADMINISTRATIVE REFORM

In the interest of efficiency and economy in the management of the state's affairs, I respectfully submit for your consideration the following specific recommendations:

That all state employes not of an executive nature be placed on a merit system through an adequate and comprehensive civil service act.

I recommend for your consideration that the membership of the legislature be materially reduced, that a separate election district be established for each member of each body and that the members of the legislature be elected on a no-party ballot.

I recommend that all state and county officers be elected for a term of four years. I believe that better and more efficient service can be obtained from state and county officers who are elected for four year terms. Less time will be wasted in political and campaign activities. The people of the state have ample protection through the use of the Recall.

A saving, while small in individual cases, yet large in the aggregate, can be effected by elimination of township, school district and village treasures, leaving to the county treasurer the duties of such officials. I recommend such legislation.

The need for a uniform accounting system has long been imperative. I therefore recommend that you provide for a commission to be appointed by the governor to arrange a suitable system of accounting, reporting, auditing and budgeting for the various state departments, institutions, and political subdivisions, the same to be uniform as to the same type of institution of subdivision, and such accounting system to be approved by the governor, tax commissioner and board of auditors.

Experience shows that sound management of the state's affairs can best be achieved by taking advantage of the knowledge and executive ability of institutional and departmental heads. I recommend that the legislature make definite provision for doing so. As a means to that end I suggest that, after the appropriation for each institution and department is decided upon by the legislature, a 10 per cent cut be made in each item in the appropriation as finally determined and an equivalent sum be added to the appropriation as a departmental or institutional contingency fund. Legal authority

should be granted to the institutional or departmental head to spend any part of this contingency appropriation to supplement any item in the budget for which the regular but reduced appropriation may prove inadequate. Such expenditure from the proposed contingency fund should be conditioned upon approval, prior to the expenditure, of the board of higher education, or the board of administration, as the case may be, and by the state budget board, provisions being made for the possible additional expenses of the legislative members of the budget board.

I recommend that the matter of sale of liquor stamps and the matter of handling liquor revenue be transferred from the state treasurer's office to that of the tax commissioner. I further recommend that the proceeds of the sale of liquor stamps, now going to the counties to apply on real estate taxes, be diverted to county poor relief, for the purpose of providing additional funds for counties which are now hard put to take care of these problems.

I recommend the election of state officers on a no-party ballot, the election to be held in non-presidential election years.

I recommend that provisions be made for a thorough audit of the Teachers' Insurance and Retirement Fund, upon an actuarial basis, the costs thereof to be paid from the Teachers' Insurance and Retirement Fund.

RELIEF AND DEBT SURVEY COMMISSION

You will recall that the last legislative assembly adopted a concurrent resolution providing for the creation of a state relief and state survey commission, so-called, for the purpose of making a broad survey of the situation respecting the debts of municipalities and school districts, and of the relief problems.

This commission was duly appointed and organized, and has conducted an extensive inquiry into such matters. It has filed its report with the governor as required by the resolution, which report will be made available to the legislature. It appears, however, that for reasons of economy, the commission has not burdened its report with a mass of statistical details — which might easily have been done — but has confined its report to a statement of ultimate findings, conclusions and recommendations for remedial legislation.

Its investigation was carried on in an informal, rather than in a formal manner, and its members have, no doubt, become well versed in many aspects of involved municipal debt and relief problems, which were made the subject of study. It seems to me that the assistance of this commission to the legislature, in an advisory capacity, would be valuable. For this reason, as well as the fact that the tenure of the commission appears to be uncertain under the terms of the resolution, I would suggest that the legislature, by appropriate action, continue the commission in existence, as an advisory agency, during the present session. I believe no additional appropriation will be necessary to effect this purpose.

REPORT AND RECOMMENDATIONS OF RELIEF AND DEBT SURVEY COMMISSION

I have already called your attention to the report of this commission; I can not too strongly urge that you familiarize yourselves with this report and give it your most careful

attention. Excellent work has been done by this commission, composed entirely of legislators and former legislators; three of its members are members of these bodies.

The report contains a wealth of practical suggestions and recommendations for legislation. To discuss each of these recommendations in this message would be taxing your patience unduly and I therefore shall merely mention some of them for your consideration:

1. Special insolvency law for insolvent municipalities.
2. Changing the method of collection of personal property taxes.
3. Revamp and clarify tax deed laws.
4. Provisions for the levy of not to exceed 2½ mills by counties for care of patients in state institutions.
5. Mileage reductions.

That the foregoing have been called to your specific attention does not mean that the other recommendations of this commission are not equally worthy of the serious consideration of the legislature.

CONCLUSION

The foregoing statement is a brief review of the condition of our state, calling your attention to certain specific matters in connection with which I believe that legislative action should be taken. Beneficial legislation will of course be offered on many other subjects, which, I trust, will receive favorable consideration. Let me urge that cautious and careful study be given to all bills presented; that you place on the sponsors of the bills the burden of showing that the measures advocated are sound in principle, within the financial means of the state and calculated to promote the public welfare.

You and I were elected to state office for the purpose of working out together a program which will serve the needs of the state and its people in these trying times. Let us approach that task in a spirit of co-operation; it is my earnest desire and my purpose to render such service and assistance as I can to you, the members of the legislature, in the difficult 60 days which now lie before you. It is a big task; we shall approach that task, you and I, as servants of the people, in the interests of the welfare of the people. It is my hope that our labors here during the next 60 days may prove of value and be of benefit to the people of North Dakota.

Benediction was given by The Most Rev. Vincent J. Ryan, D. D., Bismarck.

Senator Bridston moved that the Joint Session be now dissolved, which motion prevailed, and the Joint Session was adjourned.

The House reassembled with Speaker Symington presiding.

Representative Twichell moved that the House do now recess until 1:45 p. m., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY,
Chief Clerk.

SECOND DAY AFTER RECESS AND THIRD DAY

Bismarck, January 9, 1941.

The House convened at 1:45 p. m., pursuant to recess, Speaker Symington presiding.

Representative Sandness moved that the absent members be excused, which motion prevailed.

The Speaker announced the House would be on the Sixth Order of Business.

Representative McInnes:

Mr. Speaker: The Committee on Committee Rooms makes the following report:

The following committees have been assigned as follows:

Room G. 3: Agriculture, Livestock.

House Floor: Apportionment.

Blue Room or Lounge: Appropriations.

Room G. 6: Banks and Banking, Highways and Bridges, Ways and Means.

Room 211 Left Balcony: Cities and Municipal Corporations, Corporations other than Municipal, Counties.

Room G. 5: Drainage and Irrigation, Education, Game and Fish.

Room 210 Left Balcony: Elections and Election Privileges, Federal Relations, School and Public Lands.

Room known as Stenographer Room on Ground Floor: Enroller and Engrosser.

Room 209 Right Balcony: Insurance, Judiciary, Military Affairs, Mines and Mining, Warehouse and Grain Grading.

Room 208 Right Balcony: Public Debt, Public Health, Public Welfare.

Hearing Room: Public Safety, Temperance.

Senate Lounge: State Affairs.

Room G. 2: Taxes and Tax Laws.

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

Rep. Benno suggested that it be ascertained of the Secretary of State as to whether or not Representative-elect Roy Ilvedson of the 29th District had filed his resignation as a member of the House. The Speaker asked that Rep. Benno obtain this information.

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

THIRD DAY

Bismarck, January 9, 1941.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Symington presiding.

Rev. Fr. Tracy of Bismarck offered prayer.

The roll was called and all members were disclosed present except Rep. Lillehaugen.

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

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

On page 19, line 23, the name "Kruisk" is misspelled.

On page 20, line 33, strike out the period and add the following: "and also Clara Kane, Marie Tunell and Luella Langness, and also Earl McInnis of Kelso, Traill County, as Postmaster. A. E. LaMotte was absent and not sworn in.

On page 23 strike out lines 13, 14 and 15.

On page 23, line 16, strike out the word "Fourth" and insert in lieu thereof the word "Twelfth."

On page 23, line 17, strike out the word "reading" and insert in lieu thereof the word "consideration."

On page 23, the last line, the name "Stoeve" is misspelled.

On page 22, after line 26 and before line 27 insert the following: "On roll call for Chief Clerk, Rep. Black is to be recorded as voting for C. R. Verry instead of Minnie D. Craig."

On page 22, lines 27 and 28 are to be stricken out.

On page 19, line 19, "Finley" is to be stricken out and "Sharon" inserted in lieu thereof.

On page 19, line 25, "Pembina" is to be stricken out and "Burleigh" inserted in lieu thereof.

Your Committee on Revision and Correction of the Journal also wishes to recommend that the Journal of the First day be corrected as follows:

On page 3, line 3, in the certification from the Secretary of State the postoffice address of Rep. E. D. Culver is to be recorded as "Gladstone" instead of "Dickinson."

And when so corrected recommends that the same be approved.

WESLEY L. BOLMEIER, Chairman.

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

The Speaker announced the House would proceed on the Seventh Order of Business.

Rep. Twichell moved the adoption of the following Resolution:

"Resolved that the members of the House who desire to return home over the week-end be excused from attendance until 2 o'clock in the afternoon of the Seventh Legislative Day, which is Monday, January 13th, with the understanding that any matter taken up in the interim may be reconsidered upon

a majority vote on said Seventh Legislative Day, and that no final action shall be taken on any matter."

Which motion prevailed and the Resolution was adopted.
Rep. Benno:

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

Arnold Banse, Rolla, Enrolling and Engrossing Clerk.

Emil Broten, Rugby, Janitor.

ROLL CALL

The question being on the nomination of Arnold Banse and Emil Broten, the roll was called and there were ayes, 109; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rieker
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Semerad
Braun, McLean	Juhola	Severson
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bubel	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Moe	Twichell
Devlin	Mollet	Wambheim
Dittmer	Morland	Welder
Drovdal	Morrison	Westby
Erickson, Divide	Myers	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	
Fuglestad	Nicholsen	

Absent and not voting:

Fleck	Lillehaugen	Rohde
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Ilvedson

So Arnold Banse was declared elected as Enrolling and Engrossing Clerk, and Emil Broten, Rugby was declared elected as Janitor.

The Speaker administered the oath of office to Arnold Banse and Emil Broten.

Representative Myers moved that all House resolutions and committee reports be read from the desk, which motion prevailed.

House Chamber,
Bismarck, January 9, 1941.

Mr. President: I have the honor to inform you that the House has adopted Senate Joint Resolution No. 1, and returns the same herewith.

C. R. VERRY, Chief Clerk.

FIRST READING OF HOUSE BILLS

Rep. Fitzharris and Rep. Coghlan introduced:

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

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

Rep. Morland moved that the House do now recess until 1:40 p. m. tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

THIRD DAY AFTER RECESS AND FOURTH DAY

Bismarck, January 10, 1941.

The House convened at 1:40 p. m., pursuant to recess, Speaker Symington presiding.

Representative Morland moved that the absent members be excused, which motion prevailed.

Representative Morland moved that the House do now adjourn, which motion prevailed and the House adjourned.

FOURTH DAY

Bismarck, January 10, 1941.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Symington presiding.

Rev. Fr. Thomas Tracy, Bismarck, offered prayer.

The roll call disclosed all members present except the following: Representatives Arndt, Belzer, Benno, Bingenheimer, Braun of Stark, Coghlan, Falconer, Fitch, Fleck, Gackle, Glas, Gress, Johnson of Cass, Johnson of Richland, Kee, McIntyre, Nelson of Cass, Nelson of Sargent, Olson of Barnes, Panko, Peterson of Bottineau, Rieker, Sagehorn, Sandness, Schmidt, Semerad, Shure, Smart, Starck, Swanson, Williams of Stutsman and Wolf of Morton.

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

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

On page 46, line 1, after the word "all" insert the word "House," and on line 2 strike out the words "be printed in the journal, and that they also."

On page 46, before "First Reading of House Bill" insert the following:

"HOUSE CHAMBER

Bismarck, January 9, 1941."

Mr. President:

I have the honor to inform you that the House has adopted Senate Joint Resolution No. 1, and returns the same herewith.

C. R. VERRY, Chief Clerk.

And when so corrected recommends that the same be approved.

WESLEY L. BOLMEIER, Chairman.

Representative Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Chief Clerk read a communication from the Steele County Board of County Commissioners opposing any changes in the law of this state governing the regulation of motor vehicles used for transportation of goods upon the highways for hire that would in any manner increase or add to the privileges now granted to the operators of such motor vehicles with respect to measurements, vehicle combinations, etc. of such motor vehicles.

Rep. Myers moved that this communication from the Steele County Board of County Commissioners be referred by the Speaker to the proper committee.

Representative Morland moved that the House do now recess until 1:45 p. m., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FOURTH DAY AFTER RECESS AND FIFTH DAY

Bismarck, January 11, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced that the House would be on the Seventh Order of Business and announced the following committee appointments:

HOUSE STANDING COMMITTEES

AGRICULTURE: Dalzell (chairman), Dittmer, Sandness, Allen, Bjella, Braun of McLean, Bymers, Devlin, Drovdal, Fuglestad, Haugland, Levin, McInnes, Morrison, Olson of Bowman, Rygg, Severson.

APPROPRIATIONS: Trydahl (chairman), Johnson of Cass, Carlson, Collette, Culver, Gackle, Heckman, Johnson of Richland, Kee, Larson, McIntyre, Morland, Schmidt, Severson, Singleton, Stormon, Wolf of Morton, Haag, McIntee.

APPORTIONMENT: Carlson (chairman), Anderson, Aker, Austad, Beede, Benno, Collette, Bingenheimer, Black, Blair, Bolmeier, Boulden, Braun of McLean, Coghlan, Culver, Fuglestad, Gainor, Glas, Haag, Halvorson, Heckman, Hofstrand, Holm, Ireland, Levin, McInnes, McIntyre, Moe, Mollet, Morland, Myers, Nelson of Cass, Nichol森, Nystrom, Olson of Barnes, Rieker, Sagehorn, Sandness, Saumur, Sellens, Severson, Singleton, Stormon, Swanson, Trydahl, Tuff, Twichell, Westby, Wolf of Morton.

BANKS AND BANKING: Bergesen (chairman), Wambheim, Blair, Braun of Stark, Carlson, Drovdal, Fitzharris, Fleck, Halvorson, Lunde, Nelson of Steele, Ohnstad, Olson of Barnes, Peterson of Ransom, Tuff, Westby, Wolf of Morton.

CITIES AND MUNICIPAL CORPORATIONS: Shure (chairman) Smart, Aker, Belzer, Bingenheimer, Black, Moe, Olson of Barnes, Rohde, Williams of Stutsman, Wolf of Morton.

CORPORATIONS OTHER THAN MUNICIPAL: Ireland (chairman), Kee, Allen, Coghlan, Crockett, Dittmer, Jennings, Mollett, Singleton.

COUNTIES: Holm (chairman), Sagehorn, Coghlan, Haugen, Hofstrand, Jennings, Saumur, Smart, Wolf of McIntosh.

DELAYED BILLS: Boulden (chairman) Saumur, Severson, Crockett, Blair.

DRAINAGE AND IRRIGATION: Nystron (chairman), Ireland, Devlin, Boulden, Austad, Gress, Nelson of Morton, Olson of Barnes, Tuff, Drovdal, Collette.

EDUCATION: Hofstrand (chairman) Aker, Arndt, Austad, Beede, Bergesen, Culver, Gainor, Heckman, Holm, Langley, Lillehaugen, McIntyre, Nelson of Steele, Peterson of Bottineau, Sandness, Welder,

ELECTIONS AND ELECTION PRIVILEGES: Saumur (chairman), Singleton, Sagehorn, Arndt, Collette, Hogoboom, Juhola, Lillehaugen, Nystrom, McInnes, McIntee, Nelson of Morton, Nelson of Ramsey, Nichol森, Nelson of Sargent.

ENGROSSMENT AND ENROLLMENT: Wambheim (chairman), Johnson of Richland, Mollet, Moe, McIntee, Kee, Bubel, Bjella, Belzer.

FEDERAL RELATIONS: Culver (chairman), Williams of Richland, Collette, Panko, Swanson, Trydal, Wambheim.

GAME AND FISH: Benno (chairman) Sharpe, Starck, Swanson, McIntyre, Halvorson, Dalzell, Collette, Bymers.

HIGHWAYS AND BRIDGES: Johnson of Cass (chairman), Fleck, Austad, Braun of McLean, Braun of Stark, Carlson, Coghlan, Fitzharris, Juhola, Langley, Nelson of Morton, Nelson of Ramsey, Starck, Westby, Wolf of McIntosh, Sharpe, Boulden.

INSURANCE: Bolmeier (chairman), Blair, Belzer, Bergesen, Brusseau, Carlson, Coghlan, Erickson of Divide, Erickson of Williams, Fitch, Fitzharris, Holm, Mollet, Myers, Olson of Bowman, Peterson of Bottineau, Wolf of Morton.

JUDICIARY: Stormon (chairman), Shure, Wambheim, Aker, Bingenheimer, Erickson of Williams, Gress, Haugen, Ireland, Jennings, Lunde, McInnes, Morrison, Myers, Nelson of Sargent, Nystrom, Ohnstad, Tuff, Welder.

LIVESTOCK: Nelson of Cass (chairman), Stormon, Williams of Stutsman, Allen, Anderson, Drovdal, Fraser, Fuglestad, Halvorson, Hofstrand, Holm, Ireland, Kindem, Nelson of Ramsey, Schmidt, Sellens, Wolf of McIntosh.

MILEAGE AND PER DIEM: Saumur (chairman), Brusseau, Carlson.

MILITARY AFFAIRS: Severson (chairman), Nelson of Sargent, Morland, Anderson, Beede, Gainor, Glas, Juhola, Panko.

MINES AND MINING: Nelson of Steele (chairman), Nichol森, Smart, Brusseau, Fleck, Glas, Haag, Johnson of Cass, Myers.

PUBLIC DEBT: Moe (chairman), Kee, Hogoboom, Black, Dittmer, Erickson of Williams, Glas, Gress, Haugen, Levin, Rohde.

PUBLIC HEALTH: Olson of Bowman (chairman), Peterson of Ransom, Haugland, Arneson, Nelson of Sargent, Nelson of Steele, Panko, Rieker, Tuff.

PUBLIC PRINTING: Sellens (chairman), Nelson of Cass, Morland, Devlin, Erickson of Divide, Fitzharris, Fraser, Peterson of Ransom, Williams of Richland.

PUBLIC SAFETY: Sharpe (chairman), Singleton, Nelson of Morton, Arneson, Arndt, Benno, Bymers, Fleck, Lillehaugen.

PUBLIC WELFARE: Haugland (chairman), Nichol森, Swanson, Welder, Morrison, Moe, Hogoboom, Gress, Falconer, Erickson of Divide, Dittmer, Bergesen, Braun of Stark, Bolmeier, Black, Bjella, Arneson.

RAILROADS: Westby (chairman), Johnson of Cass, Allen, Bubel, Fitch, Fleck, Gainor, Heckman, Hofstrand, Larson, Nelson of Steele, Peterson of Ransom, Rygg.

REVISION AND CORRECTION OF THE JOURNAL: Lunde (chairman), Aker, Bjella, Johnson of Richland, Juhola, Ohnstad, Schwartz.

RULES: Gainor (chairman), Arneson, Bolmeier, Crockett, Haugen, Nelson of Sargent, Peterson of Ransom, Rohde, Twichell.

SCHOOL AND PUBLIC LANDS: Williams of Stutsman (chairman), Sellens, Beede, Benno, Bubel, Langley, McIntee, Olson of Bowman, Reiker.

STATE AFFAIRS: Twichell (chairman), Wambheim, Westby, Anderson, Bolmeier, Crockett, Dalzell, Falconer, Halvorson, Haugland, Johnson of Richland, Lunde, Nystrom, Ohnstad, Sandness, Saumur, Semerad, Smart, Welder.

TAX AND TAX LAWS: Morland (chairman), Shure, Smart, Arndt, Beede, Bymers, Kindem, Myers, Nelson of Cass, Peterson of Bottineau, Reiker, Rygg, Sagehorn, Schwartz, Sharpe, Swanson, Williams of Richland.

TEMPERANCE: Fuglestad (chairman), Gackle, Black, Allen, Bingenheimer, Braun of Starck, Fitch, Lillehaugen, Moe, Rygg, Schmidt, Schwartz, Semerad, Singleton, Williams of Richland.

WAREHOUSE AND GRAIN GRADING: Blair (chairman), Dalzell, Nelson of Cass, Gackle, Langley, Larson, Olson of Bowman, Panko, Rohde, Schmidt, Schwartz, Semerad, Shure, Starck, Williams of Stutsman.

WAYS AND MEANS: Fitch (chairman), Benno, Brusseau, Belzer, Bubel, Falconer, Fraser, Fuglestad, Gackle, Hogoboom, Kindem, Nelson of Sargent, Ohnstad, Peterson of Bottineau, Sellens.

JOINT COMMITTEES

JOINT COMMITTEE ON RULES: Halvorson (chairman), Kindem, Sharpe, Fraser, Haugen, Moe, Twichell.

JOINT COMMITTEE ON CHARITABLE INSTITUTIONS: Levin (chairman), Fitch, Culver, Erickson of Williams, Nystrom, Schwartz, Singleton.

JOINT COMMITTEE ON EDUCATIONAL INSTITUTIONS: Brusseau (chairman), Haugland, Holm, Braun of McLean, Braun of Stark, Heckman, Saumur.

JOINT COMMITTEE ON PENAL INSTITUTIONS: Anderson (chairman), Nichol森, Shure, Larson, Mollet, Morrison, Westby.

JOINT COMMITTEE ON INSURANCE: Beede (chairman), Bergesen, Gackle, Hogoboom, Jennings, McIntyre, Sandness.

JOINT COMMITTEE ON LABOR: Myers (chairman) Lunde, Bjella, Devlin, Heckman, Rieker, Allen.

JOINT COMMITTEE ON PUBLIC BUILDINGS: Crockett (chairman), Dalzell, Langley, Erickson of Divide, Haag, Sagehorn, Trydahl.

JOINT COMMITTEE ON STATE LIBRARY: Dittmer (chairman), Austad, Blair, Johnson of Cass, Lillehaugen, Panko, Rohde.

The Speaker referred the communication received from the Steele County Board of County Commissioners to the Committee on Highways and Bridges.

Representative Bergesen moved that the absent members be excused, which motion prevailed.

Representative Williams of Richland moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTH DAY

Bismarck, January 11, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Rev. Chester Hamblin of Bismarck offered prayer.

The roll was called and all members were present except the following: Representatives Arndt, Beede, Belzer, Bingenheimer, Braun of McLean, Braun of Stark, Coghlan, Crockett, Culver, Fitch, Fleck, Gackle, Glas, Gress, Haugen, Haugland, Jennings, Johnson of Cass, Johnson of Richland, Juhola, Kee, Kindem, McIntyre, Morland, Nelson of Cass, Olson of Barnes, Panko, Peterson of Bottineau, Sagehorn, Sandness, Schmidt, Schwartz, Semerad, Shure, Smart, Starck, Swanson, Williams of Stutsman and Wolf of Morton.

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

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

On page 47, after line 9 and before line 10 from the bottom of the page insert the following:

"HOUSE CHAMBER

Bismarck, January 9, 1941.

Mr. President:

I have the honor to inform you that the House has adopted Senate Joint Resolution No. 1, and returns the same herewith.

C. R. VERRY, Chief Clerk."

On page 47 strike out the last four lines at the bottom of the page and on page 48 strike out the first two lines.

On page 47 correct the spelling of "Bolmeier."

And when so corrected recommends that the same be approved.

WESLEY L. BOLMEIER, Chairman.

Representative Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Chief Clerk read a communication from Governor John Moses regarding the resignation of Roy A. Ilvedson of Minot as a member of the House.

Representative Benno moved that the communication be printed in the Journal, which motion prevailed.

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

January 9, 1941.

Honorable Earl D. Symington
Speaker, House of Representatives
Twenty-seventh Legislative Assembly
Bismarck, North Dakota

Dear Mr. Symington:

I am today in receipt of the following communication from Mr. Fred M. Brey, County Auditor of Ward County, North Dakota:

"This is to certify that this office has just received a written resignation from Roy A. Ilvedson from the position to which he was elected as Representative of the 29th Legislative District of North Dakota."

The above letter is dated January 6, 1941.

Inasmuch as Mr. Ilvedson has the legal right to resign, I take it from the above quoted letter that he will not present himself as a member of the Twenty-seventh Legislative Assembly and that his name may, therefore, be stricken from the roll of the members of the House.

Sincerely yours,

JOHN MOSES,
Governor.

JM:S:hh

Representative Twichell moved that the House accept the resignation of Roy A. Ilvedson of Minot as a member of the House of Representatives, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. Speaker: The Committee on Committee Rooms makes the following report:

The Committee on Railroads has been assigned to the Hearing Room.

H. W. McInnes, Chairman.

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

The Speaker announced that the House would revert to the Fifth Order of Business.

STANDING COMMITTEE REPORT

REPORT OF COMMITTEE ON MILEAGE AND PER DIEM

Mr. Speaker: Your Committee on Mileage and Per Diem begs leave to submit the following report on mileage of the members of the House and recommends that the mileage indicated therein be allowed each member; that this report

be printed in the Journal, and that the same be immediately certified to the State Auditor by the Chief Clerk of the House.

District	NAME AND ADDRESS	Car	Rail	TOTAL
1.	Earl D. Symington, Neche.....	10	742	752
	Alex Dalzell, Walhalla.....	14	754	768
	Harry Carlson, Walhalla.....	28	754	782
2.	Chas. H. Black, Minot.....	45	380	425
	M. T. Lillehaugen, Michigan.....	26	644	670
3.	Palmer Levin, Park River.....	14	674	688
	Wilfred Collette, Grafton.....	632		632
4.	K. L. Bolden, Larimore.....		600	600
5.	Geo. H. Saumur, Grand Forks.....		564	564
6.	Targie Trydahl, Thompson.....	518		518
7.	Arthur Rygg, Clifford.....	5	500	505
	Alva Wambheim, Hatton.....	8	520	528
8.	H. W. McInnes, Kelso.....	488		488
	A. C. Johnson, Fargo.....	2	388	390
9.	A. R. Bergesen, Fargo.....	2	388	390
	W. H. Shure, Fargo.....	2	388	390
10.	L. L. Twichell, Fargo.....	2	388	390
	K. A. Fitch, Fargo.....	2	388	390
11.	Otis Nelson, Casselton.....		388	388
	Manfred Ohnstad, West Fargo.....	388		388
12.	Carl H. Dittmer, Leonard.....	12	444	456
	Wesley L. Bolmeier, Erie.....	2	456	458
13.	H. R. Swanson, Fairmount.....	126	388	514
	Vernon M. Johnson, Wahpeton.....		484	484
14.	A. Z. Nelson, Cayuga.....	32	380	412
	Mal Gainor, DeLamere.....	8	416	424
15.	H. G. Severson, Ft. Ransom.....	102	280	382
	J. T. Peterson, Englevale.....		460	460
16.	Curtis Olson, Valley City.....	280		280
	Steven C. Nelson, Finley.....	20	558	578
17.	Bjorn Fuglestad, Cooperstown.....	12	352	364
	T. V. Devlin, Finley.....	4	558	562
18.	A. O. Arneson, McVile.....		588	588
	P. K. Holm, Pekin.....	7	602	609
19.	Peter Moe, Osnabrock.....	20	712	732
	Harvey Brusseau, Walhalla.....	770		770
20.	W. M. Crockett, Wales.....	26	782	808
	John Coghlan, Rolla.....	668		668
21.	Frank Fitzharris, Rolla.....	668		668
	A. N. Kindem, Oberon.....	380		380
22.	C. H. Hofstrand, Churchs Ferry.....	420		420
	E. A. Lunde, Lawton.....	524		524
23.	Harry Stormon, Devils Lake.....	480		480
	Alfred Nelson, Crary.....	17	480	497
24.	D. S. Blair, Maza.....	440		440
	E. J. Langley, Rock Lake.....	518		518
25.	C. G. Kee, Spiritwood.....		301	301
	Henry Williams, Jamestown.....	18	204	222
26.	P. G. Westby, Jamestown.....		204	204
	Carl Arndt, Streeter.....		211	211
27.	A. J. Sanderson, LaMoure.....	340		340
	M. W. Gackle, Kulm.....	280		280
28.	C. H. Bymers, Ellendale.....	8	370	378

District	NAME AND ADDRESS	Car	Rail	TOTAL
	W. R. Singleton, Oakes.....	9	414	423
26.	Ray Juhola, Braddock.....	130		130
	Joseph Glas, Linton.....	186		186
27.	W. E. Sellens, Bismarck.....	20		20
	Wm. B. Falconer, Bismarck.....	12		12
	John R. Fleck, Bismarck.....	2		2
28.	Peter Peterson, Antler.....	20	594	614
	Duncan Fraser, Omemee.....		558	558
	W. E. Bingenheimer, Newburg.....		532	532
29.	A. W. Benno, Minot.....	18	380	398
	Brynhild Haugland, Minot.....	10	380	390
	W. M. Smart, Minot.....		380	380
30.	R. E. Wolf, New Salem.....	70		70
	W. M. Nelson, Mandan.....	14		14
	Tony Starck, Judson.....	88		88
31.	E. D. Culver, Dickinson.....	30	220	250
	G. P. Braun, Dickinson.....	42	220	262
	Mike Gress, Dickinson.....		220	220
32.	A. I. Sharpe, Glenfield.....		382	382
	A. H. Nystrom, Sheyenne.....	18	342	360
33.	Leonas Myers, Bowdon.....	18	350	368
	Morris Larson, Heimdal.....	36	494	530
34.	L. W. Belzer, Balfour.....	12	280	292
	Andrew Halvorson, Upham.....	382		382
	Fred T. Schmidt, Anamoose.....	12	280	292
35.	Harold T. Morrison, Robinson.....	170		170
	Ed. Rieker, Tappen.....		130	130
36.	S. N. Welder, Napoleon.....	160		160
	Ed. Haag, Fredonia.....	260		260
	B. J. Wolf, Zeeland.....	210		210
37.	M. S. Aaker, Hankinson.....	160	400	560
	H. C. Williams, Lidgerwood.....		440	440
38.	John N. McIntyre, Valley City.....	20	280	300
39.	M. B. Hogoboom, Alhpa.....	60	360	420
	L. K. Morland, Scranton.....	336		336
	C. T. Olson, Bowman.....	386		386
40.	J. H. Heckman, Alkabo.....		664	664
	Ed. McIntee, Northgate.....	84	464	548
	Ivan Erickson, Crosby.....	12	630	642
41.	Bernt Anderson, Charlson.....	268	325	598
	Iver Drovdal, Arnegard.....	208	317	525
42.	George Allen, Pleasant Lake.....		424	424
	Wm. H. Tuff, Barton.....	260	164	424
43.	N. W. Nichol森, Mohall.....	334		334
44.	J. N. Mollet, Powers Lake.....	80	430	510
	T. O. Rhode, Van Hook.....	32	324	356
45.	Carl Erickson, Springbrook.....		570	570
	William Ireland, Corinth.....		570	570
	Asle Bjella, Epping.....		565	565
46.	Fred Braun, Turtle Lake.....	150		150
	Donnell Haugen, Roseglen.....	220		220
	J. W. Jennings, Washburn.....	80		80
47.	Ralph G. Beede, Elgin.....	160		160
	Dan Panko, McIntosh, S. D.....	160		160
48.	Walter Bubel, Center.....	96		96

District	NAME AND ADDRESS	Car	Rail	TOTAL
49.	Eldor Sagehorn, Stanton.....	120		120
	Harry Semerad, Dickinson.....	252		252
	Geo. Schwartz, Mott.....	226		226
	Carl J. Austad, Hettinger.....	300		300

GEO. H. SAUMUR, Chairman,
 HARRY CARLSON,
 HARVEY BRUSSEAU.

Representative Saumur moved that action on the report of the Committee on Mileage and Per Diem be deferred until Tuesday, January 14th, which motion prevailed.

The Speaker announced the appointment of the following committee on the photographing of the members of the House: Representatives Sharpe, Singleton and Ohnstad.

Representative Twichell moved that the House do now recess until 1:45 P. M., Monday, January 13th, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTH DAY AFTER RECESS AND SEVENTH DAY

Bismarck, January 13, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

Representative Swanson moved that the absent members be excused, which motion prevailed.

Representative Morland moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

SEVENTH DAY

Bismarck, January 13, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. G. Adolph Johns of Bismarck.

The roll was called and all members were present except Representatives Bergesen, Black, Johnson of Richland and Sandness. So a quorum was declared present.

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

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

On page 51, 12th line from bottom of page, the name "Bubel" is misspelled.

On page 56, line 8 from the bottom of the page, strike out the figure "14" and insert in lieu thereof the figure "13."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Maurice Aker moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 13, 1941.

Mr. Speaker: I have the honor to transmit:

SENATE JOINT RESOLUTION NO. 1

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

W. J. TROUT, Secretary.

PETITIONS AND COMMUNICATIONS

The Chief Clerk read a petition signed by 27 citizens of Strasburg stating that the amount of Old Age Assistance now granted is insufficient and requested that the Legislature increase the same.

The Speaker referred this petition to the Committee on Public Welfare.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Employment places in nomination the following names for the following positions and recommends that the group be given a collective roll call:

Doorkeeper, H. E. Jury, Ellendale.
 Clerk, Joe Lepire, Osnabrock.
 Janitors: C. O. Lindgren, Valley City; Raymond McKenna, Edgeley.
 Appropriation Committee Clerk, C. H. Lincoln, Bismarek.

ROLL CALL

The question being on the employment of the above named nominees, the roll was called and there were ayes, 109; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bingenheimer	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Saumur
Eolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghan	Lillehaugen	Smart
Collette	Lunde	Starek
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton

Fraser Nelson, Steele Mr. Speaker
Fuglestad

Absent and not voting:

Bergesen Johnson, Richland Sandness

So H. E. Jury, Joe Lepire, C. O. Lindgren, Raymond McKenna, and C. H. Lincoln were declared duly elected to these respective positions.

The Chief Clerk read a report of the Joint Committee on Printing.

Representative Myers moved that the report be amended by placing the names of the Supreme Court Judges on the Journal mailing list, also the district and county judges, which motion prevailed.

Representative Westby moved that the report of the Joint Committee on Printing be referred back to that committee with the further recommendation that each member of the House be entitled to the privilege of sending out ten Journals to constituents of his county, which motion prevailed.

Mr. Speaker: Your Committee on Mileage and Per Diem has carefully examined the Report on Mileage and Per Diem as printed in the Journal of the Fifth Day and recommend that the following corrections be made:

Forty-third District, N. W. Nichol森, change car mileage from 320 miles to read 334 miles.

Forty-sixth District, Donnell Haugen, change car mileage from 110 miles to read 220 miles.

Fourth District, Wilfred Collette, change car mileage from 652 miles to read 632 miles.

Twenty-third District, Carl Arndt, change rail mileage from 211 miles to read 301 miles.

Fifth District, K. L. Boulden, change rail mileage from 576 miles to read 600 miles.

Thirtieth District, Tony Starck, change car mileage from 44 miles to read 88 miles.

ROLL CALL

The question being on the corrected Report of the Committee on Mileage and Per Diem, the roll was called and there were ayes, 110; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rieker
Benno	Heckman	Rohde
Bingenheimer	Hofstrand	Rygge
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Juhola	Sellens

Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad	Nicholsen	
Absent and not voting:		
Bergesen	Johnson, Richland	

SELECT COMMITTEE REPORT

Mr. Speaker: Your Committee to arrange for telephone connections for the House, begs leave to report that arrangements have been made with the Northwest Bell Telephone Company for the following telephone installations:

House Telephone Booth, Tel. No. 2978.

Speaker's Room, Telephone No. 2977.

State Affairs Committee (Senate Lounge) Tel. No. 1426.

Tax and Tax Laws (G2) Tel. No. 2976.

Appropriations: (Blue room or Lounge) Tel. No. 2975.

A total of five telephones at the rate of \$3.00 per telephone for installation and a monthly rental of \$4.59 per telephone, also 25c per month for listing of Speaker's telephone.

Representative Fitch moved the adoption of the report, and that the same be charged to Legislative Expense.

ROLL CALL

The question being on the authorization of the installation of telephone service, the same to be chargeable to Legislative expense, the roll was called and there were ayes, 107; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Blair	Holm	Saumur

Bolmeier	Ireland	Schmidt
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Myers	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad	Nelson, Steele	
Absent and not voting:		
Bergesen	Johnson, Richland	Sandness
Black	Rohde	

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

SENATE JOINT RESOLUTION NO. 1.

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, January 13, 1941.

Mr. President: I have the honor to return:

SENATE JOINT RESOLUTION NO. 1

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

The Speaker administered the oath of office to the following: H. E. Jury, Doorkeeper; Joe Lepire, Clerk; C. O. Lindgren, Janitor; C. H. Lincoln, Committee Clerk; Luella Langness, Telephone Messenger.

FIRST READING OF HOUSE BILLS

Introduced by Committee on Appropriations:

House Bill No. 2. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Introduced by Committee on Appropriations:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Introduced by Committee on Appropriations:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Introduced by Committee on Appropriations:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Introduced by Committee on Appropriations:

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Introduced by Committee on Appropriations:

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Introduced by Committee on Appropriations:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

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

Introduced by Representative Fuglestad by request:

House Bill No. 9. A Bill for an Act to Amend and Re-enact Subdivision 31 of Section 3514, Compiled Laws of 1913, Relating to Compensation to Sheriff for Boarding Prisoners, and Validating Payments Heretofore Made.

Was read the first time and referred to the Committee on Ways and Means.

Representative Olson of Bowman moved that the House do now recess until 1:30 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

SEVENTH DAY AFTER RECESS AND EIGHTH DAY

Bismarck, January 14, 1941.

The House re-assembled at 1:30 P. M., pursuant to recess, Speaker Symington presiding.

Representative Trydahl moved that the absent members be excused, which motion prevailed.

Representative Swanson moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

EIGHTH DAY

Bismarck, January 14, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. G. Adolph Johns, Bismarck.

The roll was called and all members were disclosed present except Representatives Bergesen and Sandness.

So a quorum was declared present.

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

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

On page 57, line 1, strike out the word "Sixth" and insert in lieu thereof the word "Seventh."

On pages 58, 59 and 61 in the blank before the name "McKenna" insert the name "Raymond."

And also recommends the following further corrections to the Journal of the Fifth Day:

On page 49, make the following corrections: Under "Apportionment" strike out the name "Bergesen" and insert in lieu thereof the name "Collette," and strike out "Wolf of McIntosh" and insert in lieu thereof "Wolf of Morton."

Under "Banks and Banking" strike out "Peterson of Bottineau" and insert in lieu thereof "Peterson of Ransom."

On page 51 under "Ways and Means" strike out "Peterson of Ransom" and insert in lieu thereof "Peterson of Bottineau."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Representative Ohnstad moved that the report be adopted, which motion prevailed and the report was adopted.

SELECT COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment places in nomination the following names for the following positions and recommends that the group be given a collective roll call:

Proof Reader, I. C. Auerbach, Garrison.

Mailing Clerk, Leo Sticka, New England.

Committee Clerks: Bertha Ovri, Stanton; Sidney Solberg, Appam.

State Affairs Committee Clerk, E. K. Shaeffer, Carrington.

Assistant Janitor, Mike Burns, Mohall.

Night Watchman, C. E. Mattson, Maddock.

ROLL CALL

The question being on the employment of the above named nominees, the roll was called and there were ayes, 99; nays, 6; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fraser	Nelson, Sargent
Anderson	Fuglestad	Nelson, Steele
Arneson	Gackle	Nicholsen
Arndt	Gainor	Nystrom
Austad	Glas	Ohnstad
Beede	Gress	Olson, Barnes
Belzer	Haag	Olson, Bowman
Benno	Halvorson	Panko
Bingenheimer	Haugen	Peterson, Bottineau
Bjella	Haugland	Rieker
Black	Heckman	Rygg
Blair	Hofstrand	Sagehorn
Bolmeier	Hogoboom	Schmidt
Boulden	Holm	Schwartz
Braun, McLean	Ireland	Semerad
Braun, Stark	Jennings	Sharpe
Brusseau	Juhola	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langley	Starck
Collette	Larson	Stormon
Crockett	Levin	Swanson
Culver	Lillehaugen	Tuff
Dalzell	Lunde	Twichell
Devlin	McInnes	Wambheim
Dittmer	McIntee	Welder
Drovdal	McIntyre	Westby
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Myers	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker

Those voting in the negative were:

Johnson, Cass	Mollet	Severson
Moe	Peterson, Ransom	Trydahl

Absent and not voting:

Bergesen	Rohde	Saumur
Bubel	Sandness	Sellens
Johnson, Richland		

So I. C. Auerbach, Leo Sticka, Bertha Ovri, Sidney Solberg, E. K. Shaeffer, Mike Burns and C. E. Mattson were declared duly elected to these respective positions.

The Speaker administered the oath of office to I. C. Auerbach, Leo Sticka, Bertha Ovri, Sidney Solberg, Mike Burns and C. E. Mattson.

Representative Olson of Bowman moved that the work of the temporary Joint Committee on Printing and Distribution of Bills and Journals be referred to the permanent Committee on Public Printing, which motion prevailed.

Representative Olson of Bowman moved that the temporary Committee on Printing be discharged, which motion prevailed.

FIRST READING OF HOUSE BILLS

Introduced by Committee on Appropriations:

House Bill No. 10. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Sub-divisions 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.

Representative Morland moved that the House do now recess until 1:45 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

EIGHTH DAY AFTER RECESS AND NINTH DAY

Bismarck, January 15, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess taken, Speaker Symington presiding.

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

Representative Crockett moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

NINTH DAY

Bismarck, January 15, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. G. Adolph Johns, Bismarck.

The roll was called and all members were disclosed present.

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

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

On page 64, in the roll call, the following corrections are to be made:

Representative Bubel is shown as voting "aye," whereas he was absent and not voting.

Representative Morland is shown as voting "no," whereas he voted "aye."

Representative Moe is shown as voting "aye," whereas he voted "no."

Representative Mollet is shown as voting "aye," whereas he voted "no."

The roll call totals are to be corrected to read as follows: "ayes, 99; nays, 6; absent and not voting, 7."

And recommends the following further correction to the Journal of the Seventh Day:

On page 57, line 16, strike out the name "Austad."

And recommends the following further corrections to the Journal of the Second Day:

On page 19, line 19 from the bottom, strike out the word "Richland" and insert in lieu thereof the word "Cass."

And when so corrected recommends the same be approved.

E. A. LUNDE, Chairman.

Representative Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

SELECT COMMITTEE REPORTS

Mr. Speaker: Your Committee on Employment places in nomination the following names for the following positions and recommends a collective roll call:

Stenographer, Della M. Wardrope, Leeds.

Loud Speaker Control Operator, E. G. Hendrickson, Mandan.

ROLL CALL

The question being on the employment of the above named nominees, the roll was called and there were ayes, 112.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rieker
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Mollet	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Myers	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	
Fuglestad	Nicholsen	

So Della M. Wardrope and E. G. Hendrickson were declared duly elected.

The Speaker administered the oath of office to Della M. Wardrope, E. G. Hendrickson, and also Raymond McKenna as janitor, and E. K. Schaeffer as Committee Clerk.

FIRST READING OF HOUSE BILLS

Introduced by Representative Aker:

House Bill No. 11. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 5 of the 1937 Session Laws, as Amended by Chapter 14 of the 1939 Session Laws.

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

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections, and Declaring an Emergency.

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

The Speaker announced the House would revert to the Sixth Order of Business.

The Chief Clerk read a report of the committee appointed to arrange for an official photographer of the House in which report was stated the price quoted by the Butler Studio of Bismarck.

Representative Singleton moved that the report be adopted.

Representative Benno moved a substitute motion that this report be referred back to the committee for further consideration, which motion prevailed.

Representative Swanson moved that the House do now recess until 1:45 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

NINTH DAY AFTER RECESS AND TENTH DAY

Bismarck, January 16, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

Representative Crockett moved that the absent members be excused, which motion prevailed.

Representative Crockett moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

TENTH DAY

Bismarck, January 16, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. G. Adolph Johns, Bismarck.

The roll was called and all members were disclosed present except Representative Bergesen.

So a quorum was declared present.

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

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

On page 68, last line, add the following "and E. K. Shaeffer as committee clerk."

And recommend the following further correction to the Journal of the Fifth Day:

Page 50, under "Elections and Election Privileges" strike out "Bergesen" and insert in lieu thereof "Collette."

Page 51, under "Public Welfare" strike out "Collette" and insert in lieu thereof "Bergesen."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Representative Ohnstad moved that the report be adopted, which motion prevailed and the report was adopted.

A communication was received from the Code Revision Commission referring to the work which they had already completed, copies of which were placed on each member's desk, which copies they requested be returned to the Commission

before the close of the Session as it would save considerably in expense of printing this work to report to the 1943 Session. All members of the House and Senate were invited to meet in the assembly room tomorrow morning with the members of the Code Revision Commission.

STANDING COMMITTEE REPORT

REPORT OF THE JOINT COMMITTEE ON PRINTING

Mr. Speaker:

Your Committee on Public Printing, meeting with a like Committee in the House to determine the form of the Journal and Daily Calendar, on the number of daily Journals, Calendars, and Bills to be printed and on other matters relating to legislative printing reports as follows:

We recommend the printing of 4,000 copies of the Journal of each day's proceedings of each house and that there be assigned to the presiding officer of the House and Senate, also to each member of the respective houses, 10 copies of the Journal and that in addition thereto, there be placed on the mailing list, all state institutions, public libraries, the State Historical Society, all State's attorneys, county auditors, two copies to the University Law School, county and district judges, any newspaper published in the state, all secretaries of county tax payers associations, and by request in writing, any auditor of an incorporated city, the president of the village council of an incorporated village, township clerk, high school, consolidated rural school, secretary of labor club, farmer's organization, commercial club or women's club within the state may be placed on the mailing list; that all bills and Journals authorized by this resolution to be printed shall be delivered by the printer to the Secretary of the Publication and Printing Commission who shall receipt therefore to the printer; that there be printed 750 copies of the House and Senate Bills unless otherwise ordered by the House in which a bill is introduced; that 500 copies of the Daily Journal be punched, that 500 copies of the Daily Calendar be printed; that 325 copies of the Permanent Journal be printed; that no resolutions except resolutions amending the constitution or concurrent resolutions be published in the Journal of either house except on order of the house in which the resolution originated; that 10,000 letterheads and 10,000 number ten envelopes be printed for the Senate; that 20,000 letterheads and 20,000 number ten envelopes be printed for the House; that the form of the Journal be the same as was adopted for the 1939 session.

ROB. GREISER,
Chairman of Senate
Printing Committee.

W. E. SELLENS,
Chairman of House
Printing Committee.

Representative Falconer moved the adoption of the report.

ROLL CALL

The question being on the adoption of the report of the Joint Committee on Printing, the roll was called and there were ayes, 110; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rieker
Benno	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starek
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Gackle	Nicholsen	

Those voting in the negative were:

Fuglestad

Absent and not voting:

Bergesen

So the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 16, 1941.

Mr. Speaker: I have the honor to transmit:

SENATE CONCURRENT RESOLUTION "A."

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

W. J. TROUT, Secretary.

SELECT COMMITTEE REPORTS

Mr. Speaker: Your Committee to arrange for the official photographer for the House of Representatives reports that it has contacted several photographers in Bismarck relative

to this matter. The lowest offer it has received from the studios contacted was from the Butler Studios who offer to prepare these photographs at a cost of \$1.50 for each picture. They will supply the frame at no additional cost.

The Butler Studio has been the official photographer for the past several sessions and has done satisfactory work. Your Committee, therefore, recommends that the Butler Studio be the official photographer for this session.

(Signed) REP. SHARPE, Chairman
 REP. SINGLETON
 REP. OHNSTAD

Representative Singleton moved that the report be adopted and that the Committee be discharged.

ROLL CALL

The question being on the adoption of the report of the Committee on Photography, the roll was called and there were ayes, 111, absent and not voting, 1.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bingenheimer	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Myers	Westby
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Absent and not voting:

Bergesen

So the report was adopted.

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

Janitor, J. B. Fischer, Streeter.

Committee Clerk, Ruth Neste, Park River.

Representative Benno moved the adoption of the report.

Representative Johnson moved a substitute motion that the report of the Committee on Employment be laid on the table, which motion prevailed.

Representative Shure moved that the matter of further employment in the House be left to the Committee on Employment to make such arrangements along the lines of economy as may be possible, which motion prevailed.

Representative Kee presented the following resolution and moved that the same be adopted, printed in the Journal, and that an enrolled copy be forwarded to Honorable George Piercy, which motion prevailed.

HOUSE RESOLUTION

APPRECIATION TO HONORABLE GEORGE PIERCY

WHEREAS, Honorable George Piercy, of Pingree, one of an estimable family of Stutsman County pioneers, now in his 87th year, served the State of North Dakota as Speaker of the House of Representatives, during the 1905 session of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, That we extend to Mr. Piercy this expression of our deep appreciation for his distinguished service to the State, as an able Member and honored Speaker of the House of Representatives in that early period, and our best wishes for his health and happiness.

FIRST READING OF HOUSE BILLS

introduced by Committee on Appropriations:

House Bill No. 13. A Bill for an Act Making an Appropriation for the Expenses and Administration of Foreign Corporation Department.

Introduced by Committee on Appropriations:

House Bill No. 14. A Bill for an Act Making an Appropriation for the Expenses and Administration of the Public Contractors License Department.

Introduced by Committee on Appropriations:

House Bill No. 15. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Introduced by Committee on Appropriations:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Introduced by Committee on Appropriations:

House Bill No. 17. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Introduced by Committee on Appropriations:

House Bill No. 18. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Introduced by Committee on Appropriations:

House Bill No. 19. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Introduced by Committee on Appropriations:

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Introduced by Committee on Appropriations:

House Bill No. 21. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Introduced by Committee on Appropriations:

House Bill No. 22. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Introduced by Committee on Appropriations:

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

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

Introduced by Representatives Fuglestad, Nelson and Devlin by Request:

House Bill No. 24. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 279, Session Laws of 1931, Relating to Taxation.

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

Introduced by Representatives Fuglestad, Nelson and Devlin by Request:

House Bill No. 25. A Bill for an Act to Amend and Re-enact Sections 2 and 3 of Chapter 120, Session Laws of 1921, Being Sections 6001a2 and 6001a3 of the 1925 Supplement, Relating to Notice to Be Given County Treasurer of Auction Sales of Personal Property and the Collection of Personal Property Taxes.

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

Introduced by Representatives Benno, Swanson, Halvorson and Dalzell.

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

Was read the first time and referred to the Committee on Game and Fish.

Introduced by Representatives Ireland and Bjella.

House Bill No. 27. A Bill for an Act to Amend and Re-enact Section 9 of the Liquor Control Act, an Initiated Measure Approved November 3, 1936, Printed in the 1937 Session Laws at Page 509, Relating to the Preparation and Issuance of Stamps, the Duty of Wholesalers, the Payment of Expense of the State Treasurer and the Distribution of Revenues from the Sale of Said Stamps.

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

Representative Rohde moved that the House do now recess until 1:45 P. M., tomorrow, and that the House now invite the members of the Senate to hear an address by Dr. Dan Gilbert of Washington, D. C., which motion prevailed, and the House stood recessed.

C. R. VERRY, Chief Clerk.

TENTH DAY AFTER RECESS AND ELEVENTH DAY

Bismarck, January 17, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

Representative Swanson moved that the absent members be excused, which motion prevailed.

Representative Moe moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

ELEVENTH DAY

Bismarck, January 17, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Chester W. Hamblin, Bismarck.

The roll was called and all members were present except Representatives Bergesen, Gainor.

So a quorum was declared present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Tenth Day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

Representative Bjella moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The Chief Clerk read a letter from Charles R. Robertson, North Dakota Member of the House of Representatives in Congress.

Representative Myers moved that this communication be printed in the Journal, which motion prevailed.

CONGRESS OF THE UNITED STATES

House of Representatives

Washington, D. C.

January 14, 1941.

Members of the House of Representatives

Twenty-Seventh Legislative Assembly

Bismarck, North Dakota

Gentlemen:

I want to express my thanks and appreciation to each member of the House of Representatives for the resolution

endorsing me for membership on the House Agricultural Committee.

Competition for places on important committees is very keen and it is rather difficult for a new member to be appointed, but I know that your resolution will help a great deal. However, committee assignments have not yet been made.

I am deeply grateful for the support you have given me in this matter and if there is anything I can do here to assist members of the House in their deliberations, I shall be glad to be of service. I know you have many difficult problems to solve at this session and I am confident that members of the House will always have the interests of North Dakota at heart in their deliberations.

Respectfully yours,

CHAS. R. ROBERTSON,
Member of Congress.

A resolution was received from the Board of County Commissioners of Renville County stating that they are unalterably opposed to any change in the law of this state governing regulations of motor vehicles for hire, and urging the Legislature to increase the license charges for operation of such vehicles. The Speaker referred this resolution to the Committee on Highways and Bridges.

Another resolution was received from the Board of County Commissioners of Renville County urging the members of the Legislature to provide for a special levy, by counties, for the payment of poor relief and state institutional charges against the county, of not less than three mills; that without this relief the majority of the counties of the state will become bankrupt. The Speaker referred this resolution to the Committee on Appropriations.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 5, has had the same under consideration and recommends that the same be amended as follows:

Line 3, strike out the figures \$33,760.00, and insert in lieu thereof the figures \$31,120.00.

Line 7, strike out the figures \$8,160.00 and insert in lieu thereof the figures \$6,440.00.

Line 8, strike out the figures \$1,500.00, and insert in lieu thereof the figures \$750.00.

Line 9, strike out the figures \$300.00, and insert in lieu thereof the figures \$270.00.

Line 10, strike out the figures \$250.00, and insert in lieu thereof the figures \$150.00.

Line 11, strike out the figures \$700.00, and insert in lieu thereof the figures \$400.00.

Line 12, strike out the figures \$400.00, and insert in lieu thereof the figures \$360.00.

Insert line 17-A, Emergency Fund, \$300.00.

Line 18, strike out the figures \$33,760.00, and insert in lieu thereof the figures \$31,120.00.

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Representative Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

SELECT COMMITTEE REPORT

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

Janitor, J. B. Fisher, Streeter.

Committee Clerks: Ruth Neste, Park River; F. J. Freund, Glenburn.

Representative Benno moved that the report be adopted.

ROLL CALL

The question being on the employment of the above named nominees, the roll was called and there were ayes, 94; nays, 10; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Sargent
Anderson	Gackle	Nicholsen
Arneson	Glas	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugland	Panko
Benno	Hofstrand	Peterson, Bottineau
Bingenheimer	Hogboom	Rohde
Bjella	Holm	Rygg
Black	Ireland	Sagehorn
Blair	Johnson, Richland	Sandness
Bolmeier	Juhola	Saumur
Braun, McLean	Kee	Schwartz
Braun, Stark	Kindem	Sellens
Brusseau	Langley	Semerad
Bubel	Larson	Severson
Bymers	Levin	Sharpe
Carlson	Lillehaugen	Singleton
Collette	Lunde	Smart
Crockett	McInnes	Starck
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Myers	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck		

Those voting in the negative were:

Boulden	Peterson, Ransom	Shure
Fuglestad	Rieker	Stormon
Haugen	Schmidt	Twichell
Johnson, Cass		

Absent and not voting:

Allen	Gainor	Nelson, Steele
Bergesen	Heckman	Tuff
Coghlan	Jennings	

So J. B. Fisher, Ruth Neste and F. J. Freund were declared duly elected to these respective positions.

Explanation of votes:

Representative Holm: In this session I am a member of the majority faction. Two years ago I did not ask for any employees from my district, and I did not get any this session. At this time I believe we have come to a point where there is a sufficient number of employees already hired. I was against employing the two employees brought forward yesterday but today I am assured that these are the last employees to be hired in this session, and in view of that fact I vote "aye."

Representative Johnson of Cass: I am going to vote "no" on these employees for the reason that we have more employees in the House at this time than we can use and have jobs for. I vote "no."

Representative Moe: If this is the end of it, I vote "aye."

Representative Twichell: I have checked on the number of employees we had last session for janitor work and found that we paid \$3,600 to have that work done whereas the Board of Administration advises they can take care of the work for \$760. We had better get these jobs out of politics. I vote "no."

Representative Braun of McLean: I think this employment committee we have has enough trouble without our making more trouble for them. I think they understand that we are against hiring any more employees but find that this additional help is needed. We had a lot more employees two years ago than we have now. I vote "aye" with the understanding that this is all we need.

Representative Devlin: I also vote "aye" with the understanding that no further employees will be hired."

Representative Swanson moved that the name of the county each member represents be printed on each member's desk name-card, which motion prevailed.

FIRST READING OF HOUSE BILLS

Introduced by Committee on Appropriations:

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; and Declaring an Emergency.

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

Introduced by Representatives Symington, Dalzell and Carlson:

House Concurrent Resolution No. 29. Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota as Amended by Articles 41 and 48 of the Amendments Thereof, Relating to County Officers.

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

That the following proposed amendment to Section 173 of Article 10 of the Constitution of the State of North Dakota as amended by Article 41 and Article 48 of the amendments thereof, is agreed to and that the same be submitted to the

qualified electors of the State for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota, as amended.

SECTION 1. AMENDMENT.) That Section 173 of Article 10 of the Constitution of the State of North Dakota, as amended by Article 41 and Article 48 of the amendments thereof, is hereby amended and re-enacted to read as follows:

SECTION 173. At the first general election held after the adoption of this amendment, and every two years thereafter, there shall be elected in each organized county in the state, a register of deeds, county auditor, treasurer, sheriff, state's attorney, county judge and a clerk of the district court, who shall be electors in the county in which they are elected and who shall hold their office until their successors are elected and qualified; provided in counties having twenty thousand population, or less, the county judge shall also be the clerk of the district court. Provided further that counties having a population of eight thousand or less, the register of deeds shall also be clerk of the district court and county judge. The legislative assembly shall provide by law for such other county, township and district officers as may be deemed necessary, and shall prescribe the duties and compensation of all county, township and district officers. The sheriff and treasurer of any county shall not hold their respective offices for more than four years in succession.

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

Introduced by Representatives Fitch and Crockett:

House Bill No. 30. A Bill for an Act to Encourage the Further Development of Durum Wheat in North Dakota; Providing for Collection and Furnishing of Information Regarding Durum Wheat by the Commissioner of Agriculture and Labor and Appropriating the Sum of \$2,500.00 to the North Dakota Durum Wheat Show at Langdon; Declaring an Emergency.

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

FIRST READING OF SENATE BILLS

Senate Concurrent Resolution "A" Regarding the Continuation of the Relief and Debt Survey Commission for the Duration of this Session and Without Compensation to the Members Thereof.

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

Representative Braun of McLean moved that the House do now recess until 1:45 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

ELEVENTH DAY AFTER RECESS AND TWELFTH DAY

Bismarck, January 18, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

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

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

TWELFTH DAY

Bismarck, January 18, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Chester W. Hamblin, Bismarck.

The roll was called and all members were present except Reps. Braun of Stark, Fitch, Gress, Kee, Nelson of Cass, Olson of Barnes.

So a quorum was declared present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eleventh day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 28, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

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

FIRST READING OF HOUSE BILLS

Introduced by Rep. Starck:

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 145 of the Session Laws

of 1939 Providing for the Establishment of, License Fee For, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

Was read the first time and referred to the Comm. on Game and Fish.

Introduced by Rep. Sandness, by request:

House Bill No. 32. A Bill for an Act to Repeal Chapter 51 of the Session Laws of the State of North Dakota for the Year 1933, Establishing a Tannery at the Penitentiary of the State of North Dakota, and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Introduced by Reps. Hogoboom, Morland and Olson of Bowman:

House Bill No. 33. A Bill for an Act to Require the Filing of a Farm Lease Containing a Reservation of Title to Crop in the Lessor and Providing for a Waiver of Rights by the Lessor Upon Failure to File Such Lease.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Introduced by Rep. Sellens:

House Bill No. 34. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

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

Introduced by Rep. Crockett:

House Bill No. 35. A Bill for an Act to Amend and Re-enact Section 7, 12 and 13 of Chapter 145 of the Session Laws of the State of North Dakota, for the Year 1937, Relating to All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

Was read the first time and referred to the Comm. on Insurance.

GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. McInnes to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 5.

Line 3, strike out the figures \$33,760.00, and insert in lieu thereof the figures \$31,120.00.

Line 7, strike out the figures \$8,160.00, and insert in lieu thereof the figures \$6,440.00.

Line 8, strike out the figures \$1,500.00, and insert in lieu thereof the figures \$750.00.

Line 9, strike out the figures \$300.00, and insert in lieu thereof the figures \$270.00.

Line 10, strike out the figures \$250.00, and insert in lieu thereof the figures \$150.00.

Line 11, strike out the figures \$700.00, and insert in lieu thereof the figures \$400.00.

Line 12, strike out the figures \$400.00, and insert in lieu thereof the figures \$360.00.

Insert line 17-A, Emergency Fund, \$300.00.

Line 18, strike out the figures \$33,760.00, and insert in lieu thereof the figures \$31,120.00.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

H. W. McINNES, Chm., Comm. of the Whole.

Rep. Morland moved the adoption of the report of the Committee of the Whole, which motion prevailed.

The Speaker administered the oath of office to J. B. Fisher as janitor.

Rep. Morland moved that the House do now recess until 1:45 P. M., Monday, January 20th, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

TWELFTH DAY AFTER RECESS AND FOURTEENTH
DAY

Bismarck, January 20, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

REPORTS OF STANDING COMMITTEES.

HOUSE COMMITTEE ON ENROLLMENT AND
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Concurrent Resolution "A", have had the same under consideration and recommend that the same be adopted.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

In section 1, line 5, strike out the last word "have" and insert in lieu thereof the word "are."

In line 6 strike out the first word "been"; and also in line 6 strike out the words "two and three-fourths", and insert in lieu thereof "three and one-half".

And when so amended recommend the same do pass.

P. K. HOLM, Chairman.

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

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

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

FOURTEENTH DAY

Bismarck, January 20, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Major S. Woodgate, Mandan.

The roll was called and all members were present except Rep. Ohnstad.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twelfth day and finds the same correct.

And recommends that the same be approved.

And recommends the following correction to the Journal of the Eleventh Day:

On page 80 correct the spelling of the name "Robertson".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, January 20, 1941.

Mr. Speaker: I have the honor to transmit:

SENATE C. R. No. "C"

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

W. J. TROUT, Secretary.

PETITIONS AND COMMUNICATIONS.

A resolution was read from the Board of County Commissioners of Cass County opposing any change in the law governing regulation of motor vehicles used for transporting goods on highways for hire with respect to weights, height or length.

And the Speaker referred the same to the Comm. on Highways and Bridges.

A communication was read from the Sargent County Wildlife Federation in convention at Havana petitioning the Legislature to appropriate sufficient funds to maintain a full time District Game Warden in the game refuge in Sargent County.

And the Speaker referred the same to the Comm. on Game and Fish.

A resolution was read from the Directors of the Cavalier County Livestock Association petitioning the Legislature to pass legislation incident to the completion of Bangs disease testing in that county.

And the Speaker referred the same to the Comm. on Livestock.

A communication was read from the North Dakota Chapter No. 1 of the National Association of Power Engineers asking the Legislature to support legislation concerning the establishment of minimum safety regulations and uniform operating standards pertaining to the operation, licensing, and use of fired and unfired pressure vessels and stationery engines in this state.

And the Speaker referred the same to the Comm. on Public Safety.

A communication was read from the North Prairie Local No. 663 of the Farmers Union of McHenry County presenting a resolution objecting to any attempt to repeal the Anti-Deficiency Farm Judgment Act and also a resolution objecting to the repeal of the Corporation Farming Act.

And the Speaker referred the same to the Comm. on State Affairs.

FIRST READING OF HOUSE BILLS.

Introduced by Representatives, Schwartz, Myers, Larson, Juhola, Brusseau, Tuff, Morrison:

House Bill No. 36. A Bill for an Act to Amend and Re-enact Section 2346a16 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; and Providing for and Relating to the Taxation of Corporations, and Providing the Rates which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of the Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof, and Amending and Re-enacting Section 2346a25 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 241 of the Session Laws of 1937; and Providing for the Repeal of Sub-section 7 of Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 283 of the Session Laws of 1931, and as Amended by Chapter 228 of the Session Laws of 1939; Making a Saving Clause and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

SECOND READING OF HOUSE BILLS

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were ayes, 104; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Glas	Olson, Barnes
Allen	Gress	Olson, Bowman
Anderson	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom

Belzer	Haugland	Rieker
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Myers	Westby
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Gackle	Nicholsen	Mr. Speaker
Gainor	Nystrom	

Those voting in the negative were:

Arneson	Coghlan	Holm
Arndt	Fuglestad	Nelson, Steele
Blair		

Absent and not voting:

Ohnstad

So the bill passed and the title was agreed to.

Explanation of votes:

Rep. Beede: I vote "aye" on this bill and want to make an explanation regarding the item of postage being cut from \$1,500 to \$750. I have a lot of respect for our appropriations committee and do not doubt that they have gone into this matter thoroughly. I have been informed that the reason for this cut is that instead of mailing the blanks out to all of the districts they will be sent to the County Auditor and then the district officials themselves will have to get them from the Auditor. With this explanation I vote "aye."

Rep. Swanson: I vote "aye" and believe that if this Department would use the postage as intended instead of sending out so many Christmas cards, and letters to the school teachers of the state, they would have ample funds for postage.

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; 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, 111; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Myers	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Ohnstad

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

Rep. Nelson of Sargent moved that the vote by which House Bill No. 28 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

The Chief Clerk read Senate Concurrent Resolution "C."

Rep. Twichell moved that Senate Concurrent Resolution "C" be referred to the proper committee.

Rep. Beede moved a substitute motion that the House now adopt Senate Concurrent Resolution "C."

Rep. Saumur moved that Rep. Beede's motion be tabled, which motion was lost on a standing vote.

Rep. Bergesen moved an amendment to Senate Concurrent Resolution "C" as follows: In the "Now Therefore" clause, lines 5 and 6, strike out the words "of the aforesaid 'Townsend Recovery Plan' bill," and insert in lieu thereof the words "for the benefit of old people," which motion was lost on a standing vote.

ROLL CALL

The question being on Rep. Beede's motion for the adoption of Senate Concurrent Resolution "C", the roll was called and there were ayes, 60; nays, 51; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Haag	Nelson, Morton
Beede	Halvorson	Nelson, Ramsey
Belzer	Haugen	Olson, Barnes
Bingenheimer	Haugland	Olson, Bowman
Bjella	Heckman	Panko
Braun, McLean	Hofstrand	Peterson, Bottineau
Braun, Stark	Hogoboom	Rieker
Brusseau	Ireland	Rohde
Bubel	Jennings	Sagehorn
Bymers	Juhola	Schmidt
Crockett	Larson	Schwartz
Culver	Levin	Semerad
Devlin	Lillehaugen	Smart
Drovdal	Lunde	Starck
Erickson, Divide	McIntee	Stormon
Erickson, Williams	McIntyre	Tuff
Falconer	Mollet	Welder
Fraser	Morland	Williams, Richland
Glas	Morrison	Wolf, McIntosh
Gress	Myers	Wolf, Morton

Those voting in the negative were:

Aker	Fitzharris	Nystrom
Allen	Fleck	Peterson, Ransom
Arneson	Fuglestad	Rygg
Arndt	Gackle	Sandness
Austad	Gainor	Saumur
Benno	Holm	Sellens
Bergesen	Johnson, Cass	Severson
Black	Johnson, Richland	Sharpe
Blair	Kee	Shure
Bolmeier	Kindem	Singleton
Boulder	Langley	Swanson
Carlson	McInnes	Trydahl
Coghlan	Moe	Twichell
Collette	Nelson, Cass	Wambheim
Dalzell	Nelson, Sargent	Westby
Dittmer	Nelson, Steele	Williams, Stutsman
Fitch	Nicholsen	Mr. Speaker

Absent and not voting:

Ohnstad

So the resolution was declared adopted.

Rep. Myers moved that the vote by which Senate Concurrent Resolution "C" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of votes:

Rep. Westby: I am not against the Townsend Plan but I would like to see this resolution referred to the proper committee. Therefore, I vote "no."

Rep. Braun of McLean: I pity the members of this House. They have been fighting the Old Age Townsend Plan for the last five or six years and now they are coming back and asking for an explanation. Yes, I pity them. Therefore, I vote "aye."

Rep. Johnson of Richland: I am not acquainted with the present provisions of the Townsend Bill pending in Congress. Therefore, I feel that the resolution should be referred to the proper committee. I wish to state that I am definitely in favor of Old Age Assistance. However, in view of the fact that I have not been given an opportunity to study the merits or demerits of this proposal I must vote "no."

The Chief Clerk read Senate Concurrent Resolution "A."

Rep. Twichell moved the adoption of Senate Concurrent Resolution "A", which motion prevailed and the resolution was adopted.

The Speaker administered the oath of office to Ruth Neste and F. J. Freund as committee clerks.

Rep. Fitch moved that the House do now recess until 1:45 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FOURTEENTH DAY AFTER RECESS AND FIFTEENTH
DAY

Bismarck, January 21, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

Rep. Fitch moved that a committee of three be appointed by the Speaker to meet with a like committee from the Senate to confer with the Code Commission on the introduction of suggested corrective measures, which motion prevailed, and the Speaker appointed on that committee Reps. Shure, Beede, and Aker.

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

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

FIFTEENTH DAY

Bismarck, January 21, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Major S. Woodgate, Mandan.

Roll Call: All members present except Reps. Collette and Shure.

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

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

On page 90, Rep. Ohnstad is to be recorded absent in the roll call.

On page 95, insert the following explanations of vote on Senate Concurrent Resolution "C":

"Rep. Braun of McLean: I pity the members of this House. They have been fighting the Old Age Townsend Plan for the last five or six years and now they are coming back and asking for an explanation. Yes, I pity them. Therefore, I vote "aye".

Rep. Johnson of Richland: I am not acquainted with the present provisions of the Townsend Bill pending in Congress. Therefore, I feel that the resolution should be referred to

the proper committee. I wish to state that I am definitely in favor of Old Age Assistance. However, in view of the fact that I have not been given an opportunity to study the merits or demerits of this proposal I must vote "no".

On page 93, line 3 from the bottom, strike out the words "offered a second substitute motion" and insert in lieu thereof the word "moved".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 21, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 12, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of Sec. 2 of the original bill after the figures "11273" insert the following: "of the Supplement to the 1913 Compiled Laws of North Dakota,"

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 25, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred H. C. Res. No. 29, have had the same under consideration and recommend that the same be adopted.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted.

Rep. Trydahl moved a substitute motion that action on House Bill Nos. 13 and 14 be deferred until House Bill No. 10 has been acted upon, which motion prevailed.

FIRST READING OF HOUSE BILLS

Introduced by Representatives Twichell, Fitch, Johnson of Cass, Shure and Bergesen:

House Bill No. 37. A Bill for an Act Requiring All Cities in This State to Advertise for Bids Before Purchasing Machinery, Fuel, Stationery, and All Articles for the Use of the City, When the Amount to Be Paid for the Same During Any Year Exceeds the Sum of Two Hundred and Fifty (\$250.00) Dollars, Penalty.

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

Introduced by Representative Fitch:

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Introduced by Representative Fitch:

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

Were read the first time and referred to the Comm. on Insurance.

FIRST READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration House Bill No. 1.

In section 1, line 5, strike out the last word "have" and insert in lieu thereof the word "are."

In line 6 strike out the first word "been"; and also in line 6 strike out the words "two and three-fourths", and insert in lieu thereof "three and one-half".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

K. A. FITCH, Chm., Comm. of the Whole.

Rep. Morland moved the adoption of the report of the Committee of the Whole, which motion prevailed, and the report was adopted.

MESSAGE TO THE SENATE

House Chamber,
Bismarck, January 21, 1941.

Mr. President: I have the honor to return herewith the following bills:

SENATE CONCURRENT RESOLUTION "A"

SENATE CONCURRENT RESOLUTION "C"

Which the House has adopted unchanged.

C. R. VERRY, Chief Clerk.
House Chamber,
Bismarck, January 21, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; and Declaring an Emergency.

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

C. R. VERRY, Chief Clerk.

Rep. Braun of McLean moved that the House do now recess until 1:45 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTEENTH DAY AFTER RECESS AND
SIXTEENTH DAY

Bismarck, January 22, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

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

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

SIXTEENTH DAY

Bismarck, January 22, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Major S. Woodgate, Mandan.

Roll Call: All members present except Reps. Culver and Shure.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifteenth Day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A resolution was received from the City Council of Jamestown opposing any change in the law governing regulation of motor vehicles used for transporting goods on highways for hire with respect to weights, loads allowed to be carried and sizes of vehicles.

And the Speaker referred the same to the Comm. on Highways and Bridges.

A resolution was also received from the Board of County Commissioners of Grand Forks County relative to the same subject which the Speaker also referred to the Comm. on Highways and Bridges.

A communication was received from the members of Bismarck Townsend Club No. 1 commending the House and Senate for memorializing Congress to enact the Townsend National Recovery Plan.

A letter was received from Governor John Moses inviting the members of the Legislature, in conjunction with Sen. Thatcher and the Representatives of Bottineau County, to attend a Gilbert and Sullivan comic opera to be given in Bismarck by sixty-five students of the North Dakota School of Forestry at Bottineau.

A letter was received from Blaine Whipple, Chairman of the President's Birthday Ball, inviting the members of the Legislature to attend the ball to be given in Bismarck, January 30th, all receipts from same to be used to assist the victims of Infantile Paralysis.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 33, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Live Stock, to whom was referred House Bill No. 11, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. NELSON OF CASS, Chairman.

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

HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 1.

And find the same correctly engrossed.

REP. WAMBHEIM, Chairman.

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

SELECT COMMITTEE REPORT

Mr. Speaker: Your Committee on committee rooms makes the following supplemental report:

Your Committee has, upon agreement with the chairmen of the four committees herein named, re-assigned such committees as follows:

The State Affairs Committee and the Live Stock Committee to Room G3;

Tax and Tax Laws and the Agricultural Committees to Room G2, with the understanding that the Agricultural Committee may, if it desires, use the Senate Lounge vacated by the State Affairs Committee.

H. W. McINNES, Chairman.

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

MESSAGE TO THE SENATE

House Chamber,
Bismarck, January 22, 1941.

Mr. President: I have the honor to inform you that the

House has appointed a committee to act with a like committee of the Senate to confer with the Code Revision Commission on the introduction of suggested corrective measures, and the Speaker has appointed as such committee Reps. Shure, Beede, and Aker.

C. R. VERRY, Chief Clerk.

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

FIRST READING OF HOUSE BILLS

Introduced by Representatives Welder, Wolf, Haag:

House Bill No. 40. A Bill for an Act Requiring the Publication of Certain Proceedings of the County Welfare Boards; Repealing All Laws or Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Public Welfare.

Introduced by Representatives Bingenheimer, Ireland, Falconer and Erickson of Divide:

House Bill No. 41. A Bill for an Act to Amend and Re-enact Subsections (c) and (e) of Chapter 185 of the Session Laws of North Dakota for the Year 1935, Prescribing and Relating to the Size and Loads of Motor Vehicles and Combination of Vehicles Moved Upon the Highways of the State of North Dakota, and Prescribing Exemptions for Equipment of the United States Army, the North Dakota National Guard and Certain Other Equipment; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Highways and Bridges.

Introduced by Representatives Haugland, Smart, Benno, Anderson and Blair:

House Bill No. 42. A Bill for an Act to Appropriate Ten Thousand (\$10,000.00) Dollars for the North Dakota State Fair Conducted by Ward County Under the Designation of Northwest Agricultural Livestock & Fair Association, to Be Held in the Years 1941 and 1942, as Authorized by Sections 1874 a-1 to 1874 a-4, of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being Chapter 102 of the Session Laws of 1919, and Sections 1866 a-1 to 1866 a-7 of Said 1925 Supplement, Being Chapter 217 of the Laws of 1923, as Amended by Chapter 5 of the Session Laws of 1935.

Was read the first time and referred to the Committee on Ways and Means.

Introduced by Representatives Swanson, Benno, Sandness, Panko and Fitch:

House Bill No. 43. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and

Authorizing Such Fairs and Exposition to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Hereof, and Declaring an Emergency.

Were read the first time and referred to the Comm. on Ways and Means.

Introduced by The Committee on Appropriations:

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on State Affairs.

SECOND READING OF HOUSE BILLS

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder 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, 56; nays, 54; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Sargent
Allen	Fleck	Nelson, Steele
Arneson	Gainor	Nicholsen
Arndt	Haugen	Nystrom
Austad	Haugland	Ohnstad
Benno	Hofstrand	Olson, Barnes
Bjella	Hogoboom	Olson, Bowman
Black	Holm	Peterson, Ransom
Blair	Ireland	Sagehorn
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Sellens
Carlson	Johnson, Richland	Sharpe
Coghlan	Kee	Smart
Collette	Kindem	Stormon
Crockett	Langley	Trydahl
Dalzell	Lunde	Westby
Devlin	Morland	Williams, Stutsman
Falconer	Nelson, Cass	Mr. Speaker
Fitch	Nelson, Ramsey	

Those voting in the negative were:

Anderson	Gress	Rieker
Beede	Haag	Rohde
Belzer	Halvorson	Rygg
Bergesen	Heckman	Sandness
Bingenheimer	Juhola	Schmidt
Braun, McLean	Larson	Schwartz
Braun, Stark	Levin	Semerad
Brusseau	Lillehaugen	Severson
Bubel	McInnes	Singleton
Bymers	McIntee	Starck
Dittmer	McIntyre	Swanson
Drovdal	Moe	Tuff
Erickson, Divide	Mollet	Twichell
Erickson, Williams	Morrison	Wambheim
Fraser	Myers	Welder
Fuglestad	Nelson, Morton	Williams, Richland
Gackle	Panko	Wolf, McIntosh
Glas	Peterson, Bottineau	Wolf, Morton

Absent and not voting:

Culver Shure

Rep. Twichell voted "no" for the purpose of reconsideration.

So the bill was declared lost.

Rep. Fuglestad moved that House Bill No. 25 be re-referred to the Comm. on Tax and Tax Laws, which motion prevailed.

Rep. Bergesen moved that House Concurrent Resolution No. 29 be re-referred to the Comm. on State Affairs until the bill for the formation of different forms of county governments has been introduced and considered.

Rep. Dalzell moved that the House proceed with roll call on House Conc. Res. No. 29, which motion prevailed.

House Concurrent Resolution No. 29. Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota as Amended by Articles 41 and 48 of the Amendments Thereof, Relating to County Officers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fleck	Nicholsen
Allen	Fraser	Nystrom
Anderson	Fuglestad	Ohnstad
Arneson	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Austad	Glas	Panko
Beede	Gress	Peterson, Bottineau
Belzer	Halvorson	Peterson, Ransom
Benno	Haugen	Rohde
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz

Boulden	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Braun, Stark	Johnson, Richland	Severson
Brusseau	Juhola	Sharpe
Bubel	Kee	Singleton
Bymers	Kindem	Smart
Carlson	Langley	Starck
Coghlan	Levin	Stormon
Collette	Lillehaugen	Swanson
Crockett	Lunde	Trydahl
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Westby
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, Morton
Fitch	Nelson, Sargent	Mr. Speaker
Fitzharris	Nelson, Steele	
Those voting in the negative were:		
Haag	Myers	Welder
Larson	Nelson, Morton	Wolf, McIntosh
Morrison	Rieker	
Absent and not voting:		
Culver	Nelson, Cass	Shure

So the resolution was declared adopted.

GENERAL ORDERS

Rep. Levin moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Levin to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration House Bill No. 12.

In line 2 of Sec. 2 of the original bill after the figures "11273" insert the following: "of the Supplement to the 1913 Compiled Laws of North Dakota,"

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

PALMER LEVIN, Chm., Comm. of the Whole.

Rep. Morland moved the adoption of the report of the Committee of the Whole, which motion prevailed, and the report was adopted.

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

C. R. VERRY, Chief Clerk.

SEVENTEENTH DAY

Bismarck, January 23, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Adj. Walter Miller, Bismarck.

Roll Call: All members present except Bergesen, Fleck, Haugen and Shure.

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

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

On page 105, after the roll call insert the following:

“Rep. Twichell voted ‘no’ for the purpose of reconsideration.”

On page 106, Culver is shown as voting “no” whereas he was absent and not voting.

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A letter was received by Rep. J. T. Peterson of Ransom County from the County Commissioners of Ransom County opposing any attempt to repeal the Deficiency Judgment Law pertaining to farm mortgages, also opposing the repeal of the law on corporation farming, also opposing the repeal of the 2½ mill tax levy for roads and bridges, also recommending that a law be passed providing that the State of North Dakota take over and pay all expenses for the Jamestown Insane Asylum, the Feeble Minded Institution at Grafton and the Tuberculosis Sanatorium at San Haven or to raise the General Levy to 10 mills.

And the Speaker referred the same to the Comm. on State Affairs.

A resolution was received from the Walsh County Board of County Commissioners opposing any increase allowed in the size, weight, etc. of trucks operating for hire under the

law governing motor vehicles operating on the highways transporting goods for hire.

And the Speaker referred the same to the Comm. on Highways and Bridges.

MESSAGE TO THE HOUSE

Senate Chamber,

Mr. Speaker: I have the honor to transmit:

SENATE C. R. "A"

SENATE C. R. "C"

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

W. J. TROUT, Secretary.

Also:

SENATE C. R. "B"

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

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House Chamber,

Bismarck, January 23, 1941.

Mr. President: I have the honor to transmit herewith the following resolution:

House Concurrent Resolution No. 29. Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota as Amended by Articles 41 and 48 of the Amendments Thereof, Relating to County Officers.

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

C. R. VERRY, Chief Clerk.

HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 12.

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

SELECT COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment places in nomination the name of Kirb Parnell of Cavalier for the position of Assistant Sergeant-at-Arms.

Rep. Benno moved the adoption of the report.

ROLL CALL

The question being on the nomination of Kirb Parnell, the roll was called and there were ayes, 60; nays, 46; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Dittmer	McInnes
Anderson	Erickson, Divide	McIntee

Austad	Erickson, Williams	Moe
Beede	Falconer	Morland
Belzer	Fitch	Myers
Benno	Fitzharris	Nelson, Morton
Black	Gainor	Ohnstad
Bolmeier	Glas	Olson, Bowman
Boulden	Gress	Panko
Braun, McLean	Haag	Rygg
Braun, Stark	Halvorson	Sagehorn
Brusseau	Haugland	Schwartz
Bubel	Heckman	Smart
Bymers	Hofstrand	Trydahl
Carlson	Hogoboom	Tuff
Coghlan	Jennings	Welder
Collette	Juhola	Westby
Crockett	Kee	Williams, Stutsman
Culver	Larson	Wolf, McIntosh
Dalzell	Levin	Mr. Speaker
Those voting in the negative were:		
Allen	Langley	Rohde
Arneson	Lillehaugen	Sandness
Arndt	Lunde	Saumur
Bingenheimer	McIntyre	Schmidt
Bjella	Mollet	Sellens
Blair	Morrison	Semerad
Devlin	Nelson, Ramsey	Severson
Drovdal	Nelson, Sargent	Sharpe
Fraser	Nelson, Steele	Singleton
Fuglestad	Nicholsen	Stormon
Gackle	Nystrom	Swanson
Holm	Olson, Barnes	Twichell
Ireland	Peterson, Bottineau	Wambheim
Johnson, Cass	Peterson, Ransom	Williams, Richland
Johnson, Richland	Rieker	Wolf, Morton
Kindem		
Absent and not voting:		
Bergesen	Haugen	Shure
Fleck	Nelson, Cass	Starck

So Kirb Parnell was declared elected.

Rep. Crockett moved that the vote by which Kirb Parnell was elected Asst. Sergeant-at-Arms be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker administered the oath of office to Kirb Parnell.

Rep. Twichell moved that action taken on House Bill No. 1 be reconsidered, which motion prevailed.

Rep. Twichell moved that House Bill No. 1 be placed at the foot of the calendar, which motion prevailed.

FIRST READING OF HOUSE BILLS

Introduced by Representative William Crockett:

House Bill No. 45. A Bill for an Act Providing for the Disqualification of Judges of the Supreme Court, and for Calling in the Judges of the District Court in Their Place.

Was read the first time and referred to the Comm. on State Affairs.

Introduced by Representatives Anderson and Beede:

House Bill No. 46. A Bill for an Act Requiring all Counties, Townships, School Districts, Cities, Villages, Park Districts,

and All Other Municipal or Quasi-Municipal Corporations Within the State, Which Are Now or May Hereafter Be Authorized to Issue and Sell Bonds for Any Purpose Whatsoever to Offer Such Bonds for Sale to the State and to All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds Before Advertising Said Bonds for Sale or Selling Such Bonds; and Requiring the Sale of Such Bonds to the State or to a State Agency or Department Unless They Can Be Sold Elsewhere at a Lower Rate of Interest, Providing a Penalty for Non-Compliance Herewith.

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

Introduced by Representatives Allen and Tuff.

House Bill No. 47. A Bill for an Act Providing That County Commissioners, Members of Boards of Education, and Directors of School Districts Shall Be Free-holders and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Introduced by Representative Sandness, by Request:

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 396b15 of the Compiled Laws, Supplement 1913-1925, as Amended by Session Laws of 1935, Chapter 162, Providing a Remedy for Under-paid Employees Working in Excess of Hour Provisions of Administrative Orders or the Hours Law for Females, and for Taking Assignments of Wage Claims.

Was read the first time and referred to the Comm. on Ways and Means.

Introduced by Representatives Juhola, Morrison and Dalzell:

House Bill No. 49. A Bill for an Act Providing That Personal Property, the Value of Which Exceeds One Hundred Dollars (\$100.00), Sold Under Conditional Sales Contract, Shall Be Repossessed or Foreclosed in the Same Manner as Provided for the Foreclosure of Mortgages on Personal Property.

Was read the first time and referred to the Comm. on State Affairs.

Introduced by Representatives Morrison, Meyers, Beede, Rieker, Haag and Schwartz:

House Bill No. 50. A Bill for an Act to Provide for Sales Tax Stamps; Specifying the Duties of the Tax Commissioner and County Treasurers Regarding Sales Tax Stamps; Providing for the Sale of Sales Tax Stamps to Retailers and Providing for Replacement of General Tax by Sales Tax; Prescribing Sales Tax Exemptions; Amending and Re-enacting Section 2 of Chapter 234 of the Session Laws of 1939; Repealing Section 9, Sub-sections 1, 2, and 3 of Section 10, and Sections 12, 13, and 14 of Chapter 249 of the Session Laws of 1937; Amending and Re-enacting Section 3 of Chapter 249 of the Session Laws of North Dakota for 1937; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Introduced by Representatives Crockett, Twichell and Halvorson:

House Bill No. 51. A Bill for an Act to Encourage the Making and Maintaining of Agreements Concerning Wages, Hours and Conditions of Employment Between Employers and Employees by Their Representatives and the Settlement of Controversies Concerning the Same by Mediation and Voluntary Arbitration of Such Controversies on the Commissioner of Agriculture and Labor.

Was read the first time and referred to the Comm. on Ways and Means.

SECOND READING OF HOUSE BILLS

House Bill No. 33 was read the second time.

Rep. Blair moved that action on House Bill No. 33 be delayed one legislative day, which motion prevailed.

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections, 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, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugland	Peterson, Bottineau
Belzer	Heckman	Peterson, Ransom
Benno	Hofstrand	Rieker
Bingenheimer	Hogoboom	Rohde
Bjella	Holm	Rygg
Black	Ireland	Sagehorn
Blair	Jennings	Sandness
Bolmeier	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Schmidt
Braun, McLean	Juhola	Schwartz
Braun, Stark	Kee	Sellens
Brusseau	Kindem	Semerad
Bubel	Langley	Severson
Bymers	Larson	Sharpe
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starek
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder

Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker
Absent and not voting:		
Bergesen	Haugen	Shure
Fleck		

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Rep. Moe moved that the vote by which House Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell moved that House Bill No. 1 be re-referred to the Comm. on Counties, which motion prevailed.

The House reverted to the Eighth Order of Business.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

SENATE CONCURRENT RESOLUTION "C"

SENATE CONCURRENT RESOLUTION "A"

And the Speaker signed the same in the presence of the House.

The House reverted to the Seventh Order of Business.

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

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

C. R. VERRY, Chief Clerk.

EIGHTEENTH DAY

Bismarck, January 24, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Adj. Walter Miller, Bismarck.

Roll Call: All members present except Rep. Trydahl.

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

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

On page 107, line 3 from the bottom, strike out "Ward" and insert in lieu thereof "Walsh".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A resolution was received from the members of the School Board of Picton School District No. 6 of Towner County and the Board of Supervisors of the Township of Picton, Towner County, requesting that the Legislature enact a law whereby State Departments which are receiving revenues through the rental of lands, which they have gained title to through foreclosure or other process of law, shall return to the local Political Subdivisions wherein such land is located an amount equal to the taxes that would have been collected if the said lands had been in the hands of a private owner, and that a similar law be enacted applying to the revenue received by the County from the same source.

And the Speaker referred the same to the Comm. on Tax and Tax Laws.

A resolution was received from the Board of County Commissioners of McLean County opposing any change in the law governing regulation of motor vehicles used for transporting goods on highways for hire with respect to weights, loads allowed to be carried and sizes of vehicles.

And the Speaker referred the same to the Comm. on Highways and Bridges.

A telegram was received by Rep. Beede from Robert C. Townsend, Secretary-Treasurer of the Townsend National Recovery Plan, Inc., Chicago, Ill., commending the Legislature for memorializing Congress to enact the Townsend Plan.

A resolution was received from the Hartland Farmers Union Local No. 652 opposing any change or repeal of the law allowing farmers to buy tax exempt gasoline for farm machinery.

And the Speaker referred the same to the Comm. on Tax and Tax Laws.

Another resolution was received also from the Hartland Farmers Union Local No. 652 opposing the repeal of the Anti-Deficiency Law, the Anti-Corporation Law and the law giving the Hail Insurance Dept. prior lien for its hail taxes.

And the Speaker referred the same to the Comm. on State Affairs.

A resolution was received from Clear Lake Township, Burleigh County, requesting that the Legislature enact legislation which will require tax exempt land to contribute 50% from the income derived therefrom as its share toward the support of local public services and that cash rentals remain as they are at the present time.

And the Speaker referred the same to the Comm. on Tax and Tax Laws.

A communication was received from Governor John Moses enclosing a letter from Jacob Rust, Jr., of Martin, N. Dak., attached to which was an outline of questions which should be asked in a civil service examination of applicants for positions in the State Highway Dept. and recommending a civil service law.

And the Speaker referred the same to the Comm. on State Affairs.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, January 24, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "F." A Concurrent Resolution Urging Congress to Grant North Dakota an Opportunity to Participate in the Present Defense Program with a View to Using Our Fuel and Other Natural Resources.

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

W. J. TROUT, Secretary.

The Chief Clerk read Concurrent Resolution "B".

Rep. Fitch moved that the same be amended by striking out the figure "\$5.00" after the name "Ferd Koch, Desk Clerk" and inserting in lieu thereof the figure "\$6.50", which motion prevailed.

ROLL CALL

The question being on the adoption of Concurrent Resolution "B" the roll was called and there were ayes, 111; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen

Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beebe	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rieker
Bingenheimer	Hofstrand	Rohde
Bjella	Hogboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Myers	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Trydahl

So the resolution was declared adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, January 24, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 41. A Bill for an Act to Divide the State of North Dakota into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

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

W. J. TROUT, Secretary.

FIRST READING OF HOUSE BILLS

Introduced by Representatives Smart, Haugland and Benno:

House Bill No. 52. A Bill for an Act Delegating Power to Governing Bodies of Cities, Towns and Villages, to Provide by Ordinances for the Licensing, Regulating and Inspecting of Food Markets, Stores and Other Places of Business where Food Intended for Human Consumption Is Sold at Retail, and for the Fixing of Hours of Opening and

Closing of the Same, Not However, Inconsistent with Any State Laws Covering the Same Subject Matter, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Public Welfare.

Introduced by Representatives Mollet and Rohde:

House Bill No. 53. A Bill for an Act Validating Title to All Lands Acquired by Any County of this State Through Tax Deed Proceedings, and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Introduced by Representatives Kindem and Hofstrand:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof, on Hunting Licenses.

Was read the first time and referred to the Comm. on Game and Fish.

Introduced by the Committee on Education:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

House Bill No. 33 was read the second time.

Rep. Shure moved that House Bill No. 33 be re-referred to the Comm. on Tax and Tax Laws, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, January 24, 1941.

Mr. President: I have the honor to return:

CONCURRENT RESOLUTION "B"

Which the House has amended.

C. R. VERRY, Chief Clerk.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections, and Declaring an Emergency.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, January 24, 1941.

Mr. President: I have the honor to return:

SENATE CONCURRENT RESOLUTION "A."

SENATE CONCURRENT RESOLUTION "C."

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, January 24, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of Animals, to the Glanders and Dourine Fund, to the Bovine Tuberculosis Fund and to the Bangs Disease Fund.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 48. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929 Creating the Office of Grain Storage Commissioner.

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

W. J. TROUT, Secretary.

The Chief Clerk read Senate Concurrent Resolution "F."

Rep. Fitch moved the adoption of Senate Conc. Res. "F", which motion prevailed and the resolution was adopted.

FIRST READING OF SENATE BILLS

Senate Bill No. 41. A Bill for an Act to Divide the State of North Dakota into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

Was read the first time and referred to the Comm. on Apportionment.

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

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

C. R. VERRY, Chief Clerk.

NINETEENTH DAY

Bismarck, January 25, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Adj. Walter Miller, Bismarck.

Roll Call: All members present except Reps. Braun of McLean, Crockett, Fitch, Nelson of Cass, Olson of Bowman and Sagehorn.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Eighteenth day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, January 25, 1941.

Mr. President: I have the honor to return:

SENATE CONCURRENT RESOLUTION "F"

Which the House has adopted.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, January 25, 1941.

Mr. President: I have the honor to return herewith:

JOINT CONCURRENT RESOLUTION "B"

Which the House has amended.

C. R. VERRY, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, January 25, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 276 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 97 of the Laws of North Dakota for the Year 1919 Relating to the Contingent Fund at State Institutions.

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

W. J. TROUT, Secretary.

PETITIONS AND COMMUNICATIONS

A letter was received by the Speaker from Carl B. Knutson of Dunn Center asking for the repeal of the law pertaining to the hiring of school busses in consolidated school districts.

And the Speaker referred the same to the Comm. on Education.

Also another letter was received by the Speaker from the same person requesting that real estate taxes should not be collected from farmers when there is no profit from the land.

And the Speaker referred the same to the Comm. on Tax and Tax Laws.

A letter was received by Rep. Myers from Bart Suby of Bowdon protesting the rental required of him for the state school land he is farming because of his low profits and the poor buildings on his farm.

And the Speaker referred the same to the Comm. on School and Public Lands.

Rep. Shure moved that the Senate be requested to return House Concurrent Resolution No. 29 for further consideration of the House, which motion prevailed.

FIRST READING OF HOUSE BILLS

Introduced by Representatives Moe and Crockett:

House Bill No. 56. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of 1935, as Amended by Section 3 of Chapter 178, of the Session Laws of 1939. Declaring an Emergency.

Introduced by Representative Bergesen:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

Were read the first time and referred to the Comm. on State Affairs.

Introduced by Representatives Moe and Brusseau:

House Bill No. 58. A Bill for an Act to Amend and Re-enact Subsection 3 of Section 1 of Chapter 227 of the Session Laws of 1939, Providing for Contract Settlement of Delinquent Taxes; Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Introduced by Representatives Dalzell, Ireland, Tuff, Levin, Lillehaugen, Williams of Richland, Crockett, McIntee, Starck, Juhola, Devlin, Myers, Semerad, Gainor, Williams of Stutsman, Arndt, Singleton, Rohde, Drovdal, Brusseau, Bubel and McIntyre.

House Bill No. 59. A Bill for an Act Providing for the Election, on the No-Party Ballot, of a State Highway Commissioner; Providing for His Powers, Duties and Salary; Providing for His Removal and Declaring an Emergency.

Introduced by Representatives Dalzell, Ireland, Tuff, Levin, Lillehaugen, Williams of Richland, Crockett, McIntee, Starck, Juhola, Devlin, Myers, Semerad, Williams of Stutsman, Arndt, Singleton, Rohde, Drovdal, Brusseau, Bubel and McIntyre.

House Bill No. 60. A Bill for an Act Providing for the

Election, on the No-Party Ballot, of a State Game and Fish Commissioner; Providing for His Powers, Duties and Salary; Providing for His Removal and Declaring an Emergency.

Were read the first time and referred to the Comm. on Elections and Election Privileges.

Introduced by Representatives Haugen and Sandness:

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

Was read the first time and referred to the Comm. on Corporations Other Than Municipal.

Introduced by Representatives Sharpe, Nystrom and Bergesen:

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division of Highway Safety and Police Patrol, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

FIRST READING OF SENATE BILLS

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of Animals, to the Glanders and Dourine Fund, to the Bovine Tuberculosis Fund and to the Bangs Disease Fund.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Were read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 48. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the

Year 1929 Creating the Office of Grain Storage Commissioner.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 276 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 97 of the Laws of North Dakota for the Year 1919 Relating to the Contingent Fund at State Institutions.

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

Rep. Morland requested that the Comm. on Tax and Tax Laws, in whose possession is House Bill No. 24, be granted an extension of time for consideration of the same, which request was granted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, January 25, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 22. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 44. A Bill for an Act to Encourage and Promote the Payment of Personal Property Taxes by Providing for a Rebate on Prepayments; Providing Certain Exemptions; and Declaring an Emergency.

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

W. J. TROUT, Secretary.

FIRST READING OF SENATE BILLS

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot

Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 22. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Were read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 44. A Bill for an Act to Encourage and Promote the Payment of Personal Property Taxes by Providing for a Rebate on Prepayments; Providing Certain Exemptions; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Rep. Morland moved that the House do now recess until 1:30 P. M., Monday, January 27th, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

NINETEENTH DAY AFTER RECESS AND TWENTY-FIRST DAY

Bismarck, January 27, 1941.

The House re-assembled at 1:30 P. M., pursuant to recess, Speaker Symington presiding.

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

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

TWENTY-FIRST DAY

Bismarck, January 27, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. O. O. Andvik, Mandan.

Roll Call: All members present except Rep. Braun of Stark.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Nineteenth day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE Chairman.

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

PETITIONS AND COMMUNICATIONS

A petition was received from a long list of Richland County farmers requesting that the Legislature enact a law permitting the Game and Fish Dept. to protect weasels from hunters, trappers, etc., in such sections of the state as the Dept. may decide upon.

And the Speaker referred the same to the Comm. on Game and Fish.

The McVille Commercial Club sent in a resolution opposing any legislation increasing the size, weight and load allowed to be carried by motor vehicles operating for hire on the highways of this state.

And the Speaker referred the same to the Comm. on Highways and Bridges.

A similar resolution was received from the Board of County

Commissioners of Foster County which was also referred to the Comm. on Highways and Bridges.

A communication was received from the Shepard Farmers' Elevator Co. of Cooperstown requesting that the Legislature consider legislation of a price discrimination law to apply to grain businesses in North Dakota similar to the law applying to the dairy industry.

And the Speaker referred the same to the Comm. on Public Welfare.

A letter was received from the members of the Barlow Friday Club favoring legislation to raise the standards in the Laboratories Dept.

And the Speaker referred the same to the Comm. on Education.

A resolution was received from the Board of County Commissioners of Stutsman County opposing any legislation increasing the size, weight, etc. of motor vehicles operating for hire on the highways of this state.

And the Speaker referred the same to the Comm. on Highways.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, January 27, 1941.

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

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House Chamber,
Bismarck, January 25, 1941.

Mr. President: The House requests the return of House Concurrent Resolution No. 29, for further consideration.

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 54, have had the same under consideration and recommend that the same do pass.
ARTHUR W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 26, have had the same under consideration and recommend that the same do pass.
ARTHUR W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 55, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 44, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 53, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 32, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 8, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

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

Rep. Culver moved that Rep. Braun of Stark be excused as absent until his return from the funeral of his father, who died today, which motion prevailed.

House Concurrent Resolution "B" was read by the Chief Clerk.

HOUSE CONCURRENT RESOLUTION "B"

Introduced by Representatives Lillehaugen, Olson of Bowman, Halvorson and Severson:

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

WHEREAS, The State of North Dakota, together with its sister States, comprising our great Nation, are deeply concerned over the dangers which threaten our country by reason of the terrible wars now raging in other parts of the world; and,

WHEREAS, The dreaded possibility that the United States may also be involved in these wars has increased to an alarming degree; and,

WHEREAS, The President of the United States, speaking at Philadelphia on October 23, 1940, declared:

"We will not participate in foreign wars and will not send our army, naval or air forces to fight in foreign lands outside of the Americas except in case of attack . . .

"To every man, woman and child I say this: Your President, and your Secretary of State are following the road of peace. We are arming ourselves, not for any foreign war. We are arming ourselves not for conquest or intervention in foreign disputes . . .

"I give to the people of this country this most solemn assurance: There is no secret treaty, no secret obligation, no secret understanding in any shape or form, direct or indirect, with any other nation in any part of the world, to involve this nation in any war or for any other purpose.

"We will not send our men to take part in European wars."

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That we memorialize Congress that it be guided in its deliberations and acts by these solemn pledges made by the President before his election, to the end that this country may not become involved in foreign wars.

That we commend the efforts of all Congressmen and Senators who now oppose any action now contrary to these pledges given by the President.

BE IT FURTHER RESOLVED, That we as representatives of the State of North Dakota renew our pledge of loyalty to our Nation and our Flag and to the Commander in Chief of the Army and Navy to whom we pledge our lives and property upon instant call to defend them against any nation which should attempt to attack our shores or invade our land.

AND, BE IT FURTHER RESOLVED, That a copy of this resolution be mailed to the President of the United States, to the Speaker of the House of Representatives in Congress, the President of the Senate, and to the members of Congress from the State of North Dakota.

Rep. Lillehaugen moved the adoption of House Concurrent Resolution "B," which motion prevailed and the resolution was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, January 27, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 29. Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota as Amended by Articles 41 and 48 of the Amendments Thereof, Relating to County Officers.

Which the House has requested.

W. J. TROUT, Secretary.

FIRST READING OF HOUSE BILLS

HOUSE CONCURRENT RESOLUTION NO. 63

Introduced by Representatives Aker, Fuglestad, Moe and Sharpe:

Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments thereto, Relating to Future Amendments.

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

That the following proposed amendment to Section 202 of Article 15 of the Constitution of North Dakota as amended by Articles 16 and 28 of the Amendments thereto, is agreed to and that the same be submitted to the qualified electors of the State for approval or rejection.

SECTION 1. AMENDMENT.) That Section 202 of Article 15 of the Constitution of North Dakota as amended by Articles 16 and 28 of the Amendments thereto, is hereby amended and re-enacted to read as follows:

SECTION 202. Any amendment or amendments to the Constitution of the state may be proposed in either house of

the legislature, and if the same shall be agreed to upon roll call by a majority of the members elected to each house it shall be submitted to the electors and if a majority of the votes cast thereon are affirmative, such amendment shall be a part of this Constitution.

Amendments to the Constitution of the state may also be proposed by initiative petition of the electors; such petition shall be signed by forty thousand of the electors at large and shall be filed with the secretary of state at least one hundred twenty days prior to the election at which they are to be voted upon, and any amendment or amendments so proposed shall be submitted to the electors and shall become a part of the Constitution, if a majority of the votes cast thereon are affirmative. All provisions of the Constitution relating to the submission and adoption of measures by initiative petition and on referendum petition, shall apply to the submission and adoption of amendments to the Constitution of the state.

HOUSE CONCURRENT RESOLUTION NO. 64

Introduced by Representatives Aker, Fuglestad, Moe and Sharpe:

LEGISLATIVE POWER, INITIATIVE AND REFERENDUM

A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as amended by Articles 15 and 26 of the Amendments thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum:

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

That the following proposed amendment to Section 25 of Article 2 of the Constitution of the State of North Dakota as amended by Articles 15 and 26 of the Amendments thereto, is agreed to and that the same be submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota, as amended.

SECTION 1. AMENDMENT.) That Section 25 of Article 2 of the Constitution of the State of North Dakota as amended by Articles 16 and 26 of the Amendments thereto, is hereby amended and re-enacted to read as follows:

SECTION 25. The legislative power of this state shall be vested in a Legislature consisting of a Senate and a House of Representatives. The people, however, reserve the power, first to propose measures and to enact or reject the same at the polls; second, to approve or reject at the polls any measure or item, section, part or parts of any measure enacted by this Legislature.

The first power reserved is the initiative. Thirty thousand electors at large may propose any measure by initiative petition. Every such petition shall contain the full text of the measure and shall be filed with the Secretary of State not less than ninety days before the election at which it is to be voted upon.

The second power reserved is the referendum. Thirty thousand electors at large may, by referendum petition, suspend the operation of any measure enacted by the Legislature, except an emergency measure. But the filing of a referendum petition against one or more items, sections or parts of any

measure shall not prevent the remainder from going into effect. Such petitions shall be filed with the Secretary of State not later than ninety days after the adjournment of the session of the Legislature at which such measure was enacted. No initiative or referendum petition shall be circulated or filed during a regular or special session of the Legislature.

Each measure initiated by or referred to the electors, shall be submitted by its ballot title, which shall be placed upon the ballot by the Secretary of State and shall be voted upon at any state-wide election designated in the petition, or at any special election called by the Governor. The result of the vote upon any measure shall be canvassed and declared by the board of canvassers.

Any measure, except an emergency measure submitted to the electors of the state shall become a law when approved by a majority of the votes cast thereon. Such law shall go into effect on the thirtieth day after the election, unless otherwise specified in the measure.

If a referendum petition is filed against an emergency measure, such measure shall be a law until voted upon by the electors, and if it is then rejected by a majority of the votes cast thereon, it shall be thereby repealed. Any such measure may be submitted to the electors at a special election if so ordered by the Governor or if the referendum petition filed against it shall be signed by forty thousand electors at large, such special election may be called by the Governor and shall be held not less than one hundred nor more than one hundred thirty days after the adjournment of the session of the Legislature.

The Secretary of State shall pass upon each petition, and if he finds it insufficient he shall notify the "committee for the petitioners" and allow twenty days for correction or amendment. All decisions of the Secretary of State in regard to any such petition shall be subject to review by the Supreme Court. But if the sufficiency of such petition is being reviewed at the time the ballot is prepared, the Secretary of State shall place the measure on the ballot, and no subsequent decision shall invalidate such measure if it is at such election approved by a majority of the votes cast thereon. If the proceedings are brought against any petition upon any ground, the burden of proof shall be upon the party attacking it.

No law shall be enacted limiting the number of copies of a petition which may be circulated. Such copies shall become a part of the original petition when filed or attached thereto. Nor shall any law be enacted prohibiting any person from giving or receiving compensation for circulating the petition, nor in any manner interfering with the freedom in securing signatures to petitions.

Each petition shall have printed thereon a ballot title which shall fairly represent the subject matter of the measure and the names of at least five electors who shall constitute the "committee for petitioners" and who shall represent and act for the petitioners.

The enacting clause of all measures initiated by electors, shall be: "Be it enacted by the people of the State of North Dakota." In submitting measures to the electors, the Secretary of State, and all other officials shall be guided by the election laws until additional legislation shall be provided.

If conflicting measures initiated by or referred to the electors shall be approved by a majority of the votes cast thereon, the ones receiving the highest number of affirmative votes shall become the law.

The word "measure" as used herein shall include any law or amendment thereto, resolution, legislative proposal or enactment of any character.

The veto power of the Governor shall not extend to the measures initiated by or referred to the electors. No measures enacted or approved by a vote of the electors shall be repealed or amended by the Legislature, except upon a yeas and nays vote upon roll call of two-thirds of all the members elected to each house.

This section shall be self-executing and all of its provisions shall be treated as mandatory. Laws may be enacted to facilitate its operation, but no law shall be enacted to hamper, restrict or impair the exercises of the rights herein reserved to the people.

Were read the first time and referred to the Comm. on State Affairs.

Introduced by Committee on Game and Fish:

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

Was read the first time and referred to the Comm. on Game and Fish.

Introduced by Representatives Smart, Haugland and Benno:

House Bill No. 66. A Bill for an Act Providing That Any Park District Owning and Operating Any Municipal Airport and Landing Field May Levy Not to Exceed Two Mills for the Purpose of Operating and Maintaining Such Municipal Airport and Landing Field.

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

Introduced by Representatives Wolf of Morton, Wolf of McIntosh, Welder, Gackle, Haag, Sandness, Arndt, Glas, Singleton:

House Bill No. 67. A Bill for an Act Requiring the County Commissioners of Every County in this State at the Time Fixed by Law for Levy and Assessment of Taxes for General County Purposes to Levy a Tax Not Exceeding One-half of One Mill on the Dollar of Assessed Valuation Upon All Real Estate in Such County; the Proceeds of Which Are to Be Used for the Purpose of Promoting the Destruction of Gophers and Prairie-dogs Fixing the Time When Bounty Is to Be Paid, and the Amount Thereof. Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Ways and Means.

Rep. Fitch moved that the House do now recess until 12:55 P. M., tomorrow, for the purpose of going into Joint Session with the Senate to hear a message from the Governor, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

TWENTY-FIRST DAY AFTER RECESS AND
TWENTY-SECOND DAY

Bismarck, January 28, 1941.

The House re-assembled at 12:55 P. M., pursuant to recess, Speaker Symington presiding.

Rep. Fitch moved that the Speaker appoint a committee of three to notify the Senate that the House is now ready to receive them in Joint Session, which motion prevailed and the Speaker appointed on that committee Reps. Fitch, Nelson of Sargent and Beede.

Rep. Fitch announced to the Speaker that the committee appointed to notify the Senate that the House is now ready to receive them in Joint Session has performed its duty, and moved that the committee be now discharged, which motion prevailed.

Rep. Beede moved that the House do now recess until adjournment of the Joint Session, which motion prevailed and the House stood recessed.

JOINT SESSION

The Joint Session was called to order by Lieutenant Governor Hagen.

Sen. Young moved that the President appoint a committee of three to escort Governor John Moses to the rostrum, which motion prevailed and the President appointed on that committee Sen. Young, and Reps. Sharpe and Levin, who escorted the Governor to the rostrum.

Lieutenant Governor Hagen presented Governor John Moses, who delivered the following:

SPECIAL MESSAGE TO THE LEGISLATURE
TO THE MEMBERS OF THE TWENTY-SEVENTH LEGISLATIVE ASSEMBLY:

At the joint session of your two bodies held on Wednesday, the 8th day of January, 1941, I had the honor of delivering to you my message as Governor of this state. At that time I took occasion to discuss briefly the indebtedness of the state, recommending the passing of legislation for the purpose of enabling the state to refund outstanding Mill and Elevator Construction Series Bonds, recommending a thorough study of the condition of the outstanding real estate series bonds, with the view of possibly refunding such bonds, and further discussing the need for providing for the retirement of outstanding and unpaid Capitol Building Certificates.

At this time I deem it my duty to inform the Legislature more particularly as to the status of the bonded indebtedness, tracing briefly the efforts made in the past to meet the interest and principal on outstanding bonds, and to make certain definite recommendations with respect thereto. I believe that the matter is of sufficient importance to warrant discussing it in greater detail at this time.

MILL AND ELEVATOR CONSTRUCTION BONDS

On January 1, 1922, Mill and Elevator Construction Series Bonds were issued in the sum of three million dollars; Mill and Elevator Milling Series in the sum of \$1,500,000 were subsequently issued. The latter series has been paid and of the Mill and Elevator Construction Series \$500,000 has been paid, leaving now outstanding \$2,500,000, as follows:

In passing let me say that of the bonds paid some \$500,000 were paid through the proceeds of processing tax refunds, the remainder through tax income.

Date Issued	Due	Rate	Amount
1-1-22	1-1-42	5½%	\$500,000.00
1-1-22	1-1-42	6%	700,000.00
1-1-22	1-1-47	6%	700,000.00
1-1-22	1-1-47	5½%	600,000.00

Total.....\$ 2,500,000.00

There is now on hand in the sinking fund, available for the payment of interest and principal on these bonds, after paying interest coupons due and payable January 1, 1941, the sum of.... 365,894.92

During the past five years levies have been made for the purpose of paying principal and interest on these bonds. The following table shows the status of such levies:

1940 levy—			
.89 mills—	\$400,941—	Payable in 1941.....	\$400,941.00
1939 levy—			
.97 mills—	441,089—	68.21% collected; balance uncollected	140,222.19
1938 levy—			
.56 mills—	260,515—	76.46% collected; balance uncollected	61,325.23
1937 levy—			
.85 mills—	401,083—	75.27% collected; balance uncollected	99,187.82
1936 levy—			
.41 mills—	199,788—	79.52% collected; balance uncollected	40,916.58

Total.....\$742,592.82

In analyzing the foregoing statement it is to be remembered that under the statutes of our state taxes collected on levies for 1936 and prior years will, after January 1, 1941, be remitted to the State Auditor as "Consolidated Tax Collections," and are credited by the State Auditor to the General Fund. Therefore, the \$40,916.58 now shown as uncollected taxes levied in 1936 for the sinking fund is lost to this fund. Further, it cannot be anticipated that all of the uncollected taxes hereinbefore shown for the years 1937 to 1940 will accrue to the benefit of the sinking fund due to the operation

of the Consolidated Tax Law (Sections 2274 and 2274a, 1925 Supplement).

From the experience of the past, an eighty per cent collection is a conservative estimate of the money which will be realized from the amounts levied. It is noted that the levies during the years 1936 and 1938 were wholly inadequate and that the proceeds from such levies would not produce a great deal more money than enough to pay the interest on the bonds.

On July 1, 1942, \$1,200,000 of Mill and Elevator Bonds will be due and payable. At best, the proceeds from the taxes already levied, together with the sinking funds now on hand, will not produce enough money to pay one-half of the principal due, after payment of the interest coupons. The 1941 levy will not produce any money before January 1, 1942, causing a default in the state's indebtedness at that time unless steps are taken now to remedy the situation.

I believe that steps should now be taken to remedy this situation and, therefore, recommend that enabling legislation be passed, enabling the Industrial Commission to refund the bonds due January 1, 1942, or so much thereof as cannot be paid from the sinking fund and accumulated tax payments, and to make it possible for the Industrial Commission to refund the bonds due in 1947, whenever, in the opinion of the Commission, that will be advisable and beneficial to the state. There are ample uninvested funds in the hands of the Board of University and School Lands and other state departments, making it possible to refund these bonds without any cost to the state excepting that of securing a legal opinion and the printing of the bonds. In my opinion such expenditures should be paid from funds of the State Mill and Elevator Association.

REAL ESTATE BONDS

A different picture is presented when we come to consider this series of bonds. Here we have no immediate maturities confronting us but we do have a situation which will require very large levies during the next twenty years. For the purpose of bringing the picture a little more clearly before you, I call your attention to the following table which shows the date of issuance, rate of interest, the maturity date and the amount of Real Estate Series Bonds now outstanding and unpaid.

Series	Se- Date Issued	Numbers	Rate	Maturity	Amount
D	4-1-23	7501-8250	5%	Jan. 1, 1944	\$ 192,000.00
D	4-1-23	8501-9750	5%	Jan. 1, 1949	735,000.00
D	4-1-23	9751-10000	5%	Jan. 1, 1952	250,000.00
E	4-1-23	12001-13250	5¼%	Jan. 1, 1944	408,000.00
E	4-1-23	13251-14709	5¼%	Jan. 1, 1949	620,000.00
E	4-1-23	14751-15000	5¼%	Jan. 1, 1952	250,000.00
F	4-1-24	15501-16250	5%	Jan. 1, 1945	400,000.00
F	4-1-24	16251-17000	5%	Jan. 1, 1950	706,000.00
F	4-1-24	17001-17500	5%	July 1, 1951	500,000.00
F	4-1-24	17501-18000	5%	July 1, 1952	500,000.00
G	4-1-25	18601-19100	4½%	Jan. 1, 1945	190,000.00
G	4-1-25	19101-19800	4½%	Jan. 1, 1950	587,000.00
G	4-1-25	19801-20000	4½%	Jan. 1, 1954	200,000.00

Series	Date Issued	Numbers	Rate	Maturity	Amount
G	4-1-25	20501-21000	4½%	Jan. 1, 1945	59,000.00
G	4-1-25	21001-21750	4½%	Jan. 1, 1950	750,000.00
G	4-1-25	21751-22000	4½%	Jan. 1, 1954	250,000.00
G	4-1-25	22901-23400	4½%	Jan. 1, 1945	101,000.00
G	4-1-25	23401-24000	4½%	Jan. 1, 1954	600,000.00
H	7-1-26	24801-25600	4½%	July 1, 1941	48,000.00
H	7-1-26	25601-26600	4½%	July 1, 1946	64,000.00
H	7-1-26	26601-27600	4½%	July 1, 1951	1,000,000.00
H	7-1-26	27601-28000	4½%	July 1, 1955	400,000.00
I	1-1-29	28001-28500	4½%	Jan. 1, 1947	166,000.00
I	1-1-29	28501-29000	4½%	Jan. 1, 1955	500,000.00
I	1-1-29	29001-30000	4½%	Jan. 1, 1957	1,000,000.00
I	1-1-29	30001-31000	4½%	Jan. 1, 1958	1,000,000.00
J	1-1-29	31001-32000	5%	Jan. 1, 1959	1,000,000.00
K	1-1-30	32001-33000	4½%	Jan. 1, 1953	1,000,000.00
K	1-1-30	33001-34000	4½%	Jan. 1, 1956	1,000,000.00
L	1-1-30	35001-36000	4¼%	Jan. 1, 1953	1,000,000.00
L	1-1-30	36001-37000	4¼%	Jan. 1, 1959	1,000,000.00
M	1-1-31	37001-37500	4%	Jan. 1, 1960	500,000.00
N	1-1-31	39001-40000	5½%	Jan. 1, 1955	1,000,000.00
O	1-1-31	40001-41000	5¼%	Jan. 1, 1956	1,000,000.00
P	1-1-32	41001-41500	6%	Jan. 1, 1944	103,000.00
P	1-1-32	41501-41714	6%	Jan. 1, 1947	64,000.00

Total Real Estate Series Bonds \$19,143,000.00

It will be noted that heavy maturities, if I may put it that way, occur from and after July 1, 1951. It is of importance to note just what the State of North Dakota will have to pay during the next ten years, not only by way of principal on the Real Estate Series Bonds, but also by way of interest on the \$19,143,000 now unpaid. The following table shows these amounts:

DEBT SERVICE REQUIREMENTS JAN. 2, 1941 TO JAN. 1, 1951

Date Due	Interest	Principal	Total
July 1, 1941, Total Interest all Bonds	\$ 452,470.00		
July 1, 1941, Ser. "H," 4½%, dated 7-1-26		\$ 48,000.00	\$ 500,470.00
Jan. 1, 1942, Total Interest all Bonds	451,390.00		
July 1, 1942, Total Interest all Bonds	451,390.00		
Total Requirements 1942			902,780.00
Jan. 1, 1943, Total Interest all Bonds	451,390.00		
July 1, 1943, Total Interest all Bonds	451,390.00		
Total Requirements 1943			902,780.00
Jan. 1, 1944, Total Interest all Bonds	451,390.00		
Jan. 1, 1944, Ser. D, 5%, dated 4-1-23		192,000.00	
Jan. 1, 1944, Ser. E, 5¼%, dated 4-1-23		408,000.00	
Jan. 1, 1944, Ser. P, 6%, dated 1-1-32		103,000.00	
July 1, 1944, Total Interest all Bonds	432,790.00		
Total Requirements 1944			1,587,180.00
Jan. 1, 1945, Total Interest all Bonds	432,790.00		
Jan. 1, 1945, Ser. F, 5%, dated 4-1-24		400,000.00	
Jan. 1, 1945, Ser. G, 4½%, dated 4-1-25		350,000.00	
July 1, 1945, Total Interest all Bonds	414,915.00		
Total Requirements 1945			1,597,705.00
Jan. 1, 1946, Total Interest all Bonds	414,915.00		
July 1, 1946, Total Interest all Bonds	414,915.00		
July 1, 1946, Ser. H, 4½%, dated 7-1-26		64,000.00	
Total requirements 1946			893,830.00

TUESDAY, JANUARY 28, 1941

129

DEBT SERVICE REQUIRMENTS JAN. 2, 1941 TO JAN. 1, 1951 (Continued)

Date Due	Interest	Principal	Total
Jan. 1, 1947, Total Interest all Bonds	413,475.00		
Jan. 1, 1947, Ser. I, 4½%, dated 1-1-29		166,000.00	
Jan. 1, 1947, Ser. P, 6%, dated 1-1-32		64,000.00	
July 1, 1947, Total Interest all Bonds.....	407,820.00		
Total Requirements 1947			1,051,295.00
Jan. 1, 1948, Total Interest all Bonds	407,820.00		
July 1, 1948, Total Interest all Bonds	407,820.00		
Total Requirements 1948			815,640.00
Jan. 1, 1949, Total Interest all Bonds	407,820.00		
Jan. 1, 1949, Ser. D, 5%, dated 4-1-23		735,000.00	
Jan. 1, 1949, Ser. E, 5¼%, dated 4-1-23		620,000.00	
July 1, 1949, Total Interest all Bonds	373,170.00		
Total Requirements 1949			2,135,990.00
Jan. 1, 1950, Total Interest all Bonds	373,170.00		
Jan. 1, 1950, Ser. F, 5%, dated 4-1-24		706,000.00	
Jan. 1, 1950, Ser. G, 4½%, dated 4-1-25		1,337,000.00	
July 1, 1950, Total Interest all Bonds	325,437.50		
Total Requirements 1950			2,741,607.50
Total Requirements 1-2-41 through 7-1-50	\$ 7,936,277.50	\$ 5,193,000.00	\$13,129,277.50
Jan. 1, 1951, Total Interest all Bonds	325,437.50		
July 1, 1951, Total Interest all Bonds	325,437.50		
July 1, 1951, Ser. F, 5% Bonds dated 4-1-24		500,000.00	
July 1, 1951, Ser. G, 4½% Bonds dated 4-1-25		1,000,000.00	
Total Requirements 1951			2,150,875.00
Total Requirements 1-2-41 through 7-1-51	\$ 8,587,152.50	\$ 6,693,000.00	\$15,280,152.50

The total amount then which must be provided for in order to pay interest on all outstanding Real Estate Series Bonds for the next ten years, up to and including July 1, 1951, is \$8,587,152.50; principal, \$6,693,000.00; or a grand total to be paid during these ten years of \$15,280,152.50.

Also note that after paying this amount, \$15,280,000 in round figures, including \$6,693,000 of principal, there is still left to pay \$12,450,000, with interest, during the nine year period following July 1, 1950 and up to the date of the last maturity which is January 1, 1960.

It will not be necessary to raise all of the \$15,280,000 which stares us in the face for the next ten years as payments from taxation; we have the right to expect some payments from collateral collections, such as interest on outstanding and unpaid mortgages, as well as collections from land sales and principal payments on loans. The figures I shall give you now are and can be nothing but estimates, but they are based upon the experience of the past and I believe them to be conservative.

ESTIMATED REQUIRED LEVIES TO PAY REAL ESTATE BONDS AND INTEREST
THROUGH JULY 1, 1951

Year of Levy	Payable	Interest Requirements	Less Estimated Collateral Coll.	Ad Valorem Levy for Interest	Principal	Total
1941	1942	\$902,780.00	\$100,000.00	L-\$1,003,475.00 C- 802,780.00	L-\$ 315,000.00 C- 252,000.00	L-\$1,318,475.00 C- 1,054,780.00
1942	1943	902,780.00	95,000.00	L- 1,009,725.00 C- 807,780.00	L- 315,000.00 C- 252,000.00	L- 1,324,725.00 C- 1,059,780.00
1943	1944	884,180.00	90,000.00	L- 992,725.00 C- 794,180.00	L- 315,000.00 C- 252,000.00	L- 1,307,725.00 C- 1,046,180.00
1944	1945	847,705.00	85,000.00	L- 953,382.00 C- 762,705.00	L- 315,000.00 C- 252,000.00	L- 1,268,382.00 C- 1,014,705.00
1945	1946	829,830.00	80,000.00	L- 937,290.00 C- 749,830.00	L- 315,000.00 C- 252,000.00	L- 1,252,290.00 C- 1,001,830.00
1946	1947	821,295.00	75,000.00	L- 932,869.00 C- 746,295.00	L- 315,000.00 C- 252,000.00	L- 1,247,869.00 C- 998,295.00
1947	1948	815,640.00	70,000.00	L- 932,050.00 C- 745,640.00	L- 315,000.00 C- 252,000.00	L- 1,247,050.00 C- 997,640.00
1948	1949	780,990.00	65,000.00	L- 894,987.00 C- 715,990.00	L- 315,000.00 C- 252,000.00	L- 1,209,987.00 C- 967,990.00
1949	1950	698,607.50	60,000.00	L- 798,260.00 C- 638,607.50	L- 315,000.00 C- 252,000.00	L- 1,113,260.00 C- 890,607.50
1950	1951	650,875.00	55,000.00	L- 744,844.00 C- 595,875.00	L- 315,000.00 C- 252,000.00	L- 1,059,844.00 C- 847,875.00

In this table I will call your attention to the letters L and C; in referring to and discussing the levies for interest, principal and the total levies, the letter L stands for levy, and the letter C for collections, or rather, anticipated collections out of that levy. Basing our estimate again on the experience of the past, we find that out of the total amount levied approximately eighty per cent is collected. Remember that after the first five years the levies are lost to the interest and sinking fund and subsequent collections go to consolidated tax collections. So, when we say that we levy a total of \$9,199,607.00 for interest, experience has shown that only \$7,359,682.50 will be produced from that levy. The same proportion holds true with the levy for principal; \$3,150,000.00 will produce \$2,520,000.00, and a total levy of \$12,349,607.00, as hereinbefore shown, will produce only \$9,879,682.50.

ANALYSIS PRINCIPAL SINKING FUND

Continuing our discussion of the maturities and the requirements for the next ten years as hereinbefore set forth, we have the following figures:

Bonds Due Through July 1, 1951.....	\$ 6,693,000.00
Cash on Hand January 1, 1941.....	\$ 1,128,457.78
Estimated Collections Land Sales and Loan Payments	3,000,000.00
Total Cash and Estimated Income..	<u>4,128,457.78</u>

Estimated Deficit Provided for in Above Schedule	\$ 2,564,542.22
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These estimates do not take into consideration the \$12,450,000.00 of bonds maturing after July 1, 1951, for which provision will have to be made prior to their maturity dates if they are to be paid. It is also to be remembered that the anticipated levies which have been set forth on the foregoing table do not include the amount necessary to levy for the payment of interest and principal on the Mill and Elevator Bonds still to be paid.

During the past years this state has not been able to collect enough money to properly service these bonds. Levies having proved insufficient for a number of years, the state was forced to issue certificates of indebtedness mounting from year to year. On the first of January, 1933, the certificates outstanding totaled \$2,255,000.00, and in addition to this there was an overdraft in the Bank of North Dakota, not covered by certificates of indebtedness, of \$311,901.21, making a total deficit of \$2,566,901.21, with no provision made for interest payments due July 1, 1933, and January 1, 1934.

In order to take care of this dangerous and serious situation, the Legislature during the 1933 session diverted Motor Vehicle receipts to the extent of \$2,200,000.00 to the Interest and Sinking Fund. This practice was followed by subsequent Legislatures, the 1935 session diverting \$741,718.62 of Motor Vehicle fees, in addition to \$1,015,000.00, beer tax revenue, to the Interest Fund. In 1937, \$1,180,000.00 of beer tax revenue was likewise diverted and all applied to the Interest Fund. In addition to this let it be remembered that the total interest paid to January 1, 1941, for money borrowed to pay interest on

real estate series bonds amounts to \$195,839.26. Summing up these diverted amounts we have the following:

1933 Motor Vehicle Fees.....	\$ 2,200,000.00
1935 Motor Vehicle Fees	741,718.52
1935 Beer Tax Revenue	1,015,000.00
1937 Beer Tax Revenue	1,180,000.00
Interest Paid on Borrowed Money, As aforesaid.....	195,839.26
Total	\$ 5,332,557.78

The Twenty-sixth Legislative Assembly refused to continue the practice of diverting funds derived from other sources for debt service on these bonds and made no provision for debt service, leaving the general tax levy as the only source of income. The following table shows the levies and the collections on the interest payment dates beginning July 1, 1939:

Interest due and payable July 1, 1939.....	\$462,450.00
Available beer tax revenue and prior tax collections	382,177.02
Leaving a deficiency of.....	80,272.90
Interest due and payable January 1, 1940	462,450.00
Deficiency as above.....	80,272.90
Total	\$542,722.98
Tax collections, 6 month period.....	184,066.45
Leaving deficiency of.....	\$358,656.53
Interest due and payable July 1, 1940..	\$452,470.00
Deficiency carried over	358,565.53
Total	\$811,126.53
Tax collections during 6 month period..	545,016.02
Leaving a deficiency of.....	\$266,110.51

On January 1, 1941, there was due \$452,470.00; after applying taxes collected and paying previous borrowings it was necessary to issue certificates in anticipation of tax collections for \$450,000.00. It appears that from year to year, from interest payment date to interest payment date, the borrowings are likely to be increased which is not a sound business policy. It is also to be remembered that the foregoing deals with interest requirements only and does not take into account any principal requirements on outstanding bonds.

This is a matter which has given the Industrial Commission a great deal of concern. In July, 1940, the Industrial Commission requested the Bank of North Dakota to prepare a plan for the possible refinancing of the state's indebtedness; such plan has now been submitted to the Industrial Commission, providing for refinancing the state's indebtedness by extending the maturities of the outstanding bonds to 1970, paying the present rate of interest on the bonds now outstanding up to their present maturities and providing for an extension of the indebtedness at a lower rate thereafter.

Subsequent to the presentation of this plan a second plan has been submitted to the Industrial Commission for its consideration, this plan involving the employment of a fiscal agency for the handling of the refinancing of the indebted-

ness and providing for the issuance of refunding bonds to carry two and one-half per cent interest, necessitating the issuance of between four and five million dollars of additional bonds to compensate the holders of high interest bearing bonds for exchange on a low interest bond basis.

These plans have been considered by the Industrial Commission; it is the sense of the Commission that the proposals be submitted to the Legislature and I am therefore submitting one copy of each plan with this message, for your careful scrutiny and study.

Other plans may be presented; other ideas of handling the state's indebtedness may be presented; if they are these will be submitted for your consideration.

Under the setup proposed in Plan No. One, called the Level Debt Service Refunding Plan, it is proposed to exchange all of the outstanding bonds, which carry an average rate of 4.77% with the exception of \$48,000.00 Real Estate Series Bonds due July 1, 1941, which are to be retired from sinking funds now on hand, for new bonds \$19,095,000.00 Real Estate Refunding Bonds, and \$2,500,000.00 Mill and Elevator Refunding Bonds. It is proposed that new refunding bonds be issued carrying the same rates of interest to maturity that the present outstanding bonds now bear, and after maturity the rate of 2½% on the \$1,200,000 of Mill and Elevator Bonds maturing January 1, 1942, and 3% on the remainder of the Refunding Bonds. It is proposed that such exchange be made without expense to the State of North Dakota, through the Bank of North Dakota and a group of banks and investment houses, the state, however, to pay the cost of lithographing the new bonds, the services of a depository for the safe keeping of the securities while executing the exchange, and for the approving legal opinions of the approving bond counsel.

As stated, the plan proposes to extend the bonds so that the Mill and Elevator Bonds will mature January 1, 1952, and the last of the Real Estate Refunding Bonds are to be paid January 1, 1971. In order to spread the burden upon the taxpayers of the state equally throughout the coming years a schedule of annual payments, principal and interest, has been submitted running between \$1,022,000.00 and \$1,173,000.00 during the next five years and thereafter at an average annual figure of approximately \$1,350,000.00. It is proposed under this plan for the Legislature to make an irrevocable levy on an ad valorem basis so as to produce the amount necessary to meet these annual principal and interest charges. It is also proposed to establish a sinking or revolving fund to take care of possible emergencies. For further details of the plan I refer you to the copy which I am submitting to you with this message.

Referring to Plan No. 2; this is a plan which was presented to the Industrial Commission by the Charles A. Fuller Company of Minneapolis and Baldwin and Main of Chicago. As stated, it proposes to issue refunding bonds at the flat rate of 2½% interest, extending present maturities up to 1970. Under this plan the sponsors propose to act as fiscal agents for the State of North Dakota in effecting an exchange of the present bonds for the refunding bonds and estimates the cost of such service, including the lithographing of the bonds, attorney's opinion, and similar fees, at the sum

of \$195,735.00 which is to be paid by the State of North Dakota.

As you will note, the interest rate to be paid under Plan No. 2 is a great deal less than the interest rate to be paid under Plan No. 1 but the proponents of Plan No. 2 propose to compensate the holders of high interest coupon bonds for the loss of income which they will sustain by exchanging for instance 6% bonds for 2½% bonds by issuing additional bonds, computing the difference upon what is determined to be the present market value of the North Dakota bonds. Roughly speaking, it is proposed to issue \$25,937,000 refunding bonds, carrying 2½% interest, extended over a period up to 1970. This amount includes the cost to the state estimated by the proponents at \$195,735.00. This plan also calls for annual level debt payments of practically the same amounts as under Plan No. 1, for the life of the Refunding Bonds.

The ultimate and decisive test to be applied in the event that it is found to be advisable for the state to refinance its indebtedness is the ultimate total cost to be paid by the state. The total cost to the state, principal and interest, if the present bonds are extended for ten years, as proposed under Plan No. 1, carrying the present rates of interest up to the present maturities and thereafter interest rates of 2½% and 3%, would be \$39,697,950.00. Under Plan No. 2 the proponents say that the total cost to the state, principal and interest, will be \$36,993,573.00—a difference in total cost to the state of \$2,706,387.00, to which is to be added the estimated cost to be paid by the state under Plan No. 1, estimated to be \$43,665.00, or a total difference of \$2,750,052.

It is very clear from the foregoing that both of the proposed plans will cost the taxpayers of North Dakota more money in the payment of additional interest but it is to be remembered that the payments of both interest and principal are spread over an additional period of 10 years, greatly lessening the burden to be borne by the taxpayers in any one year.

As stated, Plan No. 2 proposes to issue additional bonds in an amount between four and five million dollars. This gives rise to a legal question which will have to be determined, and that is the question of the constitutionality of issuing such new bonds. Under our constitution we are limited to the issuance of two million dollars of bonds for any purpose with the exception of Real Estate Series and Mill and Elevator Series Bonds; it may be argued that issuance of these additional bonds for the purpose of refunding the present indebtedness may be in violation of this constitutional provision; it may also be argued that, in effect, the indebtedness is not increased while the form of the indebtedness may be greater. The ultimate test is, of course, the total amount that the taxpayers of North Dakota will have to pay in principal and interest when the last of the bonds have been retired. Matters of funding and refunding bonds are highly technical and the opinion of bond attorneys, specializing in that particular branch of the law and enjoying a high reputation for dependability must be secured before the Legislature will be warranted in proceeding with any plan for refunding the state's indebtedness.

In closing my discussion of the Real Estate Series Bonds

let me call your attention to the fact that interest rates now are lower than they have been at any time in the history of the country; that it will work a great deal of hardship on the taxpayers of the state if levies have to be maintained at the rate that is necessary in order to service these bonds and pay the principal on the present maturity dates. Let me also call your attention to the fact that these bonds are now tax free securities and that refunding bonds which may be issued at this time likewise would be exempt from tax. However, there is an increasing feeling throughout the nation against the practice of the continued issuance of tax exempt securities; I am firmly convinced that this is nothing but sound business policy and I am firmly convinced that within the not too distant future the practice of issuing tax exempt securities will be done away with. Well informed people confidently expect legislation to be introduced and passed in this session of Congress to accomplish that very purpose. Let me also call your attention to the fact that the Secretary of the Treasury has recently issued obligations of the United States which are subject to the payment of tax.

In the light of the foregoing facts it would seem to be clear that this is undoubtedly the most favorable time and the conditions are most favorable in which to seek to refund the indebtedness of this state. In view of these facts I believe, and I am authorized to speak also for the Industrial Commission in saying that the Industrial Commission believes, that if a plan for the orderly refinancing of the state's indebtedness through the extension of present maturities is to be considered this is the opportune time to do so, and that it will serve the best interests of the State and the taxpayers of the State.

I deem these matters to be of sufficient importance to warrant this special message to your Honorable Bodies, and in submitting this may I respectfully venture a suggestion:

I recommend to the Senate and to the House of Representatives that a special joint committee of both houses be appointed for the purpose of studying the financial position of the state with relation to the state's indebtedness; that if you find from such study that it is advisable to consider refinancing such indebtedness at this time, you carefully study the two plans which have been proposed and submitted to the Industrial Commission and any other plan for the refinancing of the state indebtedness which may be submitted; that such joint committee conduct public hearings and give full publicity to all matters which may come before it concerning the issue; that such committee be composed of not more than five members of each house and that full representation be given to the various political groups in both houses. I believe that this subject is worthy of special study and that that purpose can best be accomplished by the appointment of such joint committee.

CAPITOL BUILDING CERTIFICATES

For the purpose of paying the expenses incidental to the building of the new capitol so-called Capitol Building Certificates were issued carrying a rate of interest of five per cent per annum. To pay these certificates when due an annual levy of one-fifth of one mill was provided for, this being within and a part of the authorized four mill levy for general state purposes, such levy expired in the year 1940.

These certificates carried interest at the rate of five per cent per annum. The following shows in detail the status of these certificates:

Principal Certificates past due.....	\$101,000.00
Accrued interest on same to 6-1-41.....	4,475.60
Total	\$105,475.00
Principal coming due in 1941	\$ 97,000.00
Interest on same to maturity dates.....	8,350.00
Total	\$105,350.00

Total delinquencies and requirements to December 1, 1941.....	\$210,825.00
Cash on hand, December 31, 1940.....	\$ 8,129.85
1940 levy, 80% collection for fund.....	72,079.20
1937-38-39 levies—balance collected.....	18,480.02
Total cash and estimated assets	\$ 98,689.07
Deficiency	\$112,135.93
Certificates due in 1942, with interest on the same for one year at 5%.....	73,500.00
Total requirements of fund in excess of cash on hand and estimated revenue..	\$185,635.93

Provision must be made for the purpose of paying the foregoing indebtedness; I recommend that legislation be enacted providing for a continuation of the mill levy at the rate of one-tenth of one mill for five years, and that enabling legislation be also enacted to make it possible for the Industrial Commission to refund these certificates, such as are past due, and such certificates as are past due and delinquent, as well as such certificates as are callable and that the interest thereon be set at no more than two per cent per annum. There are ample funds in the hands of state departments, uninvested, to make it possible for the state to refinance these certificates without commissions or expense to the state.

In closing, may I point out to you the necessity for making provision for the payment and refunding of the Capitol Building Certificates of Indebtedness and may I also urge that you make definite provisions for the refunding of the Mill and Elevator Bonds by the passage of appropriate legislation to accomplish that purpose.

May I also urge that you give careful study to the possible refunding of the Real Estate Series Bonds. Under no circumstances do I believe that the refunding of the Mill and Elevator Bonds should be considered as a part of the proposal for the refunding of the Real Estate Series Bonds. In considering either of the plans submitted, or any other plan that may be submitted, this should be borne in mind. Let me also say that in considering any refinancing plan, that bonds now held by any state department or state agency, including the Teachers' Retirement Fund, should be excluded from any general refinancing scheme insofar as the payment of any commissions, direct or indirect, are concerned. The State of North Dakota must not pay any fees, or any costs, upon the exchange of its own securities.

It is my desire to work with you and to render you any

assistance that I can; the facilities of the Governor's office, as well as the facilities of the office of the State Treasurer, and any other state department, and those of the Bank of North Dakota are at your disposal.

Respectfully submitted,

JOHN MOSES,
Governor of North Dakota.

Rep. Twichell moved that the message of the Governor just delivered be printed in the House Journal of this Legislative day, which motion prevailed.

Rep. Fitch moved that the Joint Session do now adjourn, which motion prevailed.

The House was called to order, pursuant to recess taken, by Speaker Symington.

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

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

TWENTY-SECOND DAY

Bismarck, January 28, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. O. O. Andvik, Mandan.

Roll Call: All members present except Rep. Braun of Stark.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-first day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was received from the Farmers Union of Fillmore, N. D., expressing a desire that no change be made in the Anti-Deficiency Bill and Corporation Farming Laws.

Which the Speaker referred to the Comm. on Tax and Tax Laws.

A resolution was received signed by C. R. Starkey and eleven others from the Thirty-sixth Legislative District advocating that no change be made in the law pertaining to the operation of motor vehicles operating on the highways of this state for hire.

Which the Speaker referred to the Comm. on Highways and Bridges.

A communication was received from McKenzie County Land Use Planning Committee requesting that State of North Dakota and Bank of North Dakota lands be taxed, and also that the Bank of North Dakota lease land on a long term contract.

Which the Speaker referred to the Comm. on State Affairs.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, January 28, 1941.

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Resolution "F." A Concurrent Resolution Urging Congress to Grant North Dakota an Opportunity to Participate in the Present Defense Program with a View to Using Our Fuel and Other Natural Resources.

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

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House Chamber,
Bismarck, January 28, 1941.

Mr. President: I have the honor to transmit:

House C. R. "B".

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

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 42, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

Rep. Sellens moved that the report be adopted.

Rep. Smart moved a substitute motion that H. B. 42 be re-referred to the Comm. on Ways and Means, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 9, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 38, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 39, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

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

MOTIONS AND RESOLUTIONS

Rep. Bolmeier requested that the Comm. on Insurance in whose possession is H. B. No. 35 be granted an extension of time for consideration of the same, which request was granted.

The Chief Clerk read House Concurrent Resolution "D".

Representatives Symington, Bergesen and Meyer, and Senators Greiser, Braun and Wog introduced:

House Concurrent Resolution "D." A Concurrent Resolution.

WHEREAS, The Governor in his Special Message to the Joint Legislative Assembly has outlined the situation with respect to the refunding of the existing State indebtedness and has suggested the appointment of a joint committee from the House and the Senate to investigate and act upon such subject matter; and,

WHEREAS, It is believed that the method of procedure suggested by the Governor will best facilitate the consideration of this problem;

NOW, THEREFORE, Be it resolved by the House of Representatives, the Senate Concurring, that a joint committee of the House and Senate, to be known as Joint Committee on Refunding State Indebtedness, be and the same is hereby created, consisting of the following members; to-wit: Representative McInnes, Senator Young, Representative Levin, Senator Stucke, Representative Morland, Senator Fowler, Representative Beede, Senator Blank, Representative Smart, and Senator Nelson of Grand Forks, and that said committee be authorized, directed and empowered to investigate and inquire into the advisability and necessity of refunding the existing indebtedness of the State of North Dakota, and as to the best and cheapest method or methods for accomplishing such refunding and to report back to the House of Representatives and the Senate as to their actions and findings with respect thereto.

Rep. Bergesen moved the adoption of House Concurrent Resolution "D," which motion prevailed and the resolution was declared adopted.

House Memorial Resolution "C" was read by the Chief Clerk.

HOUSE MEMORIAL RESOLUTION "C"

Introduced by Representatives Culver and Gress:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

WHEREAS, Peter Braun, an old time resident and respected citizen of Stark County, North Dakota, and father of Representative George Braun, has been called by death;

THEREFORE, BE IT RESOLVED, That this House of Representatives express its deep sympathy to Representative Braun and to the other members of the family, and that a copy of this Resolution be delivered by the Chief Clerk of the House of Representatives to Representative Braun.

Rep. Culver moved the adoption of House Memorial Resolution "C", which motion prevailed and the resolution was declared adopted.

FIRST READING OF HOUSE BILLS

Representative Fleck introduced:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That

Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

Representative Fleck introduced:

House Bill No. 69. A Bill for an Act to Amend and Re-enact Chapter 175 of the Session Laws of North Dakota for the Year 1937 Relating to Tax Limitations of Cities.

Were read the first time and referred to the Comm. on Cities and Municipal Corporations.

Representative Nystrom and Ohnstad introduced:

House Bill No. 70. A Bill for an Act to Amend and Re-enact Section 3858 of the Compiled Laws of North Dakota for 1913 Relating to Village Officers and Their Oaths of Office. Repeal.

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

Representative Olson of Barnes introduced:

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

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

Representative Fitch introduced:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 4972, Compiled Laws of North Dakota for the Year 1913, Relating to the Age of Members of Accident and Sickness Insurance Corporations, Associations and Societies.

Was read the first time and referred to the Comm. on Insurance.

Representatives Belzer, Tuff, Sharpe and Westby introduced:

House Bill No. 73. A Bill for an Act to Amend and Re-enact Section 3009a2 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Standard Weight of Coal and Providing Penalty.

Was read the first time and referred to the Comm. on Ways and Means.

The Committee on Tax and Tax Laws introduced:

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Introduced by Representatives Bergesen and Swanson:

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

Introduced by Representatives Sellens and Bergesen:

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Were read the first time and referred to the Comm. on Judiciary.

Introduced by Representatives Benno, Gackle, Collette:

House Bill No. 77. A Bill for an Act Requiring Non-resident Owners of Combines Operating Same in This State to Procure a State License; Fixing the License Fee and Providing a Penalty for Non-compliance.

Was read the first time and referred to the Comm. on Ways and Means.

Introduced by Representative Panko:

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 238 of the 1931 Session Laws of the State of North Dakota, Relating to School Busses and Including the Letting of Contracts to Furnishing Vehicular Transportation to School Districts Upon Notice, and Providing for a Board of Arbitration to Hear and Determine Disputes as to Routes of Such Vehicles of Transportation.

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

Introduced by Committee on State Affairs:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 69 of the Session Laws of North Dakota for the Year 1933; Having to do with Corporate Farming.

Was read the first time and referred to the Comm. on State Affairs.

Introduced by Representative Aker By Request:

House Bill No. 81. A Bill for an Act to Repeal Chapter 35, Session Laws of 1921, being Section 3591a of the 1925 Supplement, Relating to Publication of Proceedings of City Councils.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

SECOND READING OF HOUSE BILLS

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense 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, 111; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn

Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Myers	Westby
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Absent and not voting:

Braun, Stark

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 8 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Twichell: The mill and elevator is now getting on its feet and I certainly approve of its present manager. I therefore vote "aye."

House Bill No. 32. A Bill for an Act to Repeal Chapter 51 of the Session Laws of the State of North Dakota for the Year 1933, Establishing a Tannery at the Penitentiary 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, the roll was called and there were ayes, 60; nays, 51; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Ohnstad
Allen	Gackle	Olson, Barnes
Arneson	Gainor	Peterson, Ransom
Arndt	Haugland	Sagehorn
Austad	Hofstrand	Sandness
Benno	Hogoboom	Saumur
Bergesen	Holm	Sellens
Bjella	Ireland	Severson
Black	Johnson, Cass	Sharpe
Blair	Johnson, Richland	Shure
Bolmeier	Kee	Singleton
Boulden	Kindem	Smart

Carlson	Langley	Stormon
Coghlan	Lunde	Swanson
Collette	McInnes	Trydahl
Culver	Nelson, Cass	Twichell
Dittmer	Nelson, Ramsey	Wambheim
Fitch	Nelson, Steele	Westby
Fitzharris	Nicholsen	Williams, Stutsman
Fleck	Nystrom	Mr. Speaker

Those voting in the negative were:

Anderson	Gress	Nelson, Morton
Beede	Haag	Nelson, Sargent
Belzer	Halvorson	Olson, Bowman
Bingenheimer	Haugen	Panko
Braun, McLean	Heckman	Peterson, Bottineau
Brusseau	Jennings	Rieker
Bubel	Juhola	Rohde
Bymers	Larson	Rygg
Crockett	Levin	Schmidt
Dalzell	Lillehaugen	Schwartz
Devlin	McIntee	Semerad
Drovdal	McIntyre	Starck
Erickson, Divide	Moe	Tuff
Erickson, Williams	Mollet	Welder
Falconer	Morland	Williams, Richland
Fraser	Morrison	Wolf, McIntosh
Glas	Myers	Wolf, Morton

Absent and not voting:

Braun, Stark

So the bill passed and the title was agreed to and the Emergency Clause was declared lost.

Rep. Swanson moved that the vote by which House Bill No. 32 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 53 was read the second time.

Rep. Wambheim moved that House Bill No. 53 be re-referred to the Comm. on State Affairs, which motion was lost.

House Bill No. 53. A Bill for an Act Validating Title to All Lands Acquired by Any County of this State Through Tax Deed Proceedings, and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 67; absent and not voting, 1.

Those voting in the affirmative were:

Allen	Fitch	Peterson, Ransom
Arneson	Fitzharris	Rohde
Arndt	Fleck	Saumur
Austad	Fuglestad	Sellens
Belzer	Heckman	Severson
Benno	Holm	Sharpe
Black	Johnson, Cass	Stormon
Bolmeier	Johnson, Richland	Swanson
Boulden	Kee	Trydahl
Bubel	Lunde	Twichell
Bymers	McInnes	Wambheim
Carlson	Mollet	Westby
Coghlan	Nelson, Cass	Williams, Stutsman

Collette	Nelson, Steele	Mr. Speaker
Dalzell	Nystrom	
Those voting in the negative were:		
Aker	Halvorson	Nicholsen
Anderson	Haugen	Ohnstad
Beede	Haugland	Olson, Barnes
Bergesen	Hofstrand	Olson, Bowman
Bingenheimer	Hogoboom	Panko
Bjella	Ireland	Peterson, Bottineau
Blair	Jennings	Rieker
Braun, McLean	Juhola	Rygg
Brusseau	Kindem	Sagehorn
Crockett	Langley	Sandness
Culver	Larson	Schmidt
Devlin	Levin	Schwartz
Dittmer	Lillehaugen	Semerad
Drovdal	McIntee	Shure
Erickson, Divide	McIntyre	Singleton
Erickson, Williams	Moe	Smart
Falconer	Morland	Starck
Fraser	Morrison	Tuff
Gackle	Myers	Welder
Gainor	Nelson, Morton	Williams, Richland
Glas	Nelson, Ramsey	Wolf, McIntosh
Gress	Nelson, Sargent	Wolf, Morton
Haag		

Absent and not voting:

Braun, Stark

So the bill was declared lost.

Rep. Blair voted "no" for the purpose of moving for reconsideration.

Explanations of vote:

Rep. Beede: I feel that this would be a great aid to the tax deed speculator and investor and would injure our local property owners.

Rep. Crockett: I was not present at the State Affairs Comm. meeting yesterday.

I came down here, Mr. Speaker, to try to save the homes of the farmers, and small home owners and not to have them taken by tax deeds. County commissioners have made the mistake of taking the land away by tax deeds. thus taking away their homes and putting them on the relief rolls and then we tax ourselves to take care of them. Therefore, I vote "no."

Rep. Falconer: I was a member of the committee that considered this bill and at that time I was very much in favor. But since that time I have contacted an attorney on this matter and he informs me that it will practically foreclose any possibility of the original owner re-acquiring his land after a six months' period has elapsed and I am voting "no" for that reason.

Rep. Fuglestad: I am voting "aye" on this bill because it was just what the county commissioners asked for when they had their convention in Jamestown and I think it will assist the counties and taxpayers. I vote "aye."

Rep. Lillehaugen: I think that any bill on which the attorneys cannot agree is a dangerous bill for us to pass. I vote "no."

Rep. Moe: As a county commissioner in the past I have had some experience with this matter and I would like to vote in favor of it and also against it. I think it is time for us to start giving these people a chance to regain their land although I admit some drastic measure should be made to give the county some kind of title to the land so that it may have a clear title to show to persons to whom it is selling property and if Rep. Bergesen believes there is a better bill coming up for passage, I will now vote "no" on this bill.

Williams of Richland: We have an agricultural state here, the State of North Dakota. Eighty-five per cent of this House are farmers. I don't blame the professional men but we have had the burdens all our lives. When I vote "no" on this bill I do it because I believe it will give some poor farmer a break.

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 52; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen	Gainor	Peterson, Ransom
Arneson	Heckman	Sagehorn
Arndt	Hofstrand	Sandness
Austad	Holm	Saumur
Benno	Ireland	Sellens
Bergesen	Johnson, Cass	Severson
Bjella	Johnson, Richland	Sharpe
Black	Kee	Shure
Blair	Kindem	Singleton
Bolmeier	Langley	Smart
Boulden	Lunde	Stormon
Carlson	Moe	Swanson
Coghlan	Morland	Trydahl
Collette	Nelson, Cass	Twichell
Dalzell	Nelson, Ramsey	Wambheim
Fitch	Nelson, Sargent	Westby
Fitzharris	Nelson, Steele	Williams, Stutsman
Fleck	Nicholsen	Mr. Speaker
Fuglestad	Nystrom	

Those voting in the negative were:

Anderson	Gress	Nelson, Morton
Beede	Haag	Ohnstad

Belzer	Halvorson	Olson, Bowman
Bingenheimer	Haugen	Panko
Braun, McLean	Haugland	Peterson, Bottineau
Brusseau	Hogoboom	Rieker
Bubel	Jennings	Rohde
Bymers	Juhola	Rygg
Crockett	Larson	Schmidt
Culver	Levin	Schwartz
Devlin	Lillehaugen	Semerad
Dittmer	McInnes	Starck
Drovdal	McIntee	Tuff
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Williams, Richland
Falconer	Morrison	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Glas		

Absent and not voting:
Braun, Stark

Rep. Beede raised an objection to the declaring of the bill passed on the ground that it, in part, amended an initiated measure, and asked for a ruling by the Speaker on this question. The Speaker ruled that the bill had carried for the reason that two years ago the aforesaid initiated measure had been amended.

So the bill passed and the title was agreed to.

Rep. Blair moved that the vote by which House Bill No. 44 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Heckman: The reason for my supporting this transfer to the Tax Commissioner's Dept. is that to all appearances there can be a better collection and enforcement of this act.

House Bill No. 55 was read the second time.

Rep. Beede moved that H. B. No. 55 be re-referred to the State Affairs Comm., which motion was lost.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Allen	Gackle	Nelson, Steele
Anderson	Gainor	Nicholsen
Arneson	Glas	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bingenheimer	Hofstrand	Rieker
Bjella	Hogoboom	Rohde
Black	Holm	Rygg
Blair	Ireland	Sagehorn
Bolmeier	Jennings	Sandness

Boulden	Johnson, Cass	Saumur
Braun, McLean	Johnson, Richland	Schwartz
Brusseau	Juhola	Sellens
Bymers	Kee	Severson
Carlson	Kindem	Sharpe
Coghlan	Langley	Shure
Collette	Larson	Singleton
Crockett	Levin	Smart
Culver	Lillehaugen	Starck
Dalzell	Lunde	Stormon
Devlin	McInnes	Swanson
Dittmer	McIntee	Trydahl
Drovdal	McIntyre	Tuff
Erickson, Divide	Moe	Twichell
Erickson, Williams	Mollet	Wambheim
Falconer	Morland	Westby
Fitch	Morrison	Williams, Richland
Fitzharris	Nelson, Cass	Williams, Stutsman
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Aker	Nelson, Ramsey	Welder
Myers	Schmidt	Wolf, McIntosh

Absent and not voting:

Braun, Stark	Bubel	Semerad
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So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Rep. Twichell moved that the vote by which House Bill No. 55 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Myers: I agree with the purpose of this bill but I think the way the bill is written that the intent is not clear and it may lead to a lot of litigation in the future. Therefore, I vote "no".

House Bill No. 26 was read the second time.

Rep. Morland moved that H. B. No. 26 be re-referred to the Comm. on Game and Fish for amendment, which motion was lost.

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 72; nays, 37; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Fitzharris	Olson, Barnes
Anderson	Fleck	Peterson, Ransom
Arndt	Fuglestad	Rohde
Austad	Gainor	Rygg
Benno	Glas	Sagehorn
Bergesen	Gress	Sandness
Bjella	Haag	Saumur
Black	Halvorson	Schwartz

Blair	Haugland	Sellens
Bolmeier	Heckman	Semerad
Boulden	Jennings	Severson
Braun, McLean	Johnson, Richland	Smart
Brusseau	Kee	Starck
Bymers	Langley	Stormon
Carlson	Lillehaugen	Swanson
Coghlan	Lunde	Trydahl
Collette	McInnes	Wambheim
Crockett	McIntee	Welder
Dalzell	Moe	Westby
Devlin	Mollet	Williams, Richland
Drovdal	Nelson, Morton	Williams, Stutsman
Erickson, Divide	Nelson, Ramsey	Wolf, McIntosh
Erickson, Williams	Nelson, Sargent	Wolf, Morton
Falconer	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Allen	Hogoboom	Nystrom
Arneson	Holm	Ohnstad
Beede	Ireland	Olson, Bowman
Belzer	Juhola	Panko
Bingenheimer	Kindem	Peterson, Bottineau
Bubel	Larson	Rieker
Culver	McIntyre	Schmidt
Dittmer	Morland	Sharpe
Fitch	Morrison	Shure
Fraser	Myers	Singleton
Gackle	Nelson, Cass	Tuff
Haugen	Nicholsen	Twichell
Hofstrand		

Absent and not voting:

Braun, Stark	Johnson, Cass	Levin
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So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 26 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 and a Summary Thereof, on Hunting 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, 106; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugland	Peterson, Bottineau
Beede	Heckman	Peterson, Ransom
Belzer	Hofstrand	Rieker
Benno	Hogoboom	Rohde
Bergesen	Holm	Rygg
Bjella	Ireland	Sagehorn

Black	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmidt
Braun, McLean	Juhola	Schwartz
Brusseau	Kee	Sellens
Bubel	Kindem	Semerad
Bymers	Langley	Severson
Carlson	Larson	Sharpe
Coghlan	Lillehaugen	Shure
Collette	Lunde	Singleton
Crockett	McInnes	Smart
Culver	McIntee	Starck
Dalzell	McIntyre	Stormon
Devlin	Moe	Swanson
Drovdal	Mollet	Trydahl
Erickson, Divide	Morland	Tuff
Erickson, Williams	Morrison	Wambheim
Falconer	Myers	Welder
Fitch	Nelson, Cass	Westby
Fitzharris	Nelson, Morton	Williams, Richland
Fleck	Nelson, Ramsey	Williams, Stutsman
Fraser	Nelson, Sargent	Wolf, McIntosh
Fuglestad	Nelson, Steele	Wolf, Morton
Gackle	Nicholsen	Mr. Speaker

Those voting in the negative were:

Bingenheimer

Absent and not voting:

Boulden	Dittmer	Levin
Braun, Stark	Haugen	Twichell

So the bill passed and the title was agreed to.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 44, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber,

Bismarck, January 28, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section 2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony and Declaring an Emergency.

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to

Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 51. A Bill for an Act Creating a Lien in Favor of the State for All Rentals Due From, and For All Damages Done by Tenants or Trespassers Upon Lands Belonging to the State of North Dakota and Being a Part of the Permanent School Fund Upon All Crops Raised By, and Upon All Buildings, Structures, Fences or Other Improvements Put Upon Leased or Occupied Lands, By Tenants or Trespassers Upon Such Lands; Providing for the Priority and for the Enforcement and Satisfaction Thereof and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, January 28, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

FIRST READING OF SENATE BILLS

Senate Bill No. 51. A Bill for an Act Creating a Lien in Favor of the State for All Rentals Due From, and For All Damages Done by Tenants or Trespassers Upon Lands Belonging to the State of North Dakota and Being a Part of the Permanent School Fund Upon All Crops Raised By, and Upon All Buildings, Structures, Fences or Other Improvements Put Upon Leased or Occupied Lands, By Tenants or Trespassers Upon Such Lands; Providing for the Priority and for the Enforcement and Satisfaction Thereof and Declaring an Emergency.

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

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Were read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section 2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony and Declaring an Emergency.

Was read the first time and referred to the Comm. on Livestock.

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

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

C. R. VERRY, Chief Clerk.

TWENTY-THIRD DAY

Bismarck, January 29, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. O. O. Andvik, Mandan.

Roll Call: All members present except Rep. Braun of Stark.

Rep. Benno announced that the students of Minot Teachers College were present in the gallery and moved that they sing the first verse of their college song at this time, which motion prevailed and the group rendered their song.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-Second day and recommends that the same be corrected as follows:

On page 156, after the roll call on H. B. No. 44 insert the following:

“Rep. Beede raised an objection to the declaring of the bill passed on the ground that it, in part, amended an initiated measure, and asked for a ruling by the Speaker on this question.

The Speaker ruled that the bill had carried for the reason that two years ago the aforesaid initiated measure had been amended.”

On page 155 correct the roll call totals on H. B. No. 44 to show 59 ayes and 52 nays.

On page 150, H. B. No. 70 is to be shown as referred to the Comm. on Cities and Municipal Corporations.

On page 154 in the second line of Rep. Falconer's explanation of vote strike out the word “drafted” and insert in lieu thereof the word “considered”.

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was received from the Ward County

Farmers Union unalterably opposing any amendments or changes in the present Anti-Corporation Farming Law.

Which the Speaker referred to the Comm. on State Affairs.

A communication was received from a group of people of the Grenora Gospel Tabernacle endorsing the passage of a law to permit not to exceed two hours per school week of religious instruction for children attending elementary and secondary public schools.

Which the Speaker referred to the Comm. on Education.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, January 29, 1941.

Mr. President: I have the honor to transmit herewith the following bills which the House has passed and your favorable consideration is respectfully requested:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 32. A Bill for an Act to Repeal Chapter 51 of the Session Laws of the State of North Dakota for the Year 1933, Establishing a Tannery at the Penitentiary of the State of North Dakota, and Declaring an Emergency.

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof, on Hunting Licenses.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, January 29, 1941.

Mr. President: I have the honor to return herewith the following bill which the House has indefinitely postponed:

Senate Bill No. 44. A Bill for an Act to Encourage and

Promote the Payment of Personal Property Taxes by Providing for a Rebate on Prepayments; Providing Certain Exemptions; and Declaring an Emergency.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, January 29, 1941.

Mr. President: I have the honor to transmit:

House C. R. "D".

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

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

REPORTS OF HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 28.

And find the same correctly enrolled.

ALVA WAMBHEIM, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Memorial Resolution "C".

And find the same correctly enrolled.

ALVA WAMBHEIM, Chairman.

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

Mr. Speaker: Your Committee on Public Welfare, to whom was referred House Bill No. 52, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

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

MOTIONS AND RESOLUTIONS

Rep. Blair moved that the House reconsider the vote by which House Bill No. 53 was lost, which motion was lost.

House Concurrent Resolution "E" was read by the Chief Clerk.

Representatives Myers, McIntyre, Glas, Brusseau, Rohde, Juhola, Halvorson, Schwartz and Larson introduced:

House Concurrent Resolution "E". A Concurrent Resolution Urging the Enactment of the Wheat Income Certificate Bill and the Debt Adjustment Bill By Congress.

BE IT RESOLVED BY THE HOUSE OF REPRESENTA-

TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

WHEREAS, the growing of wheat is one of the most important industries of the State of North Dakota and the welfare of the wheat grower paramount to the people of this state; and,

WHEREAS, the Wheat Income Certificate Bill, H. R. 43, now introduced in the 77th Session of Congress, will benefit wheat growers of this state; and,

WHEREAS, the adjustment of the present debt burden is of vital importance to this state as well as most other states of this Union; and,

WHEREAS, the Debt Adjustment Bill, H. R. 100, now before the 77th Session of Congress, will certainly aid in the solution of this problem;

THEREFORE, BE IT RESOLVED, That we recommend the passage of said Wheat Income Certificate Bill, H. R. 43, and of the Debt Adjustment Bill, H. R. 100, as soon as possible and substantially in the form introduced.

BE IT FURTHER RESOLVED, That the Secretary of State is directed to transmit copies of this resolution to the President of the United States and to each of the members of Congress from this state.

Rep. Myers moved the adoption of House Concurrent Resolution "E", which motion prevailed and the resolution was adopted.

House Memorial Resolution "F" was read by the Chief Clerk.

Representatives Haag, Welder, Wolf of McIntosh introduced:

HOUSE MEMORIAL RESOLUTION "F"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

WHEREAS, the Supreme Ruler of the Universe in His Infinite Wisdom has removed, in April, 1940, Hon. John Billigmeier from the midst of his family and community; and,

WHEREAS, he has served as a Member of the House in the 25th and 26th Legislative Assemblies, from the 36th Legislative District; and,

WHEREAS, his tenure of public office has always been of devotion of a high degree to those principles of good government, which are essential to efficient and good honest administration;

THEREFORE, BE IT RESOLVED, That this House of Representatives express its appreciation for the valuable service rendered by our distinguished citizen; and that we express our keen sorrow of his passing; and,

BE IT RESOLVED, That this House of Representatives extend to his wife, Mrs. Billigmeier and sons, its sincere sympathy, and that this Resolution be printed in the House Journal and an Engrossed Copy of same be sent to his family at Fredonia, North Dakota.

Rep. Beede moved the adoption of House Memorial Resolution "F", which motion prevailed, and the resolution was declared adopted on a standing vote.

Rep. Twichell moved that the copy of the Resolutions adopted at the thirty-fourth annual meeting of the County Commissioners Association of North Dakota be printed in the Journal for this legislative day, which motion prevailed.

RESOLUTION

WHEREAS, various factors have operated to prevent County governments from obtaining sufficient revenue necessary to support activities mandatory upon them, County governments have been made responsible for new activities without regard to revenue available to finance them, and

WHEREAS, a fixed mill levy upon a tax base that has been reduced from \$997,000,000 in 1930 to \$453,000,000 in 1939, has resulted in 55% reduction of revenues applicable to County governments. Coupled with these factors was general economic depression, drouth, insect and rust infestations, resulting in enormous tax delinquency, and

WHEREAS, tax payment moratoria, while beneficial to many deserving citizens, opened the way to tax evasion by others not entitled to consideration, and

WHEREAS, the lack of proper consideration by the State Legislature of the plight of the County governments, coupled with adverse conditions over which there was no human control, have resulted in or near bankruptcy for many Counties in the State, and

WHEREAS, the Legislature has devised numerous and various types and forms of indirect and hidden taxation calculated to produce revenue to defray the operating expense of the State government to the effect that the State now derives in excess of 85% of its revenue from sources other than through property taxation without making like provisions for the County government.

NOW THEREFORE BE IT RESOLVED, that the North Dakota County Commissioners Association earnestly request the State Legislature now in session to recognize the financial conditions existing in the Counties of the State and provide, through appropriate legislation, relief to the County governments of the burden of contributing to the support of the State Institutions at Jamestown, Grafton, and San Haven, and

BE IT FURTHER RESOLVED, that the Secretary be instructed to forward a copy of this Resolution to the Senate and House of Representatives and to the Governor of the State, and to spread a copy of the same upon the minutes of this Association.

Dated this 16th day of January, A. D., 1941.

THE NORTH DAKOTA COUNTY COMMISSIONERS
ASSOCIATION:

D. A. MALSTROM
C. FLUETSCH
CARL BORGE
DICK FENSKE
H. A. KLUVER

Resolution Committee.

RESOLUTION

WHEREAS, the present liquor tax law apportions certain percentages of the revenue derived from the sale of liquor

stamps to each of the respective Counties and such sums are now placed to the credit of the Real Estate tax of each County, and,

WHEREAS, in numerous cases the cost of apportioning such amounts to the respective tracts of land in each county exceeds the amounts apportioned to said tract, and

WHEREAS, such expenses would be saved or greatly reduced if such sums so apportioned were credited to the county general fund of each County.

NOW THEREFORE, BE IT RESOLVED, that the Legislature do enact such legislation as may be necessary to cause such sums to be credited to the county general fund of the several Counties.

BE IT FURTHER RESOLVED, that the Secretary be instructed to forward a copy of this Resolution to the Senate and House of Representatives and to the Governor of our State, and to spread a copy of the same upon the minutes of this Association.

Dated this 16th day of January, A. D., 1941.

THE NORTH DAKOTA COUNTY COMMISSIONERS
ASSOCIATION:

D. A. MALSTROM

C. FLUETSCH

CARL BORGE

DICK FENSKE

H. A. KLUVER

Resolution Committee.

RESOLUTION

WHEREAS, a great many of our Municipalities have large outstanding obligations, consisting of bonds, certificates of indebtedness, and registered warrants, drawing a high rate of interest varying from four to seven percent, and

WHEREAS, much money is now available for investment in such securities at a very much lower interest rate, and

WHEREAS, under our present statutes a funding bond proposition requires an election at a considerable expense to the County.

NOW THEREFORE IT IS HEREBY RESOLVED, that our legislature now in session, amend and enact such legislation as will enable Municipalities through and at the discretion of their governing boards to fund and refund all obligations without an election, providing that, as a safeguard against possible abuse of such power by the governing board, it may be provided by statutory action in this connection that in any refunding or funding of existing obligations, either past due or of future maturity, no board may accept a bid for less than par of the amount of the obligations proposed to be sold, and not at a rate of interest greater than the rate of interest now being paid on existing obligations, and in no case over 4%.

AND FURTHER IT SHALL BE PROVIDED that all future issues of funding or refunding bonds shall be retired by specific tax levies provided for in the funding and refunding action and without impounding or in any way obligating the general fund tax delinquency of the Municipality.

BE IT FURTHER RESOLVED that the Secretary be

instructed to forward a copy of this Resolution to the Senate and House of Representatives and to the Governor of the State, and to spread a copy of the same upon the minutes of this Association.

Dated this 16th day of January, A. D., 1941.

THE NORTH DAKOTA COUNTY COMMISSIONERS
ASSOCIATION:

D. A. MALSTROM
C. FLUETSCH
CARL BORGE
DICK FENSKE
H. A. KLUVER

Resolution Committee.

RESOLUTION

WHEREAS, Congress has appropriated large sums of money as grants to the States for the construction and improvement of highways on a matching basis, and that it is necessary, in order to make such Federal funds available to North Dakota, that the additional one cent motor fuel tax be continued in force for an additional four years; otherwise such Federal funds and the proceeds of the Federal Gas Tax now paid by the people of North Dakota to the United States, will be lost to our State.

NOW THEREFORE BE IT RESOLVED, that this Association favors the adoption of legislation to continue in effect until June 30, 1945, the additional one cent motor fuel tax authorized by Chapter 170, S. L. 1939.

BE IT FURTHER RESOLVED that the Secretary be instructed to forward a copy of this Resolution to the Senate and House of Representatives and to the Governor of our State, and to spread a copy of the same upon the minutes of this Association.

Dated this 16th day of January, A. D., 1941.

THE NORTH DAKOTA COUNTY COMMISSIONERS
ASSOCIATION:

D. A. MALSTROM
C. FLUETSCH
CARL BORGE
DICK FENSKE
H. A. KLUVER

Resolution Committee.

RECOMMENDATION

BE IT RESOLVED by the County Commissioners Association of the State of North Dakota, in its thirty fourth annual meeting assembled in Valley City, North Dakota, on this sixteenth day of January, 1941, that the following recommendations of this body be submitted to the Twenty Seventh Legislative Assembly now in session in Bismarck:

1. That the present laws covering tax deed proceedings be clarified to the end that all Counties in the State may follow uniform method and procedure in the taking of tax titles. We further recommend the passage of an act validating past issues of tax deed taken by the several Counties.

2. That the Land Department of the Bank of North Dakota be required to pay a portion of annual gross rental

income in lieu of taxes on all land owned by such Department along similar lines as now prescribed by law for the distribution of revenue from County owned lands.

3. That the law governing interest rates on registered warrants issued by Counties and their sub-divisions be amended so that the issuing body may prescribe the rate of interest which shall in no case exceed 5%.

4. That we approve the taxing of incomes of federal employees in this State.

5. That appropriate legislation be enacted to further protect stockmen of our State from the theft of livestock and transportation thereof.

6. That this Association favors the adoption of such legislative acts as may be necessary to transfer from the office of State Auditor to the State Tax Commissioner all functions relating to the collection of motor fuel taxes, the administration of the motor fuel tax laws and the administration of the law relating to the licensing of purchasers and sellers of gasoline for agricultural and industrial purposes; and, we favor the adoption of such remedial legislation as may be necessary to prevent the evasion of the law permitting the sale of tax exempt gasoline.

7. That this Association is opposed to any legislation designed to repeal or curtail the authority of the Counties to make 2½ mill tax levy for road and bridge purposes as now provided by law.

8. That the limitation of \$100.00 now in effect with reference to the purchase of articles used by the County Commissioners in their road departments be raised to \$500.00.

9. That the County Commissioners Association go on record opposing any such move as making mandatory the Merit System in the State of North Dakota.

Dated this 16th day of January, A. D., 1941.

THE NORTH DAKOTA COUNTY COMMISSIONERS
ASSOCIATION:

D. A. MALSTROM
C. FLUETSCH
CARL BORGE
DICK FENSKE
H. A. KLUVER

Resolution Committee.

Rep. Stormon requested that the Comm. on Judiciary, in whose possession is House Bill No. 34, be granted an extension of time for consideration of the same, which request was granted.

FIRST READING OF HOUSE BILLS

Introduced by Representatives Bergesen, Haugland, Morland, Beede:

House Bill No. 79. A Bill for an Act to Provide that the Expense for the Maintenance, Care, Board and Treatment of All Patients in the State Hospital for the Insane at Jamestown, North Dakota, the Institution for the Feeble Minded at Grafton, North Dakota, and the North Dakota State

Tuberculosis Sanatorium at San Haven, North Dakota, Shall Be Borne Entirely by the State of North Dakota; etc.

Introduced by Representative Austad:

House Bill No. 82. A Bill for an Act to Amend and Re-enact Section 3 (d) of Chapter 165 Laws of North Dakota for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel; and Declaring an Emergency.

Were read the first time and referred to the Comm. on State Affairs.

Introduced by Representatives Bergesen and Ohnstad:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Elections and Election Privileges.

Introduced by Representatives Bergesen and Ohnstad:

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section 10993 of the Compiled Laws of North Dakota for 1913, Relating to the Right of the State to Appeal in Criminal Procedure.

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

SECOND READING OF HOUSE BILLS

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 111; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens

Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Myers	Westby
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Absent and not voting:

Braun, Stark

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, 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, 111; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure

Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Myers	Westby
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker
Absent and not voting:		
Braun, Stark		

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Memorial Resolution "C".

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; and Declaring an Emergency.

Senate Concurrent Resolution "F". A Concurrent Resolution Urging Congress to Grant North Dakota an Opportunity to Participate in the Present Defense Program with a View to Using Our Fuel and Other Natural Resources.

And the Speaker signed the same in the presence of the House.

Rep. Morland requested that the Comm. on Tax and Tax Laws be allowed an extension of time for the consideration of H. B. No. 36, which request was granted.

Rep. Semerad moved that the absent member be excused, which motion prevailed.

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

C. R. VERRY, Chief Clerk.

TWENTY-FOURTH DAY

Bismarck, January 30, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. O. O. Andvik, Mandan.

Roll Call: All members present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-Third day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

Telegrams were received opposing any amendment to the Anti Corporation Farming Law from the following: Farmers Coop. Cry. Assn. of Maddock; Harvey Farmers Union Elevator Co.; Farmers Union Organization of Wells County; North Prairie Local No. 663 of the Farmers Union of McHenry County; Jud Farmers Union Grain Co.

Which the Speaker referred to the Comm. on State Affairs.

A communication was received by Rep. Myers from the Brotherhood of the Norwegian Lutheran Christian Association protesting any legislation allowing the sale of liquor on Sunday.

Which the Speaker referred to the Comm. on Temperance.

A similar communication from the same source was received by Rep. Morris Larson which the Speaker also referred to the Comm. on Temperance.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, January 30, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution "F". A Concurrent Resolution Urging Congress to Grant North Dakota an Opportunity

to Participate in the Present Defense Program with a View to Using Our Fuel and Other Natural Resources.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, January 30, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; and Declaring an Emergency.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, January 30, 1941.

Mr. President: I have the honor to transmit:

House Concurrent Resolution "E". A Concurrent Resolution Urging the Enactment of the Wheat Income Certificate Bill and the Debt Adjustment Bill By Congress.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, January 30, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

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

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 27, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Halvorson moved that the report be adopted.

Rep. Ireland moved a substitute motion that H. B. No. 27 do pass, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 57, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 40, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HAUGLAND, Chairman.

Rep. Hogoboom moved that the report be adopted.

Rep. Welder moved a substitute motion that H. B. No. 40 do pass.

A roll call on the substitute motion of Rep. Welder was demanded.

ROLL CALL

The question being on the motion of Rep. Welder that H. B. No. 40 do pass and that the same be placed on the calendar, the roll was called and there were ayes, 53; nays, 59; absent and not voting, 0.

Those voting in the affirmative were:

Allen	Halvorson	Peterson, Bottineau
Anderson	Haugen	Rieker
Beede	Jennings	Rohde
Belzer	Juhola	Sagehorn
Bingenheimer	Larson	Schmidt
Boulden	Lillehaugen	Schwartz
Bymers	McIntee	Sellens
Carlson	McIntyre	Semerad
Coghlan	Mollet	Severson
Collette	Morland	Starck
Crockett	Morrison	Stormon
Devlin	Myers	Trydahl
Dittmer	Nelson, Morton	Tuff
Drovdal	Nelson, Ramsey	Welder
Fitzharris	Nelson, Steele	Williams, Richland
Fraser	Nicholsen	Wolf, McIntosh
Glas	Olson, Bowman	Wolf, Morton
Haag	Panko	

Those voting in the negative were:

Aker	Fleck	Nelson, Cass
Arneson	Fuglestad	Nelson, Sargent
Arndt	Gackle	Nystrom
Austad	Gainor	Ohnstad
Benno	Gress	Olson, Barnes
Bergesen	Haugland	Peterson, Ransom
Bjella	Heckman	Rygg
Black	Hofstrand	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Sharpe
Braun, McLean	Ireland	Shure
Braun, Stark	Johnson, Cass	Singleton
Brusseau	Johnson, Richland	Smart
Bubel	Kee	Swanson
Culver	Kindem	Twichell
Dalzell	Langley	Wambheim
Erickson, Divide	Levin	Westby
Erickson, Williams	Lunde	Williams, Stutsman

Falconer
Fitch

McInnes
Moe

Mr. Speaker

So the motion was declared lost.

Explanation of vote:

Rep. Nelson of Steele: For the reason that I believe the amount saved through the publishing of this report will easily offset the cost of printing, I vote "aye".

The question being on the motion of Rep. Hogoboom that H. B. No. 40 be indefinitely postponed, the motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 47, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 48, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 29, after the word "practice" insert the following: "in the residence of the employer as may be requested by the worker".

On page 2, line 32, strike out the word "may" and insert in lieu thereof the word "shall".

In Section 1, line 13, after the word "wage" insert the following: "earned during a period of not exceeding three successive years".

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 71, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 75, have had the same under consideration and recommend that the same be amended as follows:

In line 64 of the original bill strike out the numeral four and insert the numeral five in lieu thereof.

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 34, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 77, have had the same under consideration and recommend that the same be amended as follows:

On page 1, Section 2, at line 11, strike out the words "seventy-five and no/100" and insert in lieu thereof the words "fifty and no/100".

At line 12 of Section 2, strike out the words and figures "Dollars (\$75.00)" and insert in lieu thereof the words and figures "Dollars (\$50.00)".

And when so amended recommend the same do pass.

REP. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 51, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 43, have had the same under consideration and recommend that the same do pass.

REP. FITCH, Chairman.

Rep. Benno moved that the report be adopted.

Rep. Morland moved a substitute motion that H. B. No. 43 be indefinitely postponed, which motion prevailed.

Rep. Morland moved that the vote by which H. B. No. 43 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 70, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 37, have had the same under consideration and recommend that the same be amended as follows:

In line 1 after the word "state" insert the following words: "except in the event of an emergency."

At line 8 of Section 1, strike out the words and figures "Two Hundred and Fifty (\$250.00) Dollars" and insert in lieu thereof "Five Hundred (\$500.00) Dollars".

At line 8 of Section 1, after the word "Dollars" insert the following: "provided, however, that the provisions hereof shall not apply to any purchase used in the operation of a water works, light, power, steam heating, or gas plant, sewage disposal plant, incinerator, or any other public utility."

That the whole of Section 3 be stricken out and the following words be inserted: "The contract, as provided for

herein, shall be let to the lowest and best responsible bidder, with the right or privilege of rejecting any and all bids."

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred House Bill No. 68, have had the same under consideration and recommend that the same be amended as follows:

At line 14, strike out the words "but the".

Strike out the whole of line 15.

Strike out the first word of line 16; "election".

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Cities and Municipal Corporations, to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same be amended as follows:

At the third line of the title after the word "Levy" insert the following words: "in addition to all levies authorized by law".

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

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

HOUSE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

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

HOUSE MEMORIAL RESOLUTION "F"

And find the same correctly enrolled.

ALVA WAMBHEIM, Chairman.

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

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

HOUSE MEMORIAL RESOLUTION "F"

And the Speaker signed the same in the presence of the House.

FIRST READING OF HOUSE BILLS

Representative Aker introduced:

House Bill No. 85. A Bill for an Act Specifying the Procedure for Passing Ordinances in Cities, Villages, Towns and Park Districts. Repeal.

Representative Aker introduced:

House Bill No. 86. A Bill for an Act Providing for Publication of Ordinances, Notices and Other Instruments in Cities,

Villages, Towns and Park Districts with No Legal Newspaper. Repeal.

Were read the first time and referred to the Comm. on Cities and Municipal Corporations.

Representative Olson of Barnes introduced:

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Twichell, Fitch, Johnson, Shure and Bergesen introduced:

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929, as Amended by Chapter 176 Session Laws of 1939, Relating to Park District Tax Levies.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Mollet, Rohde, Olson of Barnes and Olson of Bowman introduced:

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County When Deemed to Be for the Best Interests of the County; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Counties.

Representatives Erickson of Divide, Welder, Erickson of Williams, Semerad, Bymers and Bubel introduced:

House Bill No. 90. A Bill for an Act Providing for the Consideration by the State Board of Equalization of Certain Property Valuation in Determining the Value of Public Utilities for Taxing Purposes, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Semerad and Mollet introduced:

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

Representative Fleck introduced:

House Bill No. 92. A Bill for an Act Authorizing and Directing the Board of Administration to Procure the Installation in the House Chamber of the Legislative Assembly in the Capitol Building in Bismarck, North Dakota an Electric Roll Call System, Including 113 Miniature Indicator Boards, 120 Voting Stations, 113 Desk Receptacles, 113 Member Indicator Boards, 117 Member Page Call Boards, 117 Page Call Push Buttons, Terminal Frame, and Proper Motor Generator to Operate the Same, and Providing for an Appropriation for the Cost Thereof.

Were read the first time and referred to the Comm on State Affairs.

Representative Aker introduced:

House Bill No. 93. A Bill for an Act Providing for the Appointment of Personal Property Tax Collectors by the County Board of Commissioners.

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

Representatives Wolf and Fitch introduced:

House Bill No. 94. A Bill for an Act Delegating Power to Governing Bodies or Cities of Ten Thousand Population or More, for the Licensing, Taxing and Regulating of Painters, Paperhangers and Decorators and the Business of Painting, Paperhanging and Decorating.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Panko, Starck, Myers and Larson introduced:

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Bubel, Panko, Larson, Brusseau, Rieker, Jennings, Erickson of Divide and Wolf of Morton introduced:

House Bill No. 96. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Chapter 224 of the Session Laws of the State of North Dakota for 1939.

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

Representatives Aker and Welder introduced:

House Bill No. 97. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 147 of the Session Laws of 1939, Providing for the Procuring of Licenses to Buy and Sell Tax-Exempt Gasoline and the Fees Therefor.

Representatives Dalzell, Crockett, Bolmeier, Carlson, Wolf of McIntosh and Nelson of Cass introduced:

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

Were read the first time and referred to the Comm. on State Affairs.

Representatives Welder and Bergesen introduced:

House Bill No. 99. A Bill for an Act to Permit Not to Exceed Two Hours Per School Week of Religious Instruction

by a Duly Established and Incorporated Religious Body, of Children Attending Elementary and Secondary Public Schools in the State of North Dakota; Excusing Pupils for Such Purposes When Requested by Parent, Guardian, or Other Person Having Control of the Pupil. Repeal.

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

SECOND READING OF HOUSE BILLS

House Bill No. 52. A Bill for an Act Delegating Power to Governing Bodies of Cities, Towns and Villages, to Provide by Ordinances for the Licensing, Regulating and Inspecting of Food Markets, Stores and Other Places of Business where Food Intended for Human Consumption Is Sold at Retail, and for the Fixing of Hours of Opening and Closing of the Same, Not However, Inconsistent with Any State Laws Covering the Same Subject Matter, 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, 56; nays, 54; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Fitzharris	Nelson, Steele
Arneson	Fleck	Nicholsen
Arndt	Fuglestad	Nystrom
Austad	Gackle	Ohnstad
Beede	Glas	Olson, Barnes
Belzer	Gress	Panko
Benno	Haugen	Rieker
Bergesen	Haugland	Sagehorn
Bjella	Heckman	Sandness
Black	Holm	Sellens
Bolmeier	Ireland	Sharpe
Boulden	Kee	Smart
Braun, McLean	Levin	Swanson
Coghlan	Lillehaugen	Tuff
Collette	McIntyre	Westby
Culver	Morrison	Williams, Stutsman
Drovdal	Nelson, Cass	Wolf, Morton
Erickson, Divide	Nelson, Morton	Mr. Speaker
Fitch	Nelson, Sargent	

Those voting in the negative were:

Aker	Halvorson	Peterson, Ransom
Allen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Blair	Jennings	Saumur
Braun, Stark	Johnson, Richland	Schmidt
Brusseau	Juhola	Schwartz
Bubel	Kindem	Semerad
Bymers	Langley	Severson
Carlson	Larson	Shure
Crockett	Lunde	Singleton
Dalzell	McIntee	Starck
Devlin	Moe	Stormon
Dittmer	Mollet	Trydahl

Erickson, Williams	Morland	Twichell
Falconer	Myers	Wambheim
Fraser	Nelson, Ramsey	Welder
Gainor	Olson, Bowman	Williams, Richland
Haag	Peterson, Bottineau	Wolf, McIntosh

Absent and not voting:

Johnson, Cass	McInnes
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So the bill was declared lost.

Rep. Twichell moved that the vote by which House Bill No. 52 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Wolf of McIntosh: I happen to be on the Town Board of Zeeland and I think it is a big enough job for the little money we get, \$2.00 per month. We have our hands full without trying to regulate the food stores."

Rep. Bymers moved that the House do now recess until 1:15 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

TWENTY-FOURTH DAY AFTER RECESS AND
TWENTY-FIFTH DAY

Bismarck, January 31, 1941.

The House re-assembled at 1:15 P. M., pursuant to recess. The Speaker called Rep. Fitch to the Chair to preside in his absence.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 81, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 74, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 41, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHNSON OF CASS, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted.

Rep. Falconer moved a substitute motion that H. B. No. 41 be placed in General Orders, which motion was lost on a standing vote.

Rep. Ireland demanded a roll call.

Rep. Johnson of Cass demanded a Call of the House which request was granted and the Chief Clerk called the Roll in conformity with the request, which roll call disclosed all members present except Reps. Dittmer, Nelson of Cass, Sharpe and Wambheim.

Rep. Twichell moved that further proceedings of the Call of the House be dispensed with, which motion prevailed.

The Speaker put Rep. Falconer's substitute motion that H. B. No. 41 be placed in General Orders, which motion was lost.

The question now being on the motion of Rep. Wolf of McIntosh that the report of the Standing Comm. for indefinite

postponement of H. B. No. 41, be adopted, the motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, January 31, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, January 31, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, North Dakota, for the Care and Education of Crippled Children, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 26. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

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

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, January 31, 1941.

Mr. Speaker: I have the honor to return:

House C. R. "D"

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Speaker Symington resumed the Chair.

Rep. Johnson of Cass moved that the absent members be excused, which motion prevailed.

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

TWENTY-FIFTH DAY

Bismarck, January 31, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer by Rev. Stewart.

Roll Call: All members present except Reps. Dittmer, Nelson of Cass, Sharpe, Wambheim.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-Fourth day and recommends that the same be corrected as follows:

On page 179, the last committee report should refer to House Bill No. "37" instead of "77".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was received from the North Dakota Dairy Products Association endorsing an appropriation for the State Dairy Dept., as submitted by the State Budget Board.

Which the Speaker referred to the Comm. on Appropriations.

A communication was received from Mrs. A. N. Winge, Van Hook, N. D., opposing any change in laws relative to corporation farming, deficiency judgment and hail insurance.

Communications were received from the following opposing any amendment to the Corporation Farming Law:

Kramer Equity Elev. Co.; Farmers Union Local No. 312, Kramer, N. D.; Farmers Union Local No. 239, Willow City, N. D.; Farmers Union Oil Co., Willow City; Bale Island Park Local Farmers Union, Lisbon; Farmers Educational and Cooperative Union, Fessenden; Farmers Union Local No. 326, Harvey; Farmers Union Lexington Local No. 1235, Crosby; Hawkeye Farmers Union Local, No. 285, Crosby; Ramsey County Farmers Union, Devils Lake; Farmers Union Oil Co., Parshall and Plaza; L. M. Hellebust, Mohall; Renville County Farmers Union, Mohall; Renville County Farmers Union, Carpio; Plain Local No. 283, Carpio; Callahan Local No. 281, Carpio; Hamerly Farmers Union Local, Tolley; Rockford Farmers Union Local, Tolley; Farmers Coop. Elev. Association, Van Hook; Harold Johnson, Jamestown.

A lengthy communication was received from Chas. Ouradnik of Petersburg, N. D., condemning the Corporation Farming Law and favoring a repeal of the present law.

Which the Speaker referred to the Comm. on State Affairs.

A communication received from the Niagara-Shawnee Agricultural Club of Niagara, N. D., favoring legislation that will enable the Federal Land Bank to again make loans in North Dakota. This petition was signed by John S. Kylo and fifty-nine others.

Which the Speaker referred to the Comm. on State Affairs.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 67, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 73, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 42, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. K. A. FITCH, Chairman.

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

MOTIONS AND RESOLUTIONS

Rep. Aker moved that the Pages be instructed to gather the volumes distributed among the members by the Code Revision Commission and return them to that Commission, which motion prevailed.

Rep. Williams of Stutsman:

Mr. Speaker: Reps. Arndt and Williams of Stutsman respectfully request that their names be withdrawn and stricken as sponsors of House Bill Nos. 59 and 60.

Rep. Bergesen moved that this request be granted, which motion prevailed.

FIRST READING OF HOUSE BILLS

Representatives Fleck and Jennings introduced:

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Representative Belzer (By request) introduced:

House Bill No. 101. A Bill for an Act Providing for Each Life Insurance Company Now Engaged or That May Engage in Transacting Business of Life Insurance in This State, Shall Invest and Keep Invested in North Dakota Securities and North Dakota Real Estate a Sum of Money Equal to at Least Seventy-five Per Cent of the Aggregate Amount of Legal Reserve; Providing How Investments Shall Be Made; For an Occupation Tax; Report Showing Amount of Reserve and Gross Receipts; Requiring Taxes to Be Paid Before Certificate Issued; Providing Penalties for Failure to Renew Certificate; Authorizing Commissioner to Revoke Certificate; and Deposit by Domestic Company; Repealing All Acts or Parts of Acts in Conflict with This Act.

Was read the first time and referred to the Comm. on Insurance.

Representative Levin introduced:

House Bill No. 102. A Bill for an Act to Establish a State Industrial Alcohol Plant; Providing for the Management Thereof, and Making an Appropriation Therefor; Constitutionality.

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

Representative Fitch introduced:

House Bill No. 103. A Bill for an Act Appropriating

the Sum of \$27,845.92 to the Northern Improvement Company Out of Any Funds in the State Treasury Available to the State Highway Department for the Construction, Reconstruction and Maintenance of Public Roads, Including Necessary Expenses of Labor, Equipment and Other Costs and Expenses Allowed by Statute and Required for Such Construction, Reconstruction and Maintenance, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Highways and Bridges.

Representatives Haugland, Johnson of Richland, Saumur, Bergesen and Olson of Barnes introduced:

House Bill No. 104. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of Chapter 135, Laws of 1935, and Section 8 of Chapter 135, Laws of 1935, as Amended by Chapter 143, Laws of 1939, and Providing for the Selection of Precinct County and State Committee Women.

Was read the first time and referred to the Comm. on State Affairs.

The Committee on Appropriations introduced:

House Bill No. 105. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

The Committee on Appropriations introduced:

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

The Committee on Appropriations introduced:

House Bill No. 107. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

The Committee on Appropriations introduced:

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

The Committee on Appropriations introduced:

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

The Committee on Appropriations introduced:

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

The Committee on Appropriations introduced:

House Bill No. 111. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Were read the first time and referred to the Comm. on Appropriations.

Representatives Trydahl, Brusseau and Blair introduced:

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the Expenditure of Money by Contract for Road Improvements and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Representatives Trydahl, Boulden, Saumur and Smart introduced:

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

Were read the first time and referred to the Comm. on Counties.

SECOND READING OF HOUSE BILLS

House Bill No. 27 was read the second time.

Rep. Ireland moved that H. B. No. 27 be re-referred to the Comm. on State Affairs.

Rep. Blair moved a substitute motion that H. B. No. 27 be indefinitely postponed, which motion prevailed on a standing vote.

Rep. Crockett moved that the vote by which H. B. No. 27 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed on a standing vote.

ROLL CALL

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rieker
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Saumur
Blair	Johnson, Cass	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Boulden	Juhola	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Shure

Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Moe	Twichell
Devlin	Mollet	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Myers	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	
Fuglestad	Nicholsen	

Absent and not voting:

Dittmer	Gackle	Sharpe
Fitch	Nelson, Cass	Wambheim

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Haugen	Panko
Beede	Haugland	Peterson, Bottineau
Belzer	Heckman	Peterson, Ransom
Benno	Hofstrand	Rieker
Bergesen	Hogoboom	Rohde
Bingenheimer	Holm	Rygg
Bjella	Ireland	Sagehorn
Black	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmidt
Boulden	Juhola	Schwartz
Braun, McLean	Kee	Sellens
Braun, Stark	Kindem	Semerad
Brusseau	Langley	Severson
Bubel	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Tuff

Devlin	Moe	Twichell
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Richland
Falconer	Myers	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	

Those voting in the negative were:

Bymers	Halvorson	Trydahl
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Absent and not voting:

Dittmer	Nelson, Cass	Wambheim
Gackle	Sharpe	

So the bill passed and the title was agreed to.

House Bill No. 51 was read the second time .

Rep. Johnson of Cass moved that H. B. No. 51, be indefinitely postponed, which motion was lost.

House Bill No. 51. A Bill for an Act to Encourage the Making and Maintaining of Agreements Concerning Wages, Hours and Conditions of Employment Between Employers and Employees by Their Representatives and the Settlement of Controversies Concerning the Same by Mediation and Voluntary Arbitration of Such Controversies on the Commissioner of Agriculture and Labor.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 12; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fitch	Myers
Allen	Fitzharris	Nelson, Morton
Anderson	Fleck	Nelson, Sargent
Arneson	Fraser	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Peterson, Bottineau
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rieker
Bjella	Hofstrand	Rohde
Black	Hogboom	Rygg
Blair	Holm	Sagehorn
Bolmeier	Ireland	Saumur
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Tuff
Collette	Lillehaugen	Twichell
Crockett	Lunde	Westby
Dalzell	McIntee	Williams, Richland
Devlin	McIntyre	Williams, Stutsman

Drovdal	Mollet	Wolf, McIntosh
Erickson, Divide	Morland	Wolf, Morton
Erickson, Williams	Morrison	Mr. Speaker
Falconer		

Those voting in the negative were:

Fuglestad	Moe	Sandness
Haag	Nelson, Ramsey	Severson
Johnson, Cass	Nelson, Steele	Stormon
McInnes	Nicholsen	Trydahl

Absent and not voting:

Culver	Nelson, Cass	Swanson
Dittmer	Schmidt	Wambheim
Gackle	Sharpe	Welder

So the bill passed and the title was agreed to.

House Bill No. 70 was read the second time.

Rep. Ohnstad moved that H. B. No. 70 be re-referred to the Comm. on Cities and Municipal Corporations, which motion prevailed.

GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration House Bill No. 48.

In Section 1, line 29, after the word "practice" insert the following: "in the residence of the employer as may be requested by the worker".

On page 2, line 32, strike out the word "may" and insert in lieu thereof the word "shall".

In Section 1, line 13, after the word "wage" insert the following: "earned during a period of not exceeding three successive years".

And recommend the adoption of the Standing Committee amendments.

And the further amendment to the Standing Comm. amendment at line 29 of Sec. 1, that after the word "the" in the amendment the words "county of the" be inserted so that the amendment will read as follows: "in the county of the residence of the employer as may be requested by the worker".

And when so amended recommend the same do pass.

- House Bill No. 75.

In line 64 of the original bill strike out the numeral four and insert the numeral five in lieu thereof.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 77.

And recommend that the same be indefinitely postponed.

House Bill No. 37.

At line 8 of Section 1, after the word "Dollars" insert the following: "provided, however, that the provisions hereof shall not apply to any purchase used in the operation of a water works, light, power, steam heating, or gas plant, sewage disposal plant, incinerator, or any other public utility."

That the whole of Section 3 be stricken out and the following words be inserted: "The contract, as provided for herein, shall be let to the lowest and best responsible bidder, with the right or privilege of rejecting any and all bids."

And recommend the adoption of only the third and fourth Standing Comm. amendments applying to line 8 of Sec. 1 and to Sec. 3.

And when so amended recommend the same do pass.

House Bill No. 66.

At the third line of the title after the word "Levy" insert the following words: "in addition to all levies authorized by law."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 68.

At line 14, strike out the words "but the".

Strike out the whole of line 15.

Strike out the first word of line 16; "election".

And recommend the adoption of the Standing Committee amendments.

And the further amendment to the Standing Comm. amendments:

In line 14 after the word "city" insert a period.

And when so amended recommend the same do pass.

K. A. FITCH, Chm., Comm. of the Whole.

Rep. Swanson moved the adoption of the report of the Comm. of the Whole with exception to House Bill No. 68, which motion prevailed.

Rep. Bergesen moved that the report of the Comm of the Whole with reference to House Bill No. 68 be also adopted, which motion prevailed.

Rep. Levin moved that the vote by which House Bill No. 41 was indefinitely postponed be reconsidered.

Rep. Crockett demanded a roll call which request was granted.

ROLL CALL

The question being on the motion of Rep. Levin that the vote by which House Bill No. 41 was indefinitely postponed be reconsidered, the roll was called and there were ayes, 44; nays, 62; absent and not voting, 6.

Those voting in the affirmative were:

Anderson	Fitch	Morland
Beede	Fraser	Morrison
Belzer	Gress	Myers
Benno	Halvorson	Nelson, Ramsey
Bingenheimer	Haugen	Nelson, Sargent

Bjella	Haugland	Ohnstad
Braun, McLean	Heckman	Olson, Bowman
Braun, Stark	Ireland	Rieker
Bubel	Juhola	Rohde
Crockett	Larson	Sandness
Culver	Levin	Schwartz
Drovdal	Lillehaugen	Sellens
Erickson, Divide	McIntee	Semerad
Erickson, Williams	McIntyre	Smart
Falconer	Mollet	

Those voting in the negative were:

Aker	Glas	Peterson, Ransom
Allen	Haag	Rygg
Arneson	Hofstrand	Sagehorn
Arndt	Hogoboom	Saumur
Austad	Holm	Severson
Bergesen	Jennings	Shure
Black	Johnson, Cass	Singleton
Blair	Johnson, Richland	Starck
Bolmeier	Kee	Stormon
Boulden	Kindem	Swanson
Brusseau	Langley	Trydahl
Bymers	Lunde	Tuff
Carlson	McInnes	Twichell
Coghlan	Moe	Welder
Collette	Nelson, Morton	Westby
Dalzell	Nelson, Steele	Williams, Richland
Devlin	Nicholsen	Williams, Stutsman
Fitzharris	Nystrom	Wolf, McIntosh
Fleck	Olson, Barnes	Wolf, Morton
Fuglestad	Panko	Mr. Speaker
Gainor	Peterson, Bottineau	

Absent and not voting:

Dittmer	Nelson, Cass	Sharpe
Gackle	Schmidt	Wambheim

So the motion was declared lost.

Rep. Johnson of Cass moved that the vote by which the motion for reconsideration of the action taken on House Bill No. 41 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Bergesen: As I understand our present parliamentary situation, if we reconsider our action, we will then vote on this bill's going into General Orders for amendment. I don't think that this body is in a position to amend the bill. It should be amended only on careful consideration of the committee. Therefore, I vote "no."

Rep. Bymers: It seems to me to be very foolish to bring this bill back and to start all over on it again. The increase on the truckload limit affects such a small percentage of trucks and in view of the number of resolutions we have received from the various county commissioners and others all over the state stating that the roads and bridges are in no condition to permit greater loads to be carried over them than at present, therefore I vote "no."

Rep. Falconer: I vote "aye" on this for the reason that I don't believe that this industry which employs a lot of men

and a lot of North Dakota capital is getting a square deal. I think they have had too much railroading.

Rep. Haugen: I vote "aye" on this motion because I feel that the procedure by which we were denied a vote on the committee report this morning was unfair.

Rep. Levin: This is not a vote on increasing the load limit but to get the bill back on the floor so a record vote may be taken on the merits of the bill. I vote "aye."

Rep. Devlin: I believe we are wasting a lot of time discussing this bill because I believe the minds of the members are made up as to how they intend to vote. The first resolution read from the desk by the Chief Clerk was from my county and I know that our County Commissioners are opposed to any increase in weight or any additional length of trucks allowed in the state.

I believe that the railroads are guilty of doing things in the past that was a racket equal to that of Al Capone but I believe that the railroads in our present day are in the same condition as the farmers and the business men of our state. And I believe that the people of this state want the railroads to continue to serve them. When the grasshoppers and drouth are destroying our crops, I, as a farmer, find that the only thing that breaks the monotony is the shriek of the whistle and the black smoke from the locomotive. I ask that we waste no more time in discussing this bill. I vote "no."

Rep. Lillehaugen: I vote "aye" for the purpose of reconsideration. I am opposed to the bill but I resent the methods employed by the majority of this House.

Rep. Moe: I can't understand why we should be so concerned about this traffic regulation between the railroads and truckers. In a few years everything will be transported by air so everything will be up in the air anyhow and they won't need railroads or trucks.

Rep. Panko: I vote "no" on this bill for two reasons: It is a bill that carries dynamite in it for the highways and for the public.

Rep. Swanson: I vote "no" on this bill. I have a lot of respect for the trucking industry but as I see this bill it doesn't seem to affect truckers within our state. It seems to be for the benefit of outside truckers. For that reason I vote "no."

Rep. Twichell: I vote "no" for the reason that there have been too many outside interests on this, too much railroad and too much truck. I don't think the welfare of the taxpayers has been considered and won't be considered any more by the Committee of the Whole. As I understand it, the report of the Standing Committee was unanimous.

Rep. Wolf of McIntosh: I feel that the big trucks are a hazard to our roads, bridges and to the public. Therefore, I vote "no."

Rep. Morland asked that the Comm. on Tax and Tax Laws be granted an extension of time for consideration of House Bill No. 33, which request was granted.

Rep. Braun of McLean moved that the House do now recess until 1:15 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

TWENTY-FIFTH DAY AFTER RECESS AND
TWENTY-SIXTH DAY

Bismarck, February 1, 1941.

The House re-assembled at 1:15 P. M., pursuant to recess, Speaker Symington presiding.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 48.
House Bill No. 75.
House Bill No. 37.
House Bill No. 68.
House Bill No. 66.

And find the same correctly Engrossed.

VERNON M. JOHNSON, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 24, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Corporations Other Than Municipal to whom was referred House Bill No. 61, have had the same under consideration and recommend that the same do pass.

WM. IRELAND, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 25, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to

whom was referred House Bill No. 58, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert the following:

For an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws As to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

1 SECTION 1. That Section 1, Chapter 240 of the
 1a Session
 2 Laws of North Dakota for 1937 as Amended by Chapter
 2a 227 of
 3 The Session Laws of North Dakota for the year 1939, be
 4 amended and re-enacted to read as follows:
 5 SECTION 1. (1). All delinquent real and personal
 5a property
 6 taxes, except as hereinafter provided, for the years 1939
 6a and
 7 prior years, together with accrued interest and penalties
 8 thereon, shall be cancelled and discharged in full upon
 9 the payment of the full amount of the original tax; pro-
 9a vided
 10 that all payments hereunder must be made on or before
 10a March 1, 1942;
 11 and, provided, further, that such taxes shall remain
 12 payable separately according to years, and any person, or
 13 corporation, having an interest in, or lien, or mortgage
 13a upon
 14 any property affected by this act shall be entitled to take
 15 advantage of the provisions hereof. This act shall not
 15a apply
 16 to any real estate taxes, the tax certificates for which
 16a have
 17 been sold or assigned to any purchaser other than the
 17a county,
 18 nor to special assessments levied for local improvements,
 18a nor
 19 special assessments levied by drainage or irrigation dis-
 20 tricts.
 21 (2) The auditors and treasurers of each county shall
 21a accept
 22 in full payment and discharge of all such delinquent real
 23 estate taxes, including interest and penalty thereon, pay-
 24 ments made in accordance with the provisions of this act,
 25 and the sheriff of each county shall accept in full payment
 26 of all delinquent personal property taxes, including
 26a interest
 27 and penalties, payments made hereunder.

28 (3) The board of county commissioners may, upon
 28a application
 29 of any person owning property upon which taxes, either
 29a real
 30 or personal, are delinquent for the year 1937, or prior
 30a years,
 31 permit the payment of any such delinquent taxes, except
 32 special assessments levied for local improvements and
 32a special
 33 assessments levied by drainage or irrigation districts, on
 34 the reduced amounts hereinbefore provided for, in not to
 35 exceed ten (10) annual installments, with interest at the
 36 rate of 4% per annum from April 1st, 1939, payable on or
 37 before October 15th of each year, provided that ten per
 37a cent
 38 (10%) of the principal is paid when the extension is
 38a allowed,
 39 ten per cent (10%), on the following October 15th, and ten
 40 per cent (10%) on each succeeding year until the amount
 40a is
 41 fully paid; and upon the payment in full of such install-
 42a ments, with accrued interest, such delinquent taxes shall
 42 be
 43 cancelled and discharged of record.

1 SECTION 2. That Section 2 of Chapter 240, of the
 1a Session
 2 Laws of North Dakota for 1937 as Amended by Chapter
 2a 227 of
 3 the Session Laws of North Dakota for the year 1939, be
 3a and
 4 the same is hereby amended and re-enacted, as follows:
 5 SECTION 2. The board of county commissioners
 5a shall re-
 6 require the owner of the property upon which there is de-
 7 linqunt taxes and who applies for an extension here-
 7a under,
 8 to enter into a contract with the county wherein the
 8a owner
 9 agrees to pay the full amount of the balance of the
 9a principal
 10 of such delinquent taxes; provided that no owner shall be
 11 entitled to enter into such an extension contract unless he
 12 shall have first paid any delinquent taxes for the year
 12a 1939,
 13 and subsequent years; and, provided, further that such
 13a owner
 14 shall stipulate in his contract that is he fails to pay taxes
 15 subsequently to become due against the property
 15a described in
 16 said contract on or before the date of delinquency, his con-
 17 tract may be cancelled.

1 SECTION 3. That Section 3 of Chapter 240 of the
 1a Session
 2 Laws of North Dakota for 1937 as Amended by Chapter
 2a 227 of
 3 the Session Laws of North Dakota for the year 1939, be
 3a and
 4 the same is hereby amended and re-enacted, as follows:

5 SECTION 3. Upon the execution and delivery of an
 5a exten-
 6 sion contract as herein provided, all proceedings for the
 7 collection of delinquent taxes, including any tax deed pro-
 8 ceedings, which may be pending, shall be suspended and
 8a shall
 9 remain suspended while such contract is in force; pro-
 9a vided,
 10 that upon the failure of the owner, or his successor in in-
 11 terest, to pay one or more installments due upon such con-
 12 tract, or upon the failure to pay any installments of taxes
 13 for the year 1940, or any subsequent years, prior to the
 14 date of delinquency, the board of county commissioners
 14a shall
 15 have the power, in its discretion, to declare such contract
 16 cancelled, and thereupon the proper officers shall proceed
 16a to
 17 enforce the collection, in the manner provided by law,
 17a of the
 18 full amount of the unpaid delinquent taxes, with penalty
 18a and
 19 interest, as though no extension contract had been made.

1 SECTION 4. That Section 4 of Chapter 240 of the
 1a Session
 2 Laws of North Dakota, for 1937 as Amended by Chapter
 2a 227 of
 3 the Session Laws of North Dakota for the year 1939,
 3a be amended
 4 and re-enacted to read as follows:

5 SECTION 4. Any owner who has entered into an
 5a extension
 6 contract under the provisions of Chapter 240 of the Ses-
 6a sion
 7 Laws of North Dakota for 1937 as Amended by Chapter
 7a 227 of
 8 the Session Laws of North Dakota for the year 1939, and
 9 which contract is in force when this act goes into effect,
 10 shall be entitled to take advantage of the provisions of
 11 this act upon complying with all of the provisions hereof.
 12 Any owner who has entered into an extension contract,
 12a or
 13 his successor in interest, or any lien or mortgage holder,
 14 shall have the right to pay the full amount remaining un-
 15 paid upon such extension contract, at any time while such
 16 contract is in force.

1 SECTION 5. It is hereby declared to be object and
 2 purpose of this act to provide for the payment of the de-
 3 linquent taxes herein specified upon the reduced bases
 4 herein provided in order to permit taxpayers to place
 4a them-
 5 selves upon a current tax paying basis but it is also de-
 6 clared to be the future fixed policy of this State that no
 7 further reductions in the payment of taxes shall be given,
 8 and that no further extension of the period of redemption
 9 from tax sales or suspension of the issuance of tax deeds
 10 shall be granted.

1 SECTION 6. All acts and parts of acts in conflict
 2 herewith are hereby repealed, except that such parts of
 3 Chapter 240 of the Session Laws of North Dakota for 1937

4 as Amended by Chapter 227 of the Session Laws of North
5 Dakota for the year 1939 as may be necessary for the en-
6 forcement of any contracts made pursuant thereto shall
7 remain in force.

1 SECTION 7. An emergency is hereby declared to exist
2 and this act shall be in full force and effect from and
3 after its passage and approval.

And when so amended recommend the same do pass.

L. K. MORLAND, Chairman.

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

MOTIONS AND RESOLUTIONS

House Concurrent Resolution "G" was read by the Chief
Clerk as follows:

Representative Culver introduced:

House Concurrent Resolution "G." A Resolution by the
House of Representatives of the State of North Dakota, the
Senate Concurring.

BE IT ENACTED BY THE HOUSE OF REPRESENTA-
TIVES OF THE STATE OF NORTH DAKOTA, THE
SENATE CONCURRING:

WHEREAS, on the 30th day of January, 1941, a delegation
from the County of Sioux, North Dakota, appeared before the
joint session of the Indian Affairs Committee of the Senate
and the Federal Relations Committee of the House of the
State of North Dakota, and laid facts before said joint com-
mittee tending to show that the Indians in the Standing Rock
Reservation are not receiving the necessary support and
maintenance to afford decent and comfortable living
conditions.

THEREFORE, Be It Resolved by the House of Representa-
tives of the State of North Dakota, the Senate concurring,
that a committee of five (5) of the Legislative Assembly
be appointed to investigate the conditions prevailing with
reference to the conditions as reported in the Standing Rock
Indian Reservation. Three (3) members are to be appointed
by the President of the Senate from the members thereof
and two (2) members are to be appointed by the Speaker
of the House from the members thereof to constitute such
committee, and be it further resolved that this Assembly
does hereby appropriate and there is hereby appropriated
a sum not to exceed Fifty Dollars (\$50.00) to defray the
expenses of such committee in making the investigation as
hereinbefore set forth.

Rep. Swanson moved the adoption of House Concurrent
Resolution "G".

ROLL CALL

The question being on the adoption of House Concurrent
Resolution "G", the roll was called and there were ayes, 93;
nays, 1; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman

Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Saumur
Black	Ireland	Schwartz
Blair	Jennings	Sellens
Bolmeier	Johnson, Richland	Semerad
Boulden	Juhola	Severson
Braun, McLean	Kee	Shure
Braun, Stark	Langley	Singleton
Brusseau	Levin	Smart
Bubel	Lillehaugen	Starck
Bymers	Lunde	Stormon
Carlson	McInnes	Swanson
Collette	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Moe	Welder
Devlin	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Myers	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Those voting in the Mollet	negative were:	

Absent and not voting:

Coghan	Hofstrand	Rieker
Crockett	Johnson, Cass	Sandness
Dittmer	Kindem	Schmidt
Drovdal	Larson	Sharpe
Fitch	Nelson, Cass	Twichell
Gackle	Ohnstad	Wambheim

So the Resolution was declared adopted.

And the Speaker appointed Reps. Shure and Anderson as members of the committee of five authorized by the adoption of House Concurrent Resolution "G."

FIRST READING OF HOUSE BILLS

Representatives Tuff and Allen (By request) introduced:

House Bill No. 114. A Bill for an Act to Amend and Re-enact Section 11105 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 130 of the 1939 Session Laws of the State of North Dakota, Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Allen and Tuff (By request) introduced:

House Bill No. 115. A Bill for an Act to Include Elective Officials of the State and of the Subdivisions Thereof Under the Terms of the Workmen's Compensation Act, and to Amend and Re-enact Section 4 of Chapter 286, Session Laws of 1935 (Being Section 10-1 of Chapter 162 of the Session Laws of 1919, as Amended) Relating to Disbursement of

the Workmen's Compensation Fund; Declaring an Emergency; Repealing All Acts or Parts of Acts in Conflict Herewith.

Representatives Allen and Tuff (By request) introduced:

House Bill No. 116. A Bill for an Act Authorizing the Confiscation of Vehicles Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property Which Is the Subject Matter of Any Felony; Providing for the Sale and Method of Sale of Vehicle Confiscated; Declaring an Emergency.

Were read the first time and referred to the Comm. on Insurance.

Representatives Allen and Tuff (By request) introduced:

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

The Joint Committee on Refunding State Indebtedness introduced:

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

The Joint Committee on Refunding State Indebtedness introduced:

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Procuring Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment Thereof.

Were read the first time and referred to the Comm. on Ways and Means.

The Committee on Tax and Tax Laws introduced:

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Holm and Arneson introduced:

House Bill No. 121. A Bill for an Act Prohibiting the Sale, Offering or Exposing for Sale of Fireworks; Defining Fireworks and Regulating the Manner of Their Use; Providing Penalties for Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Public Safety.

Representative Trydahl introduced:

House Bill No. 122. A Bill for an Act Making an Appro-

priation for Payment of an Emergency Expenditure by the North Dakota National Guard in Connection with the Organization of Two Extra Battalions of 155 m.m. by Order of the War Department and Declaring an Emergency.

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

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

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

TWENTY-SIXTH DAY

Bismarck, February 1, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. G. W. Stewart of Mandan.

Roll Call: All members present except Reps. Crockett, Culver, Dittmer, Drovdal, Fitch, Gackle, Hofstrand, Johnson of Cass, Kindem, Larson, Nelson of Cass, Ohnstad, Rieker, Sandness, Schmidt, Sharpe and Wambheim.

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

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

On page 196, line 2, correct the line to read: "I think they have had too much railroading."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 1, 1941.

Mr. President: I have the honor to transmit herewith the following bills, which the House has passed and your favorable consideration is respectfully requested:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

House Bill No. 51. A Bill for an Act to Encourage the Making and Maintaining of Agreements Concerning Wages, Hours and Conditions of Employment Between Employers and Employees by Their Representatives and the Settlement of Controversies Concerning the Same by Mediation and Voluntary Arbitration of Such Controversies on the Commissioner of Agriculture and Labor.

C. R. VERRY, Chief Clerk.

Bismarck, February 1, 1941.

Mr. President: I have the honor to transmit:

House Concurrent Resolution "G". A Resolution Appro-

priating Fifty Dollars (\$50.00) for Expense of Committee Investigating Conditions on Standing Rock Reservation.

Which the House has adopted and your favorable consideration is requested. And the Speaker has appointed on the committee authorized by House Concurrent Resolution "G" Reps. Shure and Anderson of McKenzie.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 1, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 259, Laws 1935; Chapter 218, Laws 1937 Relating to Meetings of Boards of Common School Districts, Provide for Notices of Same and Relating to Attendance Per Diem and Mileage of School Officers and to Duties and Compensation of Clerks of Such Districts.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota: Providing for Reports and Deductions.

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

W. J. TROUT, Secretary.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 28.

Was delivered to the Governor for his approval at the hour of 3:10 o'clock P. M., January 31, 1941.

REP. WAMBHEIM, Chairman.

FIRST READING OF HOUSE BILLS

Representatives Smart, Holm and Black introduced:

House Bill No. 123. A Bill for an Act Reserving to the Counties of the State Mineral, Gas and Oil Rights; and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

SECOND READING OF HOUSE BILLS

House Bill No. 81 was read the second time.

Rep. Smart moved that House Bill No. 81 be re-referred to the Comm. on Cities and Municipal Corporations, which motion prevailed.

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the En-

forcement of Such Act and Penalties for the Violation Thereof, Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Saumur
Blair	Jennings	Schwartz
Bolmeier	Johnson, Richland	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Langley	Shure
Brusseau	Levin	Singleton
Bubel	Lillehaugen	Smart
Bymers	Lunde	Starck
Carlson	McInnes	Stormon
Coghlan	McIntee	Trydahl
Collette	McIntyre	Tuff
Culver	Moe	Twichell
Dalzell	Mollet	Welder
Devlin	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Myers	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Belzer	Hofstrand	Rieker
Crockett	Johnson, Cass	Sandness
Dittmer	Kindem	Schmidt
Drovdal	Larson	Sharpe
Fitch	Nelson, Cass	Swanson
Gackle	Ohnstad	Wambheim
Gress		

So the bill passed and the title was agreed to.

House Bill No. 73 was read the second time.

Rep. Juhola moved that House Bill No. 73 be indefinitely postponed.

Rep. Halvorson moved the previous question, which motion prevailed.

The Speaker put Rep. Juhola's motion for indefinite postponement of House Bill No. 73, which motion prevailed.

House Bill No. 48 was read the second time.

Rep. Shure asked unanimous consent to amend the bill, which consent was granted.

Rep. Shure moved the following amendment to House Bill No. 48:

On page 2, line 28, after the word "hire" strike out the word "attorneys" and insert in lieu thereof the words "an attorney".

Which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 48 be considered properly re-engrossed, and placed on second reading and final passage as amended, which motion prevailed.

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 396b15 of the Compiled Laws, Supplement 1913-1925, as Amended by Session Laws of 1935, Chapter 162, Providing a Remedy for Under-paid Employees Working in Excess of Hour Provisions of Administrative Orders or the Hours Law for Females, and for Taking Assignments of Wage Claims.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 55; nays, 38; absent and not voting, 19.

Those voting in the affirmative were:

Anderson	Halvorson	Nelson, Morton
Beede	Haugen	Nelson, Ramsey
Benno	Haugland	Nystrom
Bergesen	Heckman	Olson, Bowman
Bjella	Hogoboom	Peterson, Bottineau
Braun, McLean	Holm	Rohde
Brusseau	Ireland	Rygg
Bubel	Jennings	Sagehorn
Bymers	Johnson, Richland	Semerad
Carlson	Kee	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McIntyre	Tuff
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitzharris	Myers	Wolf, Morton
Glas		

Those voting in the negative were:

Aker	Fraser	Olson, Barnes
Allen	Fuglestad	Peterson, Ransom
Arneson	Gainor	Saumur
Arndt	Gress	Schwartz
Austad	Haag	Sellens
Bingenheimer	Juhola	Severson
Black	Langley	Shure
Blair	McInnes	Trydahl
Bolmeier	McIntee	Twichell
Boulden	Moe	Williams, Stutsman
Braun, Stark	Nelson, Sargent	Wolf, McIntosh
Devlin	Nelson, Steele	Mr. Speaker
Fleck	Nicholsen	

Absent and not voting:

Belzer	Johnson, Cass	Rieker
Crockett	Kindem	Sandness

Dittmer	Larson	Schmidt
Drovdal	Nelson, Cass	Sharpe
Fitch	Ohnstad	Swanson
Gackle	Panko	Wambheim
Hofstrand		

So the bill was declared lost for lack of a constitutional majority.

Rep. Blair moved that the vote by which House Bill No. 48 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Devlin: I have had two or three wires from back home in regard to this bill and while I have nothing personal against the bill, and I believe there are reasons for the bill in our larger towns and cities I also believe that our state is made up mostly of small towns where this bill may work a hardship and a lot of misunderstanding, and for that reason I want to vote "no".

Rep. Welder: As long as it doesn't affect the farmer I believe that the employees are entitled at least to minimum wages without obligating themselves to any court procedure. I believe in letting the employees live as well as the business men. I am saying this for the sake of my friend, Mr. Wolf, who is a business man. Therefore, I vote "aye".

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Benno	Heckman	Rohde
Bergesen	Hogoboom	Rygg
Bjella	Ireland	Sagehorn
Black	Jennings	Saumur
Blair	Johnson, Richland	Sellens
Bolmeier	Juhola	Severson
Braun, McLean	Kee	Shure
Brusseau	Langley	Singleton
Bubel	Levin	Smart
Bymers	Lillehaugen	Starck
Carlson	Lunde	Stormon
Coghlan	McInnes	Trydahl
Collette	McIntee	Tuff
Culver	McIntyre	Twichell
Dalzell	Moe	Welder

Devlin	Mollet	Westby
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Myers	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	

Absent and not voting:

Belzer	Gress	Rieker
Bingenheimer	Hofstrand	Sandness
Boulden	Holm	Schmidt
Braun, Stark	Johnson, Cass	Schwartz
Crockett	Kindem	Semerad
Dittmer	Larson	Sharpe
Drovdal	Nelson, Cass	Swanson
Fitch	Nelson, Morton	Wambheim
Gackle	Ohnstad	

So the bill passed and the title was agreed to.

House Bill No. 37 was read the second time.

Rep. Olson of Barnes moved that House Bill No. 37 be indefinitely postponed.

Rep. Twichell moved a substitute motion that H. B. No. 37 be re-referred to the Comm. on Cities and Municipal Corporations, which motion was lost.

The question being on the motion of Rep. Olson of Barnes that H. B. No. 37 be indefinitely postponed, the motion prevailed.

House Bill No. 66 was read the second time.

Rep. Smart moved that House Bill No. 66 be re-referred to the Comm. on Cities and Municipal Corporations, which motion prevailed.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Benno	Heckman	Rohde
Bergesen	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Saumur
Blair	Jennings	Sellens
Bolmeier	Johnson, Richland	Severson
Boulden	Juhola	Shure
Braun, McLean	Kee	Singleton

Brusseau	Langley	Smart
Bubel	Levin	Starck
Bymers	Lillehaugen	Stormon
Carlson	Lunde	Trydahl
Coghlan	McInnes	Tuff
Collette	McIntee	Twichell
Culver	Moe	Welder
Dalzell	Mollet	Westby
Devlin	Morland	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Myers	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck		

Absent and not voting:

Belzer	Haugen	Olson, Barnes
Bingenheimer	Hofstrand	Rieker
Braun, Stark	Johnson, Cass	Sandness
Crockett	Kindem	Schmidt
Dittmer	Larson	Schwartz
Drovdal	McIntyre	Semerad
Fitch	Nelson, Cass	Sharpe
Gackle	Nelson, Sargent	Swanson
Gress	Ohnstad	Wambheim

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 1, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G". A Resolution Appropriating Fifty Dollars (\$50.00) for Expense of Committee Investigating Conditions on Standing Rock Reservation.

Which the Senate has adopted unchanged and the President Pro Tem has appointed on the committee authorized by House Concur. Res. "G" Senators O'Brien, Kamrath and Tweten.

W. J. TROUT, Secretary.

The House reverted to the Tenth Order of Business.

FIRST READING OF HOUSE BILLS

Representatives Saumur and Bergesen introduced:

House Bill No. 124. A Bill for an Act to Repeal Chapter 160 of the Session Laws of the State of North Dakota for 1927 Relating to the Arbitration of Controversies Between the State Highway Commission and Parties Contracting Therewith.

Was read the first time and referred to the Comm. on Highways and Bridges.

Representative Olson of Bowman introduced by request:

House Bill No. 125. A Bill for an Act Requiring Operators of Auto-wrecking Plants, Junk Dealers and Others Allowing Open Plots to Be Covered With Junk or Wrecked Machinery or Automobiles to Erect Fences to Prevent Such Plots from View of Any Federal or State Highway.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Shure, Beede, and Aker, Special Committee on Code Revision, introduced:

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Shure, Beede, and Aker, Special Committee on Code Revision, introduced:

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

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

Representatives Shure, Beede, and Aker, Special Committee on Code Revision, introduced:

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Guinness Patent Butter and to Patent Butter and Cheese.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Shure, Beede, and Aker, Special Committee on Code Revision, introduced:

House Bill No. 129. A Bill for an Act to Repeal Chapter 119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

Was read the first time and referred to the Comm. on Public Health.

Representatives Shure, Beede, and Aker, Special Committee on Code Revision, introduced:

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Shure, Beede, and Aker, Special Committee on Code Revision, introduced:

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

Was read the first time and referred to the Comm. on Counties.

Representatives Shure, Beede, and Aker, Special Committee on Code Revision, introduced:

House Bill No. 132. A Bill for an Act to Amend and Re-

enact Section 2 of Chapter 175 of the Session Laws for the Year 1931, Relating to Garage Keeper's Storage Lien; Establishing Priority of Such Lien; and Providing for the Recording and Foreclosure of Said Liens.

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

FIRST READING OF SENATE BILLS

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota: Providing for Reports and Deductions.

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

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 259, Laws 1935; Chapter 218, Laws 1937 Relating to Meetings of Boards of Common School Districts, Provide for Notices of Same and Relating to Attendance Per Diem and Mileage of School Officers and to Duties and Compensation of Clerks of Such Districts.

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

Rep. Ireland requested that the House be on the Seventh Order of Business, which request was granted.

Rep. Ireland stated that for reason he did not wish to disclose at this time he respectfully asks permission to withdraw his name from House Bills Nos. 59 and 60.

Rep. Bergesen moved that the request of Rep. Ireland be granted, which motion prevailed.

Rep. Bolmeier moved that the House do now recess until 1:15 P. M., Monday, February 3, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

TWENTY-SIXTH DAY AFTER RECESS AND
TWENTY-EIGHTH DAY

Bismarck, February 3, 1941.

The House re-assembled at 1:15 P. M., pursuant to recess, Speaker Symington presiding.

Rep. Juhola requested that the House be on the Seventh Order of Business, which request was granted.

Rep. Juhola moved that the action taken on House Bill No. 48 be reconsidered, which motion prevailed.

Rep. Juhola moved that House Bill No. 48 be re-referred to the Comm. on Ways and Means, which motion prevailed.

Rep. Shure moved that House Concurrent Resolution No. 29 be re-referred to the Comm. on State Affairs, which motion prevailed.

The Chief Clerk read House Resolution "H" as follows:
Representatives Stormon, McInnes, Levin, Myers and Beede introduced:

HOUSE RESOLUTION "H"

WHEREAS, it has come to our attention that the A.A.A. County Committeemen, representing the 53 counties of the State of North Dakota at their recent State Convention in Fargo, went on record as being unanimously in favor of an amendment to the A.A.A. docket for North Dakota for 1941, providing that flax, when sown as a nurse crop for sweet clover, such acreage shall be classified as neutral, or non-soil depleting, as was the case in 1940, and

WHEREAS, it appears that there is a possibility that those charged with the administration of the A. A. A. in Washington may be reluctant to grant this change, and

WHEREAS, North Dakota has for years been the leading state in flax production, and many millions of dollars have come into our State thereby, and

WHEREAS, flax is one of the crops of which our nation has never had a surplus, and

WHEREAS, under the present A.A.A. docket, flax production in our State will tend to be reduced almost to the vanishing point, thus making us more a one-crop state than ever, and

WHEREAS, flax and linseed oil are important items in our preparation for National Defense and importations of flax from South America are already slowing up, and later

may be much further reduced due to the shortage of boats, as was the case in the World War;

NOW, THEREFORE, BE IT RESOLVED, That this body is heartily in favor of and supports the action taken by the A.A.A. County Committeemen at their State Convention.

BE IT FURTHER RESOLVED: That our Senators and Representatives in Washington are hereby urged and requested to use their influence with those charged with the Administration of the Agricultural Adjustment Act to the end that this regulation so inimical to the interests of North Dakota may be amended.

BE IT FURTHER RESOLVED: That the Chief Clerk of the House is hereby instructed to prepare as soon as possible, copies of this Resolution and forward same to each of our Senators and Representatives in the Congress, and to the Hon. R. M. Evans, Administrator, Agricultural Adjustment Administration, Washington, D. C., and to the Hon. N. E. Dodd, Director of the Western Division, Agricultural Adjustment Administration, Washington, D. C.

Rep. Myers moved the adoption of House Resolution "H", which motion prevailed and the Resolution was declared adopted.

The Chief Clerk read House Memorial Resolution "I" as follows:

Representative Kindem introduced:

HOUSE MEMORIAL RESOLUTION "I"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

WHEREAS, Ella Hofstrand, a much loved and respected pioneer of Benson County, North Dakota, and mother of Representative C. H. Hofstrand, has been called by death;

THEREFORE, BE IT RESOLVED, That this House of Representatives express its deep sympathy to Representative Hofstrand and to the other members of the family, and that a copy of this Resolution be delivered by the Chief Clerk of the House of Representatives to Representative Hofstrand.

Rep. Kindem moved the adoption of House Memorial Resolution "I" and that it be printed in the Journal, which motion prevailed and the Resolution was declared adopted.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 12.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 88, have had the same under consideration and recommend that the same be re-

referred to the Comm. on Cities and Municipal Corporations.
L. K. MORLAND, Chairman.

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

Rep. Beede moved that action on the report of the Comm. on Tax and Tax Laws on House Bill No. 120 be deferred until the bill has been printed, which motion prevailed.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections.

And the Speaker signed the same in the presence of the House.

FIRST READING OF HOUSE BILLS

Representatives Myers, Wolf of Morton, Belzer, Mollet, Jennings, Bubel, Morrison, Nelson of Morton, Starck and Semerad introduced:

House Bill No. 133. A Bill for an Act to Provide for Appointment of Counsel Before Plea of Defendant Charged with First Degree Murder; Providing Payment for Services of Such Counsel.

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

Representatives Myers, Wolf of Morton, Belzer, Mollet, Jennings, Bubel, Morrison, Nelson of Morton, Starck and Semerad introduced:

House Bill No. 134. A Bill for an Act to Amend and Re-enact Chapter 126 of the Session Laws of the State of North Dakota for the Year 1933, Relative to and Covering the Awarding of Certain Contracts, and Giving Preference to Residents of the State of North Dakota; Repeal; Emergency.

Was read the first time and referred to the Comm. on Highways and Bridges.

Representative Hofstrand (By request) introduced:

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 213 of the Session Laws for 1939; Repeal.

The Committee on Education (By request) introduced:

House Bill No. 136. A Bill for an Act to Repeal Subdivision 1 of Section 3 of Chapter 240 of the Session Laws of the State of North Dakota for the Year 1931.

Were read the first time and referred to the Comm. on Education.

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

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

TWENTY-EIGHTH DAY

Bismarck, February 3, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. G. W. Stewart, Mandan.

Roll Call: All members present except Reps. Aker, Bergesen, Bolmeier, Crockett, Holm, Johnson of Cass and Swanson.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-sixth Day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

The following communications were received opposing any change in the present Anti-Corporation Farming Law:

A telegram from A. F. Glimm, Chairman of the Zahl Farmers Union Local No. 375 who spoke for the 112 members of the organization.

A petition was received signed by a long list of farmers and businessmen of Dickey County.

Another petition was received from a long list of residents of Barnes County also opposing any change in the Anti-Deficiency Judgment Law.

And the Speaker referred these to the Comm. on State Affairs.

A petition was received by Rep. Wambheim signed by a long list of people registering their opposition to the proposed passing of a law authorizing Sunday sales of beer.

Which the Speaker referred to the Comm. on Temperance.

A resolution was received from the Board of County Commissioners of Nelson County favoring the passage of House Bill No. 79, which the Speaker referred to the Comm. on State Affairs.

The following members requested that their names be added to those who introduced House Bill Nos. 59 and 60: Reps. Rohde, Drovdal, Brusseau, Bubel and McIntyre.

Rep. Devlin moved that this request be granted, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Military Affairs, to whom was referred House Bill No. 100, have had the same under consideration and recommend that the same do pass.

H. G. SEVERSON, Chairman.

Rep. Nelson of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 3, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 74. A Bill for an Act Imposing a Tax on

Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

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

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 3, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 32. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from which Paid; Providing for the Payment of Said Collection into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 3352 of the Compiled Laws of 1913, to Authorize the Registration of Warrants Issued by Taxing Districts Not Paid for Want of Funds; Limiting the Rate of Interest of Registered Warrants; Requiring Notice for Presentation for Payment Thereof; and Declaring an Emergency.

Senate Bill No. 31. A Bill for an Act Making an Appropriation to the Code Revision Commission.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 714a7 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1939 Relating to Pledging Securities for Public Deposits.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

Senate Chamber,
Bismarck, February 3, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 30. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 37. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 53. A Bill for an Act Providing for a Lien in Favor of House-movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

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

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 3, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof, on Hunting Licenses.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

FIRST READING OF HOUSE BILLS

Representatives Bolmeier, Fuglestad and Sharpe introduced:

House Bill No. 137. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Mailing Bureau in the Capitol Building, for the Use of State Officers, Departments or Agencies, and to Prescribe Rules and Regulations for the General Use and Management of the Same; and Establishing a Board of Administration Postage Revolving Fund; and Making an Appropriation for the Establishment, Maintenance and Operation of the Same.

Was read the first time and referred to the Comm. on Delayed Bills.

Representatives Morrison, Kee, Juhola, Myers and Olson of Barnes introduced:

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 235 of the 1919 Session Laws, Constituting Section 6076 of the 1925 Supplement.

Was read the first time and referred to the Comm. on Banks and Banking.

Representatives Shure, Johnson of Richland, Myers and Beede introduced:

House Bill No. 139. A Bill for an Act Permitting and Authorizing Appeal from All Decisions of the Workmen's Compensation Bureau by Claimants, Irrespective of Whether or Not the Bureau Makes Any Award to Claimant, and Providing for Such Appeals from All Such Decisions of the Bureau for Six Years Last Past; Repealing Laws and Parts of Laws in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Ways and Means.

SECOND READING OF HOUSE BILLS

House Bill No. 61. A Bill for an Act Restricting the Use

of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Allen	Gress	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arneson	Halvorson	Panko
Arndt	Haugen	Peterson, Bottineau
Austad	Haugland	Peterson, Ransom
Beede	Heckman	Rieker
Belzer	Hogoboom	Rohde
Benno	Ireland	Rygg
Bingenheimer	Jennings	Sagehorn
Black	Johnson, Richland	Sandness
Blair	Juhola	Saumur
Boulden	Kee	Schmidt
Braun, McLean	Kindem	Schwartz
Braun, Stark	Langley	Sellens
Brusseau	Larson	Semerad
Bubel	Levin	Severson
Bymers	Lillehaugen	Sharpe
Carlson	Lunde	Shure
Collette	McInnes	Singleton
Culver	McIntee	Smart
Dalzell	McIntyre	Starck
Devlin	Moe	Stormon
Dittmer	Mollet	Trydahl
Drovdal	Morland	Tuff
Erickson, Divide	Morrison	Twichell
Erickson, Williams	Myers	Wambheim
Falconer	Nelson, Cass	Welder
Fitzharris	Nelson, Morton	Westby
Fleck	Nelson, Ramsey	Williams, Richland
Fraser	Nelson, Sargent	Williams, Stutsman
Fuglestad	Nelson, Steele	Wolf, McIntosh
Gackle	Nicholsen	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Glas	Ohnstad	

Absent and not voting:

Aker	Coghlan	Holm
Bergesen	Crockett	Johnson, Cass
Bjella	Fitch	Swanson
Bolmeier	Hofstrand	

So the bill passed and the title was agreed to.

FIRST READING OF SENATE BILLS

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 31. A Bill for an Act Making an Appropriation to the Code Revision Commission.

Senate Bill No. 32. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from which Paid; Providing for the Payment of Said Collection into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 37. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Were read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 53. A Bill for an Act Providing for a Lien in Favor of House-movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 714a7 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1939 Relating to Pledging Securities for Public Deposits.

Was read the first time and referred to the Comm. on Banks and Banking.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 3352 of the Compiled Laws of 1913, to Authorize the Registration of Warrants Issued by Taxing Districts Not Paid for Want of Funds; Limiting the Rate of Interest of Registered Warrants; Requiring Notice for Presentation for Payment Thereof; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Rep. Twichell moved that the House do now recess until 1:00 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

TWENTY-EIGHTH DAY AFTER RECESS AND
TWENTY-NINTH DAY

Bismarck, February 4, 1941.

The House re-assembled at 1:00 P. M., pursuant to recess, Speaker Symington presiding.

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

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

TWENTY-NINTH DAY

Bismarck, February 4, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Opie S. Rindahl, Bismarck.

Roll Call disclosed all members present except Reps. Hofstrand and Severson.

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

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

On page 216 in the list of names recorded as introducing House Bills Nos. 59 and 60 change the figure "69" to read "59".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

The following communications were received in favor of the enactment of House Bill No. 79 which provides that the State of North Dakota pay the expenses for the care of the patients in the institutions for the insane, feeble-minded and tubercular, rather than the respective counties:

Board of County Commissioners of Mountrail County, Oliver County, Benson County, Sheridan County, McKenzie

County, Hettinger County, Ramsey County, Williams County and Burke County.

Which the Speaker referred to the Comm. on State Affairs.

Two petitions were received, one signed by six people of Nekoma, N. D., and another signed by twenty-nine people in Edinburg, N. D., opposing the enactment of Senate Bill No. 64, permitting the sale of beer on Sunday. A similar petition signed by fifty-one people of Zahl, N. D., was also received.

Which the Speaker referred to the Comm. on Temperance.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 4, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections.

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

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Resolution "H".

House Memorial Resolution "J".

And find the same correctly enrolled.

ALVA WAMBHEIN, Chairman.

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

Mr. Speaker: Your Committee on Delayed Bills, to whom was referred House Bill No. 137, have had the same under consideration and recommend that the same be introduced.

REP. K. L. BOULDEN, Chairman.

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

And the Speaker referred House Bill No. 137 to the Comm. on Appropriations.

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 94, have had the same under consideration and recommend that the same be referred to the Comm. on Bills and Municipal Corporations.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 117, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 11, following the word "officer" strike out the word "and" and insert in lieu thereof the word "or".

And when so amended recommend the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 118, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 119, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 126, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 87, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 129, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 130, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, February 5, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections.

Which the President has signed.

W. J. TROUT, Secretary.

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections.

Was delivered to the Governor for his approval at the hour of 2:05 o'clock P. M., Feb. 4th, 1941.

REP. WAMBHEIM, Chairman.

MOTIONS AND RESOLUTIONS

The Chief Clerk read House Memorial Resolution "J" as follows:

Representatives Hogoboom, Morland and Olson of Bowman introduced:

HOUSE MEMORIAL RESOLUTION "J"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

WHEREAS, our late associate, Representative H. W. Brown of Golden Valley County, was on May 15th, 1940, called to his eternal rest,

AND WHEREAS, he was an honored member of this House of Representatives from the 39th Legislative District during the Twenty-fifth and Twenty-sixth Legislative Assemblies, and in private life a willing worker in any movement beneficial to the people in the community in which he lived,

THEREFORE, BE IT RESOLVED, That this House of Representatives express its deepest sympathy to Mrs. H. W. Brown and family, and that this Resolution be printed in the Journal of the House and an engrossed copy be sent by the Chief Clerk of the House of Representatives to Mrs. H. W. Brown at Beach, North Dakota.

Rep. Hogoboom moved the adoption of House Memorial Resolution "J", which motion prevailed on a standing vote, and the Resolution was declared adopted.

FIRST READING OF HOUSE BILLS

Representatives Fitch and Myers introduced:

House Bill No. 140. A Bill for an Act to Amend and Re-enact Section 660 of the Compiled Laws of North Dakota for 1913; Requiring Appointed or Elected Civil Officers and Their Deputies to Give Bond; Specify Sections; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

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

Representatives Sharpe, Fleck, Benno and Nelson of Morton introduced:

House Bill No. 141. A Bill for an Act Amending and Re-enacting Sections 578b1, 578b3, 578b4, 578b5, 578b7 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; To Amend and Re-enact Chapter 139 of the Session Laws of North Dakota for 1927; Providing for a State Board of Electricians, Prescribing Their Duties; Providing for Classification and Licensing of Electric Workers; Prescribing Fees for the Examination and License; Providing for Inspection and Regulation of Electric Work; Providing for

Allocation of Fees; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Public Safety.

SECOND READING OF HOUSE BILLS

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Absent and not voting:		
Aker	Hofstrand	Nelson, Morton
Fuglestad		

So the bill passed and the title was agreed to, and the

Emergency Clause was declared carried.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 120, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

GENERAL ORDERS

Rep. Culver moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Culver to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration House Bill No. 58, and recommend that the same be re-referred to the Comm. on Tax and Tax Laws.

E. D. CULVER, Chm., Comm., of the Whole.

Rep. Nelson of Cass moved the adoption of the report of the Committee of the Whole, which motion prevailed.

The House reverted to the Eighth Order of Business.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Resolution "H". A Resolution Favoring An Amendment to the AAA Docket for North Dakota for 1941, in Regard to Use of Flax as a Nurse Crop.

House Memorial Resolution "I".

And the Speaker signed the same in the presence of the House.

Rep. Bolmeier moved that the House do now recess until 1:30 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

TWENTY-NINTH DAY AFTER RECESS AND
THIRTIETH DAY

Bismarck, February 5, 1941.

The House re-assembled at 1:30 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced that the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on State Affairs to whom was referred House Concurrent Resolution No. 63, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 92, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Rep. Bergesen moved that the vote by which House Bill No. 92 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 89, have had the same under consideration and recommend that the same do pass.

REP. P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 131, have had the same under consideration and recommend that the same do pass.

REP. P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 58, have had the same

under consideration and recommend that the same be indefinitely postponed.

REP. L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 91, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 81, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 70, have had the same under consideration and recommend that the same do pass.

REP. W. H. SHURE, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 113, have had the same under consideration and recommend that the same be amended as follows:

In line 6 of Section 1, after the word "maintaining" insert the following: "of any highways in said county."

And when so amended recommend the same do pass.

REP. P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 72, have had the same under consideration and recommend that the same be amended as follows:

In line 7 strike out the word "three", and insert in lieu thereof, the word "fifteen".

In line 8, strike out the word "months" and insert "years", strike out the word "seventy years" and insert "sixty-five years"; leave out the period and put in a semicolon, and add the following: "Provided, however, that such corporation, association or society may issue a certificate of membership or policy of insurance providing for hospital and surgical benefits only, to any person between the ages of three months and seventy years."

And when so amended recommend the same do pass.

WESLEY L. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Concurrent Resolution No. 64, have had

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

In line 46 of the original bill after the word "election", strike out the word "if" and in the same line after the word "Governor", strike out the word "of" and insert in lieu thereof the word "or".

In line 49 at the beginning of the line, strike out the word "may" and insert in lieu thereof the word "shall".

In line 65 at the end of the line after the word "copies", insert the word "of".

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: A majority of your Committee on Tax and Tax Laws, to whom was referred House Bill No. 90, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

Mr. Speaker: The minority of your Committee on Tax and Tax Laws, to whom was referred House Bill No. 90, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

C. H. BYMERS

LEONAS MYERS

RALPH G. BEEDE

WILLIAMS of Richland

ARTHUR RYGG

GEO. SCHWARTZ

Rep. Shure moved the adoption of the report of the majority on House Bill No. 90.

Rep. Beede moved that the report of the minority be substituted for that of the majority, which motion prevailed and the report of the minority that House Bill No. 90 do pass was adopted.

Mr. Speaker: Your Committee on School and Public Lands, to whom was referred Senate Bill No. 51, have had the same under consideration and recommend that the same do pass.

REP. HENRY WILLIAMS of Stutsman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 54

House Memorial Resolution "J."

And find the same correctly enrolled.

ALVA WAMBHEIM, Chairman.

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

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

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

THIRTIETH DAY

Bismarck, February 5, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Opie S. Rindahl, Bismarck.

Roll Call disclosed all members present except Reps. Hofstrand, Johnson of Richland and McInnes.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twenty-ninth Day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

The following communications were received favoring the passage of House Bill No. 79:

Board of County Commissioners of Morton County; LaMoure County Commissioners; Barnes County Board of County Commissioners; Eddy County Board of County Commissioners; Golden Valley Board of County Commissioners; Richland County Board of County Commissioners; Kidder County Board of County Commissioners; McLean County Board of County Commissioners.

Which the Speaker referred to the Comm. on State Affairs.

Two communications were received opposing the passage of Senate Bill No. 64 providing for the sale of beer on Sunday, one from The North Dakota Conference of the Methodist Church at Cando, N. D., and another signed by forty-nine residents of Zahl, N. D.

Which the Speaker referred to the Comm. on Temperance.

A resolution was received from Richland County opposing any change in the law regarding the size of trucks, weights to be carried, etc.

Which the Speaker referred to the Comm. on Highways and Bridges.

A letter was received from the North Dakota Dairy Products Association requesting the Legislature to appropriate \$2,000 for the North Dakota Agricultural College Dairy Dept. in addition to the regular North Dakota Agricultural College appropriation, to be used for purchasing part of the necessary equipment to perform the functions of the Dept.

And the Speaker referred the same to the Comm. on Appropriations.

A resolution was received from the Parent Teachers Association of Gackle, N. D., requesting that the Legislature pass laws that will compel all real estate to bear its just

share of the expense of maintaining the public schools and other activities of the subdivisions of the State.

Which the Speaker referred to the Comm. on Tax and Tax Laws.

A communication was received from the members of Loyalty Townsend Club No. 7 of Fargo commending the Legislature for memorializing the Congress to enact the Townsend Recovery Plan Bill.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, February 5, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Sections 5 and 11 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at a Special Election Held September 22, 1933 and as Amended and Re-enacted by Chapter 97 of the Session Laws for the Year 1935, Relating to the Manufacture, Sale, and Distribution of Beer.

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

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

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 5, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D". A Concurrent Resolution in Regard to University and School Land Oil Leases and If Production of Oil Is Realized.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for 1933 and Amending and Re-enacting Section 1004 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 69. A Bill for an Act to Amend Sections 1, 3 and 4 of Chapter 207 Session Laws of 1935, Relating to Refunding Special Improvement Warrants and Declaring an Emergency.

Senate Bill No. 50. A Bill for an Act Assessing and Levying from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and

Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

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

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 5, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

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

C. R. VERRY, Chief Clerk.

FIRST READING OF HOUSE BILLS

The Committee on State Affairs introduced:

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building, to Prescribe Rules and Regulations for the Operation and Maintenance of the Same, and Making an Appropriation Therefor.

Was read the first time and referred to the Comm. on State Affairs.

The Committee on Military Affairs introduced:

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.

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

The Committee on Military Affairs introduced:

House Bill No. 144. A Bill for an Act Enabling Cities, Villages, Townships, Counties, or School Districts, to Acquire Property for Recreational Purposes, to Expend Funds for Recreational Purposes and to Establish and Maintain Recreational Programs; and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Crockett, Swanson, Nelson of Ramsey, Bymer introduced:

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 40 of Chapter 148 of the Session Laws of 1931 as Amended by Section 2 of Chapter 144, Laws of 1935 Relating to Game Reserves and Refuges.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Kee, Olson of Barnes, Bymers, Johnson of Cass, and Crockett introduced:

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Warehouse and Grain Grading.

SECOND READING OF HOUSE BILLS

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Bergesen	Haugland	Rieker
Bingenheimer	Heckman	Rohde
Ejella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh

Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker

Absent and not voting:

Benno	McInnes	Severson
Hofstrand		

So the bill passed and the title was agreed to.

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Procuring Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment 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, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker

Absent and not voting:

Brusseau	McInnes	Severson
Hofstrand		

So the bill passed and the title was agreed to.

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.
Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 107; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rieker
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Crockett	Lunde	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Mollet	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Myers	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker
Fraser	Nicholsen	

Those voting in the negative were:

Morrison

Absent and not voting:

Brusseau	McInnes	Severson
Hofstrand		

So the bill passed and the title was agreed to.

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North

Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rieker
Bingenheimer	Heckman	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Bubel	Kee	Semerad
Bymers	Kindem	Sharpe
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Levin	Starck
Crockett	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Westby
Erickson, Williams	Myers	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Moe Shure

Absent and not voting:

Brusseau	McInnes	Welder
Hofstrand	Severson	

So the bill passed and the title was agreed to.

House Bill No. 129. A Bill for an Act to Repeal Chapter 119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hogboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker

Absent and not voting:

Brusseau	McInnes	Severson
Hofstrand		

So the bill passed and the title was agreed to.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom

Anderson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rieker
Bingenheimer	Heckman	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Bruseau	Kee	Semerad
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Sneaker
Absent and not voting:		
Arneson	McInnes	Severson
Hofstrand		

So the bill passed and the title was agreed to.

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing 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, 109; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes

Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Zeede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Moe	Tuff
Devlin	Mollet	Twichell
Dittmer	Morland	Wambheim
Drovdal	Morrison	Welder
Erickson, Divide	Myers	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker
Fraser		

Absent and not voting:

Hofstrand McInnes Severson

So the bill passed and the title was agreed to.

Rep. Morland moved that the vote by which House Bill No. 120 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF SENATE BILLS

The Chief Clerk read Senate Concurrent Resolution "D".

Senate Concurrent Resolution "D". A Concurrent Resolution in Regard to University and School Land Oil Leases and If Production of Oil Is Realized.

Rep. Myers moved the adoption of Senate Concurrent Resolution "D", which motion prevailed and the Resolution was declared adopted.

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

Was read the first time and referred to the Comm. on Ways and Means.

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Sections 5 and 11 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at a

Special Election Held September 22, 1933 and as Amended and Re-enacted by Chapter 97 of the Session Laws for the Year 1935, Relating to the Manufacture, Sale, and Distribution of Beer.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 50. A Bill for an Act Assessing and Levying from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 69. A Bill for an Act to Amend Sections 1, 3 and 4 of Chapter 207 Session Laws of 1935, Relating to Refunding Special Improvement Warrants and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for 1933 and Amending and Re-enacting Section 1004 of the Compiled Laws of North Dakota for 1913.

Was read the first time and referred to the Comm. on Elections and Election Privileges.

The House reverted to the Eighth Order of Business.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof, on Hunting Licenses.

House Memorial Resolution "J".

And the Speaker signed the same in the presence of the House.

Rep. Stormon asked that the Comm. on Judiciary be granted an extension of time for consideration of House Bill No. 76, which requested was granted.

Rep. Bolmeier moved that the House do now recess until 1:15 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

THIRTIETH DAY AFTER RECESS AND
THIRTY-FIRST DAY

Bismarck, February 6, 1941.

The House re-assembled at 1:15 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Delayed Bills to whom was referred:

House Bill No. 147.
House Bill No. 148.
House Bill No. 149.
House Bill No. 150.
House Bill No. 151.

Have had the same under consideration and recommend that the same be introduced.

REP. K. L. BOULDEN, Chairman.

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

Mr. Speaker: Your Committee on Livestock to whom was referred Senate Bill No. 59, have had the same under consideration and recommend that the same be amended as follows:

Sec. 2, line 63, change figures "\$1500.00" to "\$3000.00".

Sec. 2, line 81, change figures "\$1500.00" to "\$3000.00".

And when so amended recommend the same do pass.

REP. NELSON OF CASS, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 70, have had the same under consideration and recommend that the same do pass.

REP. L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 78, have had the same under consideration and recommend that the same do pass.

REP. L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 48, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

FIRST READING OF HOUSE BILLS

The Committee on Appropriations introduced:

House Bill No. 147. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

The Committee on Appropriations introduced:

House Bill No. 148. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

The Committee on Appropriations introduced:

House Bill No. 149. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

The Committee on Appropriations introduced:

House Bill No. 150. A Bill for an Act Making a Deficiency Appropriation for Assistance to the Needy Aged for the Balance of the Biennial Period Ending June 30, 1941, and Declaring an Emergency.

The Committee on Appropriations introduced:

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for in Chapter 209, Session Laws of 1939, and Acts Amendatory Thereto.

Were read the first time and referred to the Comm. on Appropriations.

The Committee on Tax and Tax Laws introduced:

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts

of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation Act.

Was read the first time and referred to the Comm. on Insurance.

The House reverted to the Seventh Order of Business. The Chief Clerk read House Concurrent Resolution "K" as follows:

Representatives Twichell, Beede, Crockett and Fitch introduced:

HOUSE CONCURRENT RESOLUTION "K"

PETITIONING THE CONGRESS OF THE UNITED STATES TO AMEND THE AGRICULTURAL ADJUSTMENT ACT.

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

WHEREAS, Conditions and circumstances beyond control of the people and government of the State of North Dakota have caused wholesale forfeiture of agricultural lands to the State of North Dakota, its agencies and political subdivisions; and,

WHEREAS, The lands forfeited to various governmental agencies contain approximately 6,087,632 acres or sixteen per centum of the total area of agricultural and grazing lands within the State of North Dakota; and,

WHEREAS, such situation has caused a maladjustment of the finances, not only of the State but all the political subdivisions of the State; and,

WHEREAS, With the inception of the Agricultural Adjustment Act, the State of North Dakota through its agencies and at considerable expense, has placed all such lands possible under the Agricultural Adjustment Act and other agencies, in an effort to assist the Federal Government in solving this problem and,

WHEREAS, In return for such expenditures, the State of North Dakota received in soil conservation payments the following amounts:

1936.....	\$ 90,181.35	1939....	(Soil)....	\$10,000.00
1937.....	82,883.58	....	(Parity)....	51,411.41
1938.....	130,891.25	1940....	(Soil)....	None
			(Parity)....	29,481.23; and,

WHEREAS, The Agricultural Adjustment Act provides that beginning with the calendar year of 1939 no total payment for any year, to any person, shall exceed \$10,000.00, which limitation, under definitions formulated by the Department of Agriculture has been interpreted to apply to a sovereign State, a political subdivision of a State, or any agency thereof; and,

WHEREAS, Said definition of the term "person" seems unjustified by the language used in said Act, and contrary

to the usual and accepted meaning of said term when used in Legislative enactments; and,

WHEREAS, All soil conservation payments received by the State are used to lessen the tax burden and assist in defraying the cost of administrating these farms until such time that they can again be placed on the tax roll; and,

WHEREAS, the cost of placing this volume of land under compliance exceeds said \$10,000.00 limitation, thus making it impossible for the State to continue such compliance without a loss to said State; and,

WHEREAS, Substantially all of said lands have been and are being farmed in accordance with fair and customary rental standards by bona fide farmers and their families actually residing on the tracts farmed;

1 NOW, THEREFORE, BE IT RESOLVED, By the House
 1a of
 2 Representatives of the State of North Dakota, the Senate
 3 concurring:
 4 That the Congress of the United States is hereby
 5 petitioned to amend the Agricultural Adjustment Act
 5a so that
 6 payments may be made to the States of the Union, their
 7 agencies and subdivisions for compliance with said Act
 7a with-
 8 out regard to such \$10,000.00 limitation.
 9 That House Resolution No. 3800 of the 76th Congress,
 10 passed by the House of Representatives April 17, 1939 and
 11 subsequently passed by the Senate, with amendments, and
 12 referred to conference committee, is endorsed and
 12a approved
 13 in principle as an appropriate amendment to said Act.
 14 Copies of this amendment shall be sent to all mem-
 14a bers of
 15 the Congressional Delegation of the State of North
 15a Dakota,
 16 and to the presiding officers of the Senate of the United
 17 State and the House of Representatives.

Rep. Myers moved the adoption of House Concurrent Resolution "K", which motion prevailed and the Resolution was declared adopted.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 69, have had the same under consideration and recommend that the same do pass.

REP. L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 79, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 114, have had the same under

consideration and recommend that the same be amended as follows:

In line 10 after the word "the" strike out the words "second day of June" and insert in lieu thereof the words "15th day of March".

In line 11 after the word "the" strike out the words "second day of December" and insert in lieu thereof the words "10th day of August".

In line 27 after the word "shall" insert a comma and the following words: "be of at least ten days and shall,".

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 98, have had the same under consideration and recommend that the same be amended as follows:

In lines 1, 2 and 3 of the title of the Bill after the word "Cigarettes" in line 1 strike out the words "Cigarette Papers, and wrappers, Papers used for the making of Cigarettes,".

SECTION 1. In line 7 after the word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,". In lines 8 and 9 after the word "cigarettes," in line 8 strike out the words "cigarette papers, wrappers, tubes,". In lines 10 and 11 after the word "cigarettes," in line 10 strike out the words "cigarette papers, wrappers, tubes,". In line 16 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,". In line 23 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,".

SECTION 2. In line 3 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,". In line 12 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,". In lines 28 and 29 after the word "cigarettes," in line 28 strike out the words "cigarette papers, wrappers, tubes,".

SECTION 4. In line 11 after the hyphenated word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,". In line 18 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,".

SECTION 5. In lines 2 and 3 after the word "cigarettes," in line 2 strike out the words "cigarette papers, wrappers, tubes,". In line 7 after the word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,". In line 13 after the word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,".

SECTION 6. In line 4 after the word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,". Strike out all of lines 12 to 21 inclusive. In line 23 at the beginning of the line strike out the word "three" and insert in lieu thereof the word "two". In line 24 after the word "add", strike out the word "three" and insert in lieu thereof the word "two". In lines 32 and 33 after the word "snuff" in line 32 strike out the words "and each package, book, or set of papers or tubes". In lines 38 and 39 after the word

"cigarettes", in line 38 strike out the comma and words "or book or set of papers, or of tubes".

In lines 45 and 46 after the word "cigarettes", in line 45 strike out the words "and each such package, books or set of papers, or of tubes,". In lines 52 and 53 after the word "cigarettes", in line 52 strike out the words "package, book, or set of cigarette papers, or of tubes,". In lines 63, 64 and 65 after the word "cigarettes", in line 63 strike out the words "cigarette papers or wrappers and papers made or prepared for the purpose of making cigarettes,".

SECTION 7. In line 11 after the word "cigarettes", strike out the words "cigarette papers,". In line 15 after the word "cigarettes", strike out the word "cigarette papers,". In line 18 after the word "the", strike out the word "distributor" and insert in lieu thereof the word "purchaser".

In line 19 after the word "cigarettes", strike out the words "cigarette papers".

SECTION 8. In line 2 after the word "cigarettes", strike out the words "cigarette papers,". In line 4 after the word "cigarettes", strike out the words "cigarette papers,". In line 16 after the word "cigarettes", strike out the words "cigarette papers,". In line 24 after the word "cigarettes", strike out the words "cigarette papers, tubes,". At the beginning of line 29 strike out the words "cigarette papers, tubes,". At the beginning of line 39 strike out the words "cigarette papers, tubes,". In lines 42 and 43 after the word "cigarettes", in line 42 strike out the words "cigarette papers, tubes,". In line 51 after the word "cigarettes", insert the word "or" also in the same line after the word "snuff" strike out the comma and words "or cigarette papers, wrappers, or tubes". In lines 55 and 56 after the word "cigarettes", in line 55 strike out the words "cigarette papers, wrappers,".

SECTION 10. In lines 4 and 5 after the word "cigarettes", in line 4 strike out the words "cigarette papers, wrappers, tubes,". At the beginning of line 11 strike out the words "cigarette papers, tubes,". In line 13 after the word "cigarette", strike out the words "cigarette papers, tubes,". At the beginning of line 19 strike out the words "cigarette papers, tubes,".

SECTION 11. In line 6 after the word "cigarettes", strike out the words "cigarette papers, tubes,".

SECTION 12. In line 5 after the word "cigarettes", strike out the words "cigarette papers, tubes,". In line 10 after the word "cigarettes", strike out the words "cigarette papers, tubes,". In lines 11 and 12 after the word "cigarettes", in line 11 strike out the words "cigarette papers, tubes,". In line 15 after the word "cigarettes", strike out the words "cigarette papers, tubes,". In line 19 after the word "cigarettes", strike out the words "cigarette papers, tubes,".

SECTION 13. At the beginning of line 7 strike out the words "cigarette papers, wrappers, tubes,". At the beginning of line 10 strike out the words "cigarette papers, tubes,". In lines 11 and 12 after the word "cigarettes", in line 11 strike out the words "cigarette papers, wrappers, tubes,".

SECTION 14. In line 2 after the hyphenated word "cigarettes", strike out the words "cigarette papers, tubes,".

SECTION 12. In line 1 after the word "no" strike out the word "dealer" and insert in lieu thereof the word "person".
And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Rep. Morland announced that a group of students from the Dickinson State Teachers College were present in the Chamber and moved that they be granted the courtesy of the floor and that two members be appointed to escort them to the rostrum, which motion prevailed and the Speaker appointed Reps. Morland and Culver to escort the group to the rostrum.

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

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

THIRTY-FIRST DAY

Bismarck, February 6, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Opie S. Rindahl, Bismarck.

Roll Call disclosed all members present except Rep. Hofstrand.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirtieth Day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

REP. LUNDE moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Resolutions were received from the following favoring the passage of House Bill No. 79:

Board of County Commissioners of Cass County, Ward County, Wells County, Nelson County, Towner County, Foster County, Emmons County, Logan County, Grant County and Adams County.

Which the Speaker referred to the Comm. on State Affairs.

A resolution was received from the Board of County Commissioners of Mountrail County opposing any change in the present trucking law.

Which the Speaker referred to the Comm. on Highways and Bridges.

STANDING COMMITTEE REPORTS

Mr. Speaker: A Majority of your Committee on Elections and Election Privileges, to whom was referred House Bill

No. 60, have had the same under consideration and recommend that the same be indefinitely postponed.

(Signed)

SAUMUR
 NYSTROM
 HOGOBOOM
 McINNES
 NELSON of Morton
 SAGEHORN
 NICHOLSON
 NELSON of Sargent
 ARNDT
 GEO. H. SAUMUR, Chairman.

Rep. Nelson of Morton moved that the report be adopted.

Mr. Speaker: A Minority of your Committee on Elections and Election Privileges, to whom was referred House Bill No. 60, have had the same under consideration and recommend that the same do pass.

(Signed)

JUHOLA
 NELSON of Ramsey
 LILLEHAUGEN
 McINTEE

Rep. Juhola moved a substitute motion that the report of the minority on House Bill No. 60 be substituted for the report of the majority.

Roll call was demanded and granted on the motion of Rep. Juhola.

ROLL CALL

The question being on the motion of Rep. Juhola that the report of the minority that House Bill No. 60 do pass be substituted for the report of the majority, the roll was called and there were ayes, 51; nays, 59; absent and not voting, 2.

Those voting in the affirmative were:

Allen	Glas	Ohnstad
Anderson	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Bingenheimer	Haugen	Rieker
Braun, McLean	Heckman	Rohde
Braun, Stark	Jennings	Rygg
Brusseau	Juhola	Schmidt
Bubel	Larson	Schwartz
Crockett	Levin	Semerad
Culver	Lillehaugen	Singleton
Dalzell	McIntee	Starck
Devlin	McIntyre	Tuff
Drovdal	Mollet	Welder
Erickson, Williams	Morrison	Williams, Richland
Falconer	Myers	Wolf, McIntosh
Fraser	Nelson, Ramsey	Wolf, Morton

Those voting in the negative were:

Aker	Fuglestad	Nystrom
Arneson	Gainor	Olson, Barnes
Arndt	Haugland	Peterson, Ransom
Austad	Hogoboom	Sagehorn
Benno	Holm	Sandness

Bergesen	Ireland	Saumur
Bjella	Johnson, Cass	Sellens
Black	Johnson, Richland	Severson
Blair	Kee	Sharpe
Bolmeier	Kindem	Shure
Boulden	Langley	Smart
Bymers	Lunde	Stormon
Carlson	McInnes	Swanson
Coghlan	Moe	Trydahl
Collette	Morland	Twichell
Dittmer	Nelson, Cass	Wambheim
Erickson, Divide	Nelson, Morton	Westby
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Mr. Speaker
Fleck	Nicholsen	

Absent and not voting:

Gackle Hofstrand

So the motion was declared lost.

Rep. Bergesen moved that the vote by which the motion of Rep. Juhola was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Moe: I have a creeping feeling that this is all politics. Therefore, I vote "no".

The question being on the motion of Rep. Nelson of Morton that the report of the majority that House Bill No. 60 be indefinitely postponed be adopted, the motion prevailed.

Rep. Fitch moved that the vote by which House Bill No. 60 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: A Majority of your Committee on Elections and Election Privileges to whom was referred House Bill No. 59, have had the same under consideration and recommend that the same be indefinitely postponed.

Signed:

NYSTROM
HOGOBOOM
McINNIS
ARNDT
NELSON OF MORTON
SAGEHORN
NICHOLSEN
NELSON OF SARGENT
SAUMUR
ARNDT

REP. SAUMUR, Chairman.

Rep. Nystrom moved that the report be adopted.

Mr. Speaker: A Minority of your Committee on Elections and Election Privileges to whom was referred House Bill No. 59, have had the same under consideration and recommend that the same do pass.

REP. JUHOLA
NELSON OF RAMSEY
LILLEHAUGEN
McINTEE

Rep. Juhola moved a substitute motion that the report of

the minority on House Bill No. 59 be substituted for the report of the majority, which motion was lost.

The question being on the motion of Rep. Nystrom for the adoption of the report of the majority that House Bill No. 59 be indefinitely postponed, the motion prevailed.

Rep. Fitch moved that the vote by which House Bill No. 59 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Elections and Election Privileges to whom was referred House Bill No. 83, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 20, strike out the words "in which" and insert in lieu thereof the word "with".

And when so amended recommend the same do pass.

REP. SAUMUR, Chairman.

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

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 6, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Procuring Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment Thereof.

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

House Bill No. 129. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Guinness Patent Butter and to Patent Butter and Cheese.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Co-

operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 6, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof, on Hunting Licenses.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 6, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution "D". A Concurrent Resolution in Regard to University and School Land Oil Leases and If Production of Oil Is Realized.

Which the House has adopted.

C. R. VERRY, Chief Clerk.

Rep. Bolmeier asked that the Comm. on Insurance be granted an extension of time for the consideration of House Bill No. 35, which request was granted.

FIRST READING OF HOUSE BILLS

Representatives Boulden, Benno, Fitch and Fleck introduced:

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937 as Amended by Chapter 177 of the Session Laws of North Dakota for the Year 1939, Relating to Pensions for Policemen and Dependents in Cities Now, or Hereafter, Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Fitch, Haugland and Bergesen introduced:

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for and Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Public Welfare.

SECOND READING OF HOUSE BILLS

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County When Deemed to Be for the Best Interests of the 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, 80; nays, 29; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Gainor	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Austad	Haugen	Panko
Beede	Haugland	Rieker
Belzer	Heckman	Rohde
Benno	Hogoboom	Rygg
Bergesen	Holm	Sagehorn
Bingenheimer	Ireland	Sandness
Bjella	Jennings	Schmidt
Black	Kee	Schwartz
Bolmeier	Kindem	Sellens
Braun, McLean	Larson	Semerad
Braun, Stark	Lillehaugen	Severson
Bubel	McInnes	Sharpe
Bymers	McIntee	Shure
Carlson	McIntyre	Singleton
Coghlan	Mollet	Smart
Collette	Morland	Swanson
Crockett	Morrison	Tuff
Culver	Myers	Wambheim
Dalzell	Nelson, Cass	Westby
Drovdal	Nelson, Morton	Williams, Richland
Erickson, Williams	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Wolf, Morton
Fleck	Nicholsen	Mr. Speaker
Fuglestad	Nystrom	

Those voting in the negative were:

Aker	Glas	Peterson, Bottineau
Allen	Haag	Peterson, Ransom
Blair	Johnson, Cass	Saumur
Boulden	Johnson, Richland	Starck
Devlin	Juhola	Stormon
Dittmer	Levin	Trydahl
Erickson, Divide	Lunde	Twichell
Falconer	Moe	Welder
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fraser	Langley	

Absent and not voting:

Brusseau	Gackle	Hofstrand
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Mollet moved that the vote by which House Bill No.

89 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 109; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rieker
Benno	Hogoboom	Rohde
Bergesen	Holm	Rygg
Bingenheimer	Ireland	Sagehorn
Bjella	Jennings	Sandness
Black	Johnson, Cass	Saumur
Blair	Johnson, Richland	Schmidt
Bolmeier	Juhola	Schwartz
Boulden	Kee	Sellens
Braun, McLean	Kindem	Semerad
Braun, Stark	Langley	Severson
Bubel	Larson	Sharpe
Bymers	Levin	Shure
Carlson	Lillehaugen	Singleton
Coghlan	Lunde	Smart
Collette	McInnes	Starck
Crockett	McIntee	Stormon
Culver	McIntyre	Swanson
Dalzell	Moe	Trydahl
Devlin	Mollet	Tuff
Dittmer	Morland	Twichell
Drovdal	Morrison	Wambheim
Erickson, Divide	Myers	Welder
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad		

Absent and not voting:

Brusseau	Gackle	Hofstrand
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So the bill passed and the title was agreed to.

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 106; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Allen	Gainor	Nicholsen
Anderson	Glas	Nystrom
Arneson	Gress	Ohnstad
Arndt	Haag	Olson, Barnes
Austad	Haugland	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Heckman	Peterson, Ransom
Bergesen	Hogoboom	Rieker
Bingenheimer	Holm	Rohde
Bjella	Ireland	Rygg
Black	Jennings	Sagehorn
Blair	Johnson, Cass	Sandness
Bolmeier	Johnson, Richland	Saumur
Braun, McLean	Juhola	Schmidt
Braun, Stark	Kee	Schwartz
Brusseau	Kindem	Sellens
Bubel	Langley	Semerad
Bymers	Larson	Severson
Carlson	Levin	Sharpe
Coghlan	Lillehaugen	Shure
Collette	Lunde	Singleton
Crockett	McInnes	Smart
Culver	McIntee	Starck
Dalzell	McIntyre	Stormon
Devlin	Moe	Swanson
Dittmer	Mollet	Trydahl
Drovdal	Morland	Tuff
Erickson, Divide	Morrison	Twichell
Erickson, Williams	Myers	Wambheim
Falconer	Nelson, Cass	Westby
Fitch	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Aker	Welder	Wolf, McIntosh
Boulden		

Absent and not voting:

Gackle	Hofstrand
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So the bill passed and the title was agreed to.

Rep. Semerad moved that the vote by which House Bill No. 91 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 70 was read the second time.

Rep. Ohnstad moved that House Bill No. 70 be re-referred to the Comm. on Cities and Municipal Corporations, which motion prevailed.

House Bill No. 90. A Bill for an Act Providing for the Consideration by the State Board of Equalization of Certain

Property Valuation in Determining the Value of Public Utilities for Taxing 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, 53; nays, 56; absent and not voting, 3.

Those voting in the affirmative were:

Anderson	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Bingenheimer	Haugland	Rieker
Bjella	Heckman	Rohde
Braun, McLean	Ireland	Rygg
Braun, Stark	Jennings	Sandness
Brusseau	Juhola	Schmidt
Bubel	Larson	Schwartz
Bymers	Levin	Semerad
Culver	Lillehaugen	Smart
Devlin	McIntee	Starck
Drovdal	McIntyre	Tuff
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morrison	Williams, Richland
Falconer	Myers	Wolf, McIntosh
Fraser	Nelson, Ramsey	Wolf, Morton
Glas	Ohnstad	

Those voting in the negative were:

Aker	Fuglestad	Nystrom
Allen	Gainor	Olson, Barnes
Arneson	Gress	Peterson, Ransom
Arndt	Hogoboom	Sagehorn
Austad	Holm	Saumur
Benno	Johnson, Cass	Sellens
Bergesen	Johnson, Richland	Severson
Black	Kee	Sharpe
Blair	Kindem	Shure
Bolmeier	Langley	Singleton
Boulden	Lunde	Stormon
Carlson	McInnes	Swanson
Coghlan	Moe	Trydahl
Collette	Morland	Twichell
Crockett	Nelson, Cass	Wambheim
Dalzell	Nelson, Morton	Westby
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Mr. Speaker
Fleck	Nicholsen	

Absent and not voting:

Dittmer	Gackle	Hofstrand
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So the bill was declared lost.

Rep. Crockett voted "no" for the purpose of reconsideration.

Explanation of vote:

Rep. Morland: I vote "no" because I think Chapter 206 of the 1937 Session Laws and other laws cover the whole

subject and this bill is just a duplication of the laws we already have on the statute books.

House Concurrent Resolution No. 63. Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments Thereto, Relating to Future Amendments.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 63; nays, 46; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen	Haugland	Olson, Barnes
Arneson	Hogoboom	Peterson, Ransom
Arndt	Holm	Sagehorn
Austad	Ireland	Sandness
Benno	Johnson, Cass	Saumur
Bjella	Johnson, Richland	Sellers
Black	Kee	Severson
Blair	Kindem	Sharpe
Bolmeier	Langley	Shure
Boulden	Levin	Singleton
Brusseau	Lunde	Smart
Bymers	McInnes	Stormon
Carlson	Moe	Swanson
Coghlan	Morland	Trydahl
Collette	Nelson, Cass	Tuff
Dalzell	Nelson, Morton	Twicheil
Erickson, Williams	Nelson, Sargent	Wambheim
Fitch	Nelson, Steele	Westby
Fitzharris	Nicholsen	Williams, Stutsman
Fleck	Nystrom	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Anderson	Glas	Nelson, Ramsey
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Bergesen	Halvorson	Peterson, Bottineau
Bingenheimer	Haugen	Rieker
Braun, McLean	Heckman	Rohde
Braun, Stark	Jennings	Rygg
Bubel	Juhola	Schmidt
Crockett	Larson	Schwartz
Culver	Lillehaugen	Semerad
Devlin	McIntee	Starck
Drovdal	McIntyre	Welder
Erickson, Divide	Mollet	Williams, Richland
Falconer	Morrison	Wolf, McIntosh
Fraser	Myers	Wolf, Morton

Absent and not voting:

Dittmer	Gackle	Hofstrand
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So the bill passed and the title was agreed to.

Rep. Twicheil moved that the vote by which House Concurrent Resolution No. 63 was passed be reconsidered and

the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen voted "no" for the purpose of reconsideration.

Explanations of vote:

Rep. Crockett: I vote "no" on House Concurrent Resolution No. 63 for the reason that it takes away the rights and powers of the farmers and poor people for the reason that it entails a big expense to secure the necessary 20,000 signatures.

Rep. Lillehaugen: In order to secure the passage of House Bills Nos. 59 and 60 we have to refer them to the people. Therefore, I vote "no" on making it "more difficult to have a voice".

Rep. Williams of Stutsman moved that action on Senate Bill No. 51 be delayed one legislative day, which motion prevailed.

GENERAL ORDERS

Rep. Bergesen moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Bergesen to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration House Bill No. 117 and recommend that the same be amended as follows:

In Section 1, line 11, following the word "officer" strike out the word "and" and insert in lieu thereof the word "or".

And recommend the adoption of the Standing Committee amendment.

And when so amended recommend that the same do pass.

House Bill No. 113:

In line 6 of Section 1, after the word "maintaining" insert the following: "of any highways in said county."

And recommend the adoption of the Standing Committee amendment.

And when so amended recommend that the same do pass.

House Bill No. 72:

In line 7 strike out the word "three", and insert in lieu thereof, the word "fifteen".

In line 8, strike out the word "months" and insert, "years", strike out the words "seventy years" and insert "sixty-five years"; leave out the period and put in a semi-colon, and add the following: "Provided, however, that such corporation, association or society may issue a certificate of membership or policy of insurance providing for hospital and surgical benefits only, to any person between the ages of three months and seventy years."

And recommend the adoption of the Standing Committee amendments.

And recommend the following amendment to the Standing Committee amendments:

In the last line of the amendments strike out the word "seventy" and insert in lieu thereof the words "sixty-five".

And when so amended recommend that the same do pass.

House Concurrent Resolution No. 64:

In line 46 of the original bill after the word "election", strike out the word "if" and in the same line after the word "Governor", strike out the word "of" and insert in lieu thereof the word "or".

In line 49 at the beginning of the line, strike out the word "may" and insert in lieu thereof the word "shall".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend that the same do pass.

A. R. BERGESEN, Chm., Comm. of the Whole.

Rep. Fitch moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was adopted.

Rep. Welder moved that the House do now recess until 1:15 P. M., tomorrow, which motion prevailed.

C. R. VERRY, Chief Clerk.

THIRTY-FIRST DAY AFTER RECESS AND
THIRTY-SECOND DAY

Bismarck, February 7, 1941.

The House re-assembled at 1:15 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 117.

House Bill No. 113.

House Bill No. 72.

House Concurrent Resolution No. 64.

And find the same correctly Engrossed.

ALVA WAMBHEIM, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 69, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 93, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 101, have had the same under consideration and recommend that the same be indefinitely postponed.

BOLMEIER, Chairman.

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

Rep. Boulden moved that the vote by which House Bill No. 101 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 66, have had the same under consideration and recommend that the same be indefinitely postponed.

SHURE, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 143, have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman.

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

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 134, have had the same under consideration and recommend that the same do pass.

REP. JOHNSON OF CASS, Chairman.

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

Mr. Speaker: Your Committee on Public Safety, to whom was referred House Bill No. 141, have had the same under consideration and recommend that the same do pass.

REP. SHARPE, Chairman.

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

FIRST READING OF HOUSE BILLS

Representatives Falconer and Glas introduced:

House Bill No. 158. A Bill for an Act to Provide for the Destroying of Weeds Along County Highways; Placing the Duty Upon the County Commissioners to Have Such Weeds Removed, and Providing for the Repeal of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Counties.

Representatives Westby and Glas introduced:

House Bill No. 159. A Bill for an Act to Amend and Re-enact Section 2 (f) of Chapter 232 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 215 of the Session Laws of the State of North Dakota for the Year 1939, Relating to a Change in the Definition "Employer" in That the Basic Requirement Shall be One Individual in Employment, Rather than Eight. Repeal. Emergency.

Representatives Westby and Glas introduced:

House Bill No. 160. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 232, Laws of 1937, as Amended by Chapter 215, Laws of 1939, by Altering the Waiting

Period Requirement from Two Weeks to One Week. Repeal and Declaring an Emergency.

Were read the first time and referred to the Comm. on Ways and Means.

The Committee on Public Welfare introduced:

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to Appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

The Committee on Public Welfare introduced:

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 211 of the Session Laws for 1937, as Amended by Chapter 257, of the Session Laws for 1939 and to Amend and Re-enact Section 13, of Chapter 211 of the Session Laws for 1937, Pertaining to the Amount of Assistance to Be Paid Aged Persons in Need and the Amount to Be Contributed by the County in Excess of the Amount Provided by the Federal Government.

The Committee on Public Welfare introduced:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Sections 4, 18, and 21 of Chapter 211 of the Session Laws for 1937, Pertaining to the Duties of the State Agency, the Confidential Character of Old Age Assistance Records, and the Distribution of Amounts Recovered from the Estates of Recipients of Old Age Assistance.

The Committee on Public Welfare introduced:

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, and to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

Were read the first time and referred to the Comm. on Public Welfare.

The House reverted to the Seventh Order of Business.

Rep. Twichell moved that House Rule No. 25 be amended so that the figures "25th" therein read "35th" and that the figures "35th" be amended to read "40th".

Roll Call was demanded and granted on the motion of Rep. Twichell.

ROLL CALL

The question being on the motion of Rep. Twichell to

amend House Rule No. 25, the roll was called and there were ayes, 85; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Arneson	Glas	Ohnstad
Austad	Halvorson	Olson, Barnes
Beede	Haugland	Olson, Bowman
Belzer	Heckman	Panko
Benno	Hofstrand	Peterson, Bottineau
Bergesen	Hogoboom	Peterson, Ransom
Bingenheimer	Ireland	Rieker
Bjella	Jennings	Rygg
Black	Johnson, Cass	Sagehorn
Blair	Johnson, Richland	Sandness
Bolmeier	Juhola	Saumur
Boulden	Kindem	Schwartz
Bubel	Langley	Sellens
Bymers	Larson	Severson
Coghlan	Levin	Sharpe
Collette	Lillehaugen	Shure
Crockett	Lunde	Singleton
Dalzell	McInnes	Smart
Devlin	McIntee	Starck
Erickson, Divide	Moe	Stormon
Erickson, Williams	Morrison	Swanson
Falconer	Myers	Trydahl
Fitch	Nelson, Cass	Twichell
Fitzharris	Nelson, Morton	Wambheim
Fleck	Nelson, Sargent	Williams, Stutsman
Fraser	Nelson, Steele	Wolf, Morton
Fuglestad		

Those voting in the negative were:

Anderson	Haugen	Schmidt
Arndt	Holm	Semerad
Braun, McLean	Kee	Tuff
Braun, Stark	McIntyre	Welder
Brusseau	Mollet	Westby
Culver	Morland	Williams, Richland
Drovdal	Nelson, Ramsey	Wolf, McIntosh
Gress	Rohde	Mr. Speaker
Haag		

Absent and not voting:

Carlson	Dittmer
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So the motion was declared carried.

Rep. Belzer voted "aye" for the purpose of reconsideration.

Rep. Bolmeier moved that House Bill No. 116 be re-referred from the Comm. on Insurance to the Comm. on Judiciary, which motion prevailed.

Rep. Bergesen moved that the Speaker appoint a committee of three to act with a like committee from the Senate on the arrangement of a joint memorial program in honor of deceased members of the Legislature, which motion prevailed and the Speaker appointed on that committee Reps. Bergesen, Myers and Sellens.

FIRST READING OF HOUSE BILLS

The Committee on Livestock introduced:

House Bill No. 154. A Bill for an Act Making an Emergency Appropriation to the Livestock Sanitary Board to Pay Claims on Account of Bovine Tuberculosis up to July 1, 1941; and Declaring an Emergency.

The Committee on Livestock introduced:

House Bill No. 155. A Bill for an Act Making an Emergency Appropriation to the Livestock Sanitary Board to Pay Claims on Cattle Destroyed on Account of Bang's Disease up to July 1, 1941; and Declaring an Emergency.

Were read the first time and referred to the Comm. on Appropriations.

Rep. Morland moved that the absent member be excused, which motion prevailed.

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

THIRTY-SECOND DAY

Bismarck, February 7, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Opie S. Rindah, Bismarck.

Roll Call disclosed all members present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-first Day and finds the same correct.

And recommends that the same be approved.

Rep. E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

Resolutions were received from the following supporting the passage of House Bill No. 79:

Board of County Commissioners of Bottineau County, Bowman County, Dunn County, McIntosh County, Stutsman County, Steele County and Mercer County.

Which the Speaker referred to the Comm. on State Affairs.

A resolution was received from the Mercer County Board of County Commissioners urging the passage of Senate Bill No. 95, providing for the increase of the present mill levy on real estate.

Which the Speaker referred to the Comm. on Tax and Tax Laws.

A resolution was received from the Board of County Commissioners of Mercer County opposing any change in the present trucking law.

Which the Speaker referred to the Comm. on Highways and Bridges.

A letter was received from Bradley C. Marks, President of the A.O.U.W. of North Dakota, urging the passage of House

Bill No. 80 amending the Corporation Farming Law so that land rented to tenants may be carried until the tenant may purchase the farm.

Which the Speaker referred to the Comm. on State Affairs.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, February 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof, on Hunting Licenses.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 7, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 144 Laws of North Dakota for 1929 Relating to Hotels, Restaurants, Lodging Houses and Boarding Houses to Provide for Application for License and Payment of License Fees.

Senate Bill No. 104. A Bill for an Act to Repeal Chapter 235 of the Session Laws for the Year 1917, Being Sections 5604a1 to 5604a82, Both Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Registration of Land and the Title Thereto in the State of North Dakota.

Senate Bill No. 107. A Bill for an Act to Provide a Method of Assigning Sheriff's Certificates, Mortgages, and Other Instruments and of Conveying Title to Lands Which Have Been Acquired by the State and Departments and Agencies Thereof.

Senate Bill No. 105. A Bill for an Act to Repeal Sections 6553 to 6619, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota, Relating to Marine Insurance.

Senate Bill No. 45. A Bill for an Act to Re-enact Chapter 110 of the Session Laws of North Dakota for the Year of 1935, Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Senate Concurrent Resolution No. "H". For the Appointment of an Interim Legislative Committee on Code Revision; Prescribing the Duties and Compensation of the Committee.

Senate Concurrent Resolution No. 5. A Concurrent Resolution Providing for the Amendment of the Constitution to Provide That the Governor or Legislative Assembly Shall Have Authority to Require Advisory Opinions From the Supreme Court.

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

W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 7, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County When Deemed to Be for the Best Interests of the County; and Declaring an Emergency.

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 7, 1941.

Mr. President: I have the honor to transmit:

House Concurrent Resolution No. 63. Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments Thereto, Relating to Future Amendments.

House Concurrent Resolution "K." Petitioning the Congress of the United States to Amend the Agricultural Adjustment Act.

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

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

Mr. Speaker: A Majority of your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 50, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Kindem moved that the report be adopted.

Mr. Speaker: A Minority of your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 50, have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the title, change the word "on" to the word "to", and strike out the semi-colon after the word "purposes" and insert a comma and add the words "and to the respective counties".

In line 9 of the title, strike out the words "division of proceeds between the State and Counties and other than".

In line 1 of Section 3 after the word "Sec. 3" strike out the word "The" and insert in lieu thereof the words and figures "Sixty-six and two-thirds per cent (66 2/3%) of the".

In line 9 of Section 3 after the last "and" insert the words

and figures "sixty-six and two thirds per cent (66 2/3%) "of".

After the period at the end of line 13 of Section 3 add the following: "Thirty-three and one-third per cent (33 1/3%) of the proceeds is hereby allocated to the various Counties of the State in the same proportion and ratio as the number of motor vehicles registered in each County shall bear to the total motor vehicles registered in all the Counties of the State during the entire preceding calendar year as shown by the certificate of the registrar of motor vehicles."

RALPH G. BEEDE
H. C. WILLIAMS OF
RICHLAND
GEO. SCHWARTZ
ED. RIEKER
LEONAS MYERS

And when so amended recommend the same do pass.

Rep. Beede moved that the report of the minority be substituted for the report of the majority, which motion was lost.

The question being on the motion of Rep. Kindem that Senate Bill No. 50 do pass, the motion prevailed.

MOTIONS AND RESOLUTIONS

The Chief Clerk read House Concurrent Resolution "L" as follows:

Representatives Haugland, Smart and Benno introduced: House Concurrent Resolution "L". A Concurrent Resolution Urging the Continuance of the Existing Embargo Applying to All Countries Where Foot-and-mouth Disease Exists.

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

1 WHEREAS, An outbreak of foot-and-mouth disease
1a would
2 not only seriously damage normal production of the
2a nation's
3 meat supply but would, by the restrictive measures which
4 must be taken to eradicate it, disrupt the normal flow of
5 commerce in the nation; and

6 WHEREAS, Experience with the disease in this country
7 shows that this disruption of commerce might easily
7a attain
8 proportions which would seriously impede our national
9 defense efforts;

10 NOW, THEREFORE, Be It Resolved, that we oppose
10a the
11 modification of the existing embargo applying to all
12 countries where foot-and-mouth disease exists; and

13 BE IT FURTHER RESOLVED, That the Chief Clerk
13a of the
14 House is directed to transmit copies of this resolution
15 to the President of the United States and to each of the
16 members of the Congress from the State of North Dakota.

Rep. Smart moved the adoption of House Concurrent Resolution "L".

Rep. Sellens moved an amendment to the motion of Rep

Smart that a copy of House Concurrent Resolution "L" be also forwarded to the Secretary of State, Washington, D. C., which motion prevailed.

The question being on the motion of Rep. Smart as amended by the motion of Rep. Sellens the motion prevailed and House Concurrent Resolution "L" was declared adopted.

Rep. Crockett moved that the House reconsider the action taken on House Bill No. 90.

Rep. Fitch moved that the motion of Rep. Crockett be laid on the table, which motion was lost.

The question being on the motion of Rep. Crockett that action taken on House Bill No. 90 be reconsidered, the motion prevailed.

Rep. Crockett moved that House Bill No. 90 be placed on the calendar.

Rep. Morland moved a substitute motion that House Bill No. 90 be re-referred to committee, which motion was lost.

The question being on the motion of Rep. Crockett that House Bill No. 90 be placed on the calendar, the motion prevailed.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof on Hunting Licenses.

Was delivered to the Governor for his approval at the hour of 4:00 o'clock P. M., Feb. 7, 1941.

REP. WAMBHEIM, Chairman.

FIRST READING OF HOUSE BILLS

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of the State of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws for the Year 1931, and as Amended by Chapter 163 of the Session Laws for the Year 1933, and as Amended by Chapter 185 of the Session Laws for the Year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles That May Be Driven or Moved Upon the Highways of the State of North Dakota; Providing Exemptions; Fixing Fees for the Registration and Licensing of Motor Vehicles Referred to; Prescribing Penalties for Violation; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Highways and Bridges.

The Committee on Drainage and Irrigation by request introduced:

House Bill No. 166. A Bill for an Act to Amend and Re-enact Sections 8247a1, 8247a2, 8247a3, 8247a4, 8247a5, 8247a10, 8247a16, 8247a17, 8247a47, 8247a57 and 8247a60 of the Supplement to the Compiled Laws of 1925 as Amended and Re-enacted by Sections 1, 2, 3, 5, 6, 11, 21, 22, 30, 35, and 37

of Chapter 253 of the Session Laws of North Dakota for 1939 Relating to Irrigation Districts, Their Functions, Powers and Duties.

The Committee on Drainage and Irrigation by request introduced:

House Bill No. 167. A Bill for an Act to Amend and Re-enact Sections 11, 21 and 22 of Chapter 256 of the Session Laws of North Dakota for the Year 1939 Relating to the Powers and Duties of the State Water Conservation Commission, Relating to State Water Conservation Commission Bonds and Declaring an Emergency.

Were read the first time and referred to the Comm. on Drainage and Irrigation.

The Committee on Drainage and Irrigation (By request) introduced:

House Bill No. 168. A Bill for an Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supplying and Delivering Water for Irrigation Purposes, or for Domestic Use, to Its Members or Stockholders, Providing That the Shares of Stock in Such Corporations May Be Appurtenant to Certain Lands, Prescribing the Rights and Powers of Such Corporations; Providing for the Transferability of Stock Therein and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Corporations Other Than Municipal.

Representative Morland (By request) introduced:

House Bill No. 169. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 114 of the Session Laws for 1935, Providing for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Was read the first time and referred to the Comm. on Counties.

Representative Starck introduced:

House Bill No. 170. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

Was read the first time and referred to the Comm. on Game and Fish.

Representatives Shure, Crockett, Stormon and Falconer introduced:

House Bill No. 171. A Bill for an Act to Provide for the Manner of Purchasing Material and Contracting Therefor by Cities of All Classes in This State; Penalty.

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

SECOND READING OF HOUSE BILLS

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 396b15 of the Compiled Laws, Supplement 1913-

1925, as Amended by Session Laws of 1935, Chapter 162, Providing a Remedy for Under-paid Employees Working in Excess of Hour Provisions of Administrative Orders or the Hours Law for Females, and for Taking Assignments of Wage Claims.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 60; nays, 48; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fitzharris	Morrison
Austad	Gackle	Myers
Beede	Gainor	Nelson, Morton
Belzer	Glas	Nelson, Ramsey
Benno	Gress	Nelson, Sargent
Bergesen	Haugen	Nicholsen
Bingenheimer	Heckman	Ohnstad
Bolmeier	Hogoboom	Olson, Barnes
Braun, Stark	Ireland	Olson, Bowman
Brusseau	Jennings	Panko
Bubel	Johnson, Richland	Rohde
Bymers	Juhola	Sagehorn
Carlson	Kee	Sandness
Crockett	Levin	Semerad
Culver	Lillehaugen	Starck
Dalzell	Lunde	Stormon
Erickson, Divide	McIntee	Tuff
Erickson, Williams	McIntyre	Welder
Falconer	Mollet	Westby
Fitch	Morland	Williams, Richland

Those voting in the negative were:

Allen	Fuglestad	Rieker
Anderson	Haag	Rygg
Arneson	Halvorson	Schmidt
Arndt	Haugland	Schwartz
Bjella	Hofstrand	Sellens
Black	Holm	Sharpe
Blair	Johnson, Cass	Shure
Boulden	Kindem	Singleton
Braun, McLean	Langley	Smart
Coghlan	Larson	Swanson
Collette	McInnes	Trydahl
Devlin	Nelson, Cass	Wambheim
Dittmer	Nelson, Steele	Williams, Stutsman
Drovdal	Nystrom	Wolf, McIntosh
Fleck	Peterson, Bottineau	Wolf, Morton
Fraser	Peterson, Ransom	Mr. Speaker

Absent and not voting:

Moe	Severson	Twichell
Saumur		

So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 48 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 79. A Bill for an Act to Provide that the

Expense for the Maintenance, Care, Board and Treatment of All Patients in the State Hospital for the Insane at Jamestown, North Dakota, the Institution for the Feeble Minded at Grafton, North Dakota, and the North Dakota State Tuberculosis Sanatorium at San Haven, North Dakota, Shall Be Borne Entirely by the State of North Dakota; etc.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 90; nays, 18; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rieker
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Singleton
Coghlan	Lunde	Smart
Culver	McInnes	Starck
Dalzell	McIntee	Stormon
Drovdal	McIntyre	Swanson
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morland	Wambheim
Falconer	Morrison	Westby
Fitzharris	Myers	Williams, Richland
Fleck	Nelson, Morton	Williams, Stutsman
Fraser	Nelson, Ramsey	Wolf, McIntosh
Gackle	Nelson, Sargent	Wolf, Morton

Those voting in the negative were:

Blair	Fuglestad	Nicholsen
Boulden	Johnson, Cass	Saumur
Brusseau	Levin	Shure
Collette	Lillehaugen	Trydahl
Devlin	Moe	Twichell
Dittmer	Nelson, Cass	Mr. Speaker

Absent and not voting:

Crockett	Nelson, Steele	Welder
Fitch		

So the bill passed and the title was agreed to.

Rep. Olson of Bowman moved that the vote by which House Bill No. 79 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; 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, 101; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Steele
Allen	Gainor	Nicholsen
Anderson	Glas	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Bergesen	Haugland	Peterson, Bottineau
Bingenheimer	Heckman	Peterson, Ransom
Bjella	Hofstrand	Rieker
Black	Hogoboom	Rohde
Blair	Holm	Rygg
Bolmeier	Ireland	Sagehorn
Boulden	Jennings	Sandness
Braun, McLean	Johnson, Cass	Saumur
Braun, Stark	Kee	Schmidt
Brusseau	Kindem	Schwartz
Bymers	Langley	Sellens
Carlson	Larson	Semerad
Coghlan	Levin	Severson
Collette	Lillehaugen	Sharpe
Crockett	Lunde	Singleton
Culver	McInnes	Smart
Devlin	McIntee	Starck
Dittmer	McIntyre	Stormon
Drovdal	Moe	Trydahl
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Myers	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker
Fuglestad	Nelson, Sargent	

Those voting in the negative were:

Arneson	Shure	Wambheim
Johnson, Richland	Twichell	

Absent and not voting:

Benno	Dalzell	Swanson
Bubel	Juhola	Welder

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

Rep. Tuff moved that the vote by which House Bill No. 117 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Ohnstad
Arneson	Gainor	Olson, Barnes
Arndt	Glas	Olson, Bowman
Austad	Gress	Panko
Beede	Haag	Peterson, Ransom
Belzer	Halvorson	Rieker
Bergesen	Haugen	Rohde
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Schmidt
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Trydahl
Culver	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Mollet	Wambheim
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Myers	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck	Nelson, Sargent	

Those voting in the negative were:

Levin Moe

Absent and not voting:

Benno	Juhola	Smart
Dalzell	Nystrom	Swanson
Hofstrand	Peterson, Bottineau	Welder

So the bill passed and the title was agreed to.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 4972, Compiled Laws of North Dakota for the Year 1913, Relating to the Age of Members of Accident and Sickness Insurance Corporations, Associations and Societies.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Bergesen	Haugland	Rieker
Bingenheimer	Heckman	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Kee	Sellens
Bubel	Kindem	Semerad
Bymers	Langley	Severson
Carlson	Larson	Sharpe
Coghlan	Levin	Shure
Collette	Lillehaugen	Singleton
Culver	Lunde	Smart
Dalzell	McInnes	Starck
Devlin	McIntee	Stormon
Dittmer	McIntyre	Trydahl
Drovdal	Moe	Wambheim
Erickson, Divide	Mollet	Westby
Erickson, Williams	Morland	Williams, Richland
Falconer	Morrison	Williams, Stutsman
Fitch	Myers	Wolf, McIntosh
Fitzharris	Nelson, Cass	Wolf, Morton
Fleck	Nelson, Morton	Mr. Speaker
Fraser	Nelson, Sargent	

Those voting in the negative were:

Nelson, Ramsey Tuff

Absent and not voting:

Benno	Hofstrand	Swanson
Brusseau	Juhola	Twichell
Crockett	Nystrom	Welder

So the bill passed and the title was agreed to.

House Concurrent Resolution No. 64 was read the second time.

Rep. Lillehaugen moved that House Concurrent Resolution No. 64 be referred to the Committee of the Whole for amendment, which motion was lost.

House Concurrent Resolution No. 64.—A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as Amended by Articles 15 and 26 of the Amendments Thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum.

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 62; nays, 47; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Fuglestad	Ohnstad
Allen	Gackle	Olson, Barnes
Arneson	Gainor	Peterson, Ransom
Arndt	Haugland	Sagehorn
Austad	Hogoboom	Sandness
Bergesen	Holm	Saumur
Bjella	Johnson, Cass	Sellens
Black	Johnson, Richland	Severson
Blair	Kee	Sharpe
Bolmeier	Kindem	Shure
Boulden	Langley	Singleton
Brusseau	Lunde	Smart
Bymers	McInnes	Stormon
Carlson	Moe	Swanson
Coghlan	Morland	Trydahl
Collette	Nelson, Cass	Twichell
Dalzell	Nelson, Morton	Wambheim
Dittmer	Nelson, Sargent	Westby
Fitch	Nelson, Steele	Williams, Stutsman
Fitzharris	Nicholsen	Mr. Speaker
Fleck	Nystrom	

Those voting in the negative were:

Anderson	Gress	Nelson, Ramsey
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Bingenheimer	Haugen	Peterson, Bottineau
Braun, McLean	Heckman	Rieker
Braun, Stark	Ireland	Rohde
Bubel	Jennings	Rygg
Crockett	Juhola	Schmidt
Culver	Larson	Schwartz
Devlin	Levin	Semerad
Drovdal	Lillehaugen	Starck
Erickson, Divide	McIntee	Tuff
Erickson, Williams	McIntyre	Williams, Richland
Falconer	Mollet	Wolf, McIntosh
Fraser	Morrison	Wolf, Morton
Glas	Myers	

Absent and not voting:

Benno	Hofstrand	Welder
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So the resolution passed and the title was agreed to.

Rep. Wambheim moved that the vote by which House Concurrent Resolution No. 64 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Bymers: I think that this form of initiative and referendum is the most democratic form of government that is known. Just think of it. You may go down the street and procure signatures and when you have procured sufficient signatures, you can have the people vote on it, whether or not they want that kind of a law. I doubt if you would get

very far with that if you tried it across the water. Now then, as it appears that the number of signatures required amounts to only about 12% of our voters, I don't think it would be too much trouble to secure that number of signatures. Therefore, I vote "aye".

Rep. Haugen: If an organization or group has money, the procuring of 30,000 signatures is not such a task. But to a group or organization which does not have the money, to secure 30,000 signatures is a big job. I vote "No".

Rep. Crockett moved that action on House Bill No. 90 be deferred one legislative day.

Rep. Fitch moved a substitute motion that House Bill No. 90 be laid over until Monday, February 10th, which motion prevailed.

GENERAL ORDERS

Rep. Nelson of Sargent moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Nelson of Sargent to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 59.

Sec. 2, line 63, change figures "\$1500.00" to "\$3000.00".

Sec. 2, line 81, change figures "\$1500.00" to "\$3000.00".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 114.

In line 10 after the word "the" strike out the words "second day of June" and insert in lieu thereof the words "15th day of March".

In line 11 after the word "the" strike out the words "second day of December" and insert in lieu thereof the words "10th day of August".

In line 27 after the word "shall" insert a comma and the following words: "be of at least ten days and shall,".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 98.

In lines 1, 2 and 3 of the title of the Bill after the word "Cigarettes" in line 1 strike out the words "Cigarette Papers, and wrappers, Papers used for the making of Cigarettes,".

SECTION 1. In line 7 after the word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,". In lines 8 and 9 after the word "cigarettes," in line 8 strike out the words "cigarette papers, wrappers, tubes,". In lines 10 and 11 after the word "cigarettes," in line 10 strike out the words "cigarette papers, wrappers, tubes,". In line 16 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,". In line 23 at the beginning of the

line strike out the words "cigarette papers, wrappers, tubes,".

SECTION 2. In line 3 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,". In line 12 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,". In lines 28 and 29 after the word "cigarettes," in line 28 strike out the words "cigarette papers, wrappers, tubes,".

SECTION 4. In line 11 after the hyphenated word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,". In line 18 at the beginning of the line strike out the words "cigarette papers, wrappers, tubes,".

Section 5. In lines 2 and 3 after the word "cigarettes," in line 2 strike out the words "cigarette papers, wrappers, tubes,". In line 7 after the word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,". In line 13 after the word "cigarettes," strike out the words "cigarette papers, wrappers, tubes,".

SECTION 6. In line 4 after the words "cigarettes," strike out the words "cigarette papers, wrappers, tubes,". Strike out all of lines 12 to 21 inclusive. In line 23 at the beginning of the line strike out the word "three" and insert in lieu thereof the word "two". In line 24 after the word "add", strike out the word "three" and insert in lieu thereof the word "two". In lines 32 and 33 after the word "snuff" in line 32 strike out the words "and each package, book, or set of papers or tubes". In lines 38 and 39 after the word "cigarettes", in line 38 strike out the comma and the words "or book or set of papers, or of tubes".

In lines 45 and 46 after the word "cigarettes", in line 45 strike out the words "and each such package, books or set of papers, or of tubes,". In lines 52 and 53 after the word "cigarettes", in line 52 strike out the words "package, book, or set of cigarette papers, or of tubes,". In lines 63, 64 and 65 after the word "cigarettes", in line 63 strike out the words "cigarette papers or wrappers and papers made or prepared for the purpose of making cigarettes,".

SECTION 7. In line 11 after the word "cigarettes", strike out the words "cigarette papers,". In line 15 after the word "cigarettes", strike out the word "cigarette papers,". In line 18 after the word "the", strike out the word "distributor" and insert in lieu thereof the word "purchaser".

In line 19 after the word "cigarettes", strike out the words "cigarette papers".

SECTION 8. In line 2 after the word "cigarettes", strike out the words "cigarette papers,". In line 4 after the word "cigarettes", strike out the words "cigarette papers,". In line 16 after the word "cigarettes", strike out the words "cigarette papers,". In line 24 after the word "cigarettes", strike out the words "cigarette papers, tubes,". At the beginning of line 29 strike out the words "cigarette papers, tubes,". At the beginning of line 39 strike out the words "cigarette papers, tubes,". In lines 42 and 43 after the word "cigarettes", in line 42 strike out the words "cigarette papers, tubes,". In line 51 after the word "cigarettes", insert the word "or" also in the same line after the word "snuff" strike out the comma and words "or cigarette papers, wrappers, or tubes". In lines 55 and 56 after the word "cigarettes", in

line 55 strike out the words "cigarette papers, wrappers,".

SECTION 10. In lines 4 and 5 after the word "cigarettes", in line 4 strike out the words "cigarette papers, wrappers, tubes,". At the beginning of line 11 strike out the words "cigarette papers, tubes,". In line 13 after the word "cigarette", strike out the words "cigarette papers, tubes,". At the beginning of line 19 strike out the words "cigarette papers, tubes,".

SECTION 11. In line 6 after the word "cigarettes", strike out the words "cigarette papers, tubes,".

SECTION 12. In line 5 after the word "cigarettes", strike out the words "cigarette papers, tubes,". In line 10 after the word "dealer" and insert in lieu thereof the word "person". tubes,". In lines 11 and 12 after the word "cigarettes", in line 11 strike out the words "cigarette papers, tubes,". In line 15 after the word "cigarettes" strike out the words "cigarette papers, tubes,". In line 19 after the word "cigarettes", strike out the words "cigarette papers, tubes,".

SECTION 13. At the beginning of line 7 strike out the words "cigarette papers, wrappers, tubes,". At the beginning of line 10 strike out the words "cigarette papers, tubes,". In lines 11 and 12 after the word "cigarettes", in line 11 strike out the words "cigarette papers, wrappers, tubes,".

SECTION 14. In line 2 after the hyphenated word "cigarettes", strike out the words "cigarette papers, tubes,".

SECTION 12. In line 1 after the word "no" strike out the word "dealer" and insert in lieu thereof the word "person".

And recommend the adoption of the Standing Committee amendments.

And recommend the following additional amendments:

Section 6, line 22, strike out the words "Class E" and insert in lieu thereof the words "Class C".

Section 6, line 52, after the word "snuff" strike out the comma and insert the word "or".

Section 6, line 31, correct the spelling of the word "thereof".

And when so amended recommend the same do pass.

House Bill No. 83.

In Section 1, line 20, strike out the words "in which" and insert in lieu thereof the word "with".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

A. Z. NELSON, Chm., Committee of the Whole.

Rep. Westby moved the adoption of the report of the Committee of the Whole, which motion prevailed.

The House reverted to the Thirteenth Order of Business.

FIRST READING OF SENATE BILLS

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 144 Laws of North Dakota for 1929 Relating to Hotels, Restaurants, Lodging Houses and Boarding Houses to Provide for Application for License and Payment of License Fees.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 45. A Bill for an Act to Re-enact Chapter 110 of the Session Laws of North Dakota for the Year of 1935, Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Senate Bill No. 104. A Bill for an Act to Repeal Chapter 235 of the Session Laws for the Year 1917, Being Sections 5604a1 to 5604a82, Both Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Registration of Land and the Title Thereto in the State of North Dakota.

Were read the first time and referred to the Comm. on Judiciary.

Senate Bill No. 105. A Bill for an Act to Repeal Sections 6553 to 6619, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota, Relating to Marine Insurance.

Senate Bill No. 107. A Bill for an Act to Provide a Method of Assigning Sheriff's Certificates, Mortgages, and Other Instruments and of Conveying Title to Lands Which Have Been Acquired by the State and Departments and Agencies Thereof.

Were read the first time and referred to the Comm. on Ways and Means.

Rep. Bolmeier moved that the House do now recess until 1:00 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

THIRTY-SECOND DAY AFTER RECESS AND
THIRTY-THIRD DAY

Bismarck, February 8, 1941.

The House re-assembled at 1:00 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Sixth Order of Business.

SELECT COMMITTEE REPORT

A report was read by the Chief Clerk which was made by the Joint Committee authorized by House Concurrent Resolution "G" to investigate the conditions prevailing with reference to the conditions as reported in the Standing Rock Indian Reservation of North Dakota.

Rep. Beede moved that this report be referred to the Comm. on Federal Relations with instructions to prepare the petitions and memorials recommended in this report and that the Committee report to the House in regard to this matter, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 51. A Bill for an Act Creating a Lien in Favor of the State for All Rentals Due From, and For All Damages Done by Tenants or Trespassers Upon Lands Belonging to the State of North Dakota and Being a Part of the Permanent School Fund Upon All Crops Raised By, and Upon All Buildings, Structures, Fences or Other Improvements Put Upon Leased or Occupied Lands, By Tenants or Trespassers Upon Such Lands; Providing for the Priority and for the Enforcement and Satisfaction Thereof 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, 34; nays, 70; absent and not voting, 8.

Those voting in the affirmative were:

Allen	Gackle	Morrison
Arneson	Gress	Nelson, Cass
Arndt	Hofstrand	Nicholsen
Benno	Holm	Nystrom
Bergesen	Johnson, Richland	Peterson, Ransom

Blair	Kindem	Sellens
Bolmeier	Langley	Sharpe
Carlson	Levin	Wambheim
Dalzell	Lillehaugen	Westby
Fitzharris	Lunde	Williams, Stutsman
Fleck	Moe	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Anderson	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Rieker
Belzer	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hogoboom	Sagehorn
Black	Ireland	Sandness
Boulden	Jennings	Saumur
Braun, McLean	Juhola	Schmidt
Braun, Stark	Kee	Schwartz
Brusseau	Larson	Semerad
Bubel	McInnes	Severson
Bymers	McIntee	Shure
Crockett	McIntyre	Singleton
Culver	Mollet	Smart
Devlin	Morland	Starck
Dittmer	Myers	Stormon
Drovdal	Nelson, Morton	Swanson
Erickson, Divide	Nelson, Ramsey	Trydahl
Erickson, Williams	Nelson, Sargent	Tuff
Falconer	Ohnstad	Williams, Richland
Fraser	Olson, Barnes	Wolf, McIntosh
Gainor	Olson, Bowman	Wolf, Morton
Glas		

Absent and not voting:

Aker	Fitch	Twichell
Coghlan	Johnson, Cass	Welder
Collette	Nelson, Steele	

So the bill was declared lost.

Rep. Mollet moved that the vote by which Senate Bill No. 51 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell requested that the House be on the Seventh Order of Business, which request was granted and Rep. Twichell announced that a delegation was present consisting of both House and Senate members of the South Dakota Legislature and moved that a committee of two be appointed by the Speaker to escort the group to the rostrum of the House, which motion prevailed and the Speaker appointed Reps. Twichell and Levin who escorted the group to the rostrum.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 8, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 396b15 of the Compiled Laws, Supplement 1913-

1925, as Amended by Session Laws of 1935, Chapter 162, Providing a Remedy for Under-paid Employees Working in Excess of Hour Provisions of Administrative Orders or the Hours Law for Females, and for Taking Assignments of Wage Claims.

House Bill No. 79. A Bill for an Act to Provide that the Expense for the Maintenance, Care, Board and Treatment of All Patients in the State Hospital for the Insane at Jamestown, North Dakota, the Institution for the Feeble Minded at Grafton, North Dakota, and the North Dakota State Tuberculosis Sanatorium at San Haven, North Dakota, Shall Be Borne Entirely by the State of North Dakota; etc.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 4972, Compiled Laws of North Dakota for the Year 1913, Relating to the Age of Members of Accident and Sickness Insurance Corporations, Associations and Societies.

House Concurrent Resolution No. 64.—A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as Amended by Articles 15 and 26 of the Amendments Thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 8, 1941.

Mr. President: I have the honor to transmit:

House Concurrent Resolution "L". A Concurrent Resolution Urging the Continuance of the Existing Embargo Applying to All Countries Where Foot-and-mouth Disease Exists.

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

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 69. A Bill for an Act to Amend Sections 1, 3 and 4 of Chapter 207 Session Laws of 1935, Relating to Refunding Special Improvement Warrants 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, 86; nays, 21; absent and not voting, 5.

Those voting in the affirmative were:

Allen	Fuglestad	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Glas	Panko
Austad	Gress	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rieker
Benno	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hofstrand	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schmidt
Boulden	Ireland	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Bubel	Kee	Severson
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Crockett	Levin	Stormon
Culver	Lillehaugen	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Tuff
Drovdal	McIntyre	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Westby
Falconer	Myers	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser	Nystrom	

Those voting in the negative were:

Anderson	Jennings	Nicholsen
Bergesen	Johnson, Cass	Ohnstad
Bingenheimer	McIntee	Rohde
Brusseau	Moe	Sharpe
Dittmer	Mollet	Shure
Gackle	Nelson, Cass	Williams, Richland
Haag	Nelson, Sargent	Wolf, McIntosh

Absent and not voting:

Aker	Fitch	Welder
Collette	Nelson, Steele	

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

Rep. Smart moved that the vote by which Senate Bill No. 69 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Williams of Richland: I look at this bill just as I look at my own farm. If you can't pay today, you can't pay tomorrow. I believe in paying as you go. I vote "no".

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, February 8, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies,

Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, February 8, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "I". A Resolution Memorializing the U. S. Department of the Interior (Fish and Wild Life Service) to Enact More Suitable Hours for the Taking of Migratory Waterfowl During the Open Season as Provided for by the Fish and Wild Life Service.

Senate Bill No. 98. A Bill for an Act to Provide for an Annual Audit of the Affairs of the North Dakota Mill and Elevator Association as of the 30th Day of June in Each Year, and Such Other Audits as May Be Deemed Necessary by the Industrial Commission, and Repealing Conflicting Portions of Prior Acts.

Senate Bill No. 68. A Bill for an Act Creating Pensions for Disabled or Retired City Employees, Other Than Policemen, Their Widows, and Children Under Sixteen Years of Age; and Widows of City Employees Who Die in the Service and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population of 10,000 or Over by the Last Official Census, Federal or State; and Providing for a Fund out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

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

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

THIRTY-THIRD DAY

Bismarck, February 8, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Walter E. Vater, Bismarck.

Roll Call disclosed all members present except Reps. Collette and Welder.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-second day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A resolution was received from the Directors of the Grand Forks, Lakota, McVile, Michigan City, Petersburg, Reynolds and Larimore National Farm Loan Associations petitioning the Legislature to change the present laws so that the Federal Land Bank can again make loans in our State.

Which the Speaker referred to the Comm. on State Affairs.

A resolution was received from the McLean County Land Use Committee urging the Legislature to provide legislation requiring the Land Department of the Bank of North Dakota be required to pay a portion of their gross rental income in lieu of taxes on all land owned by said Department along similar lines as now prescribed by law for the distribution of revenue from County owned land.

Which the Speaker referred to the Comm. on Counties.

A resolution was received from the same source urging the passage of House Bill No. 79, which the Speaker referred to the Comm. on State Affairs.

A resolution was received from the Wells County Board of County Commissioners opposing any change in the present trucking law, which the Speaker referred to the Comm. on Highways and Bridges.

A resolution was received from the Nelson County Board of County Commissioners recommending an amendment of the Tree Bounty statute, which the Speaker referred to the Comm. on Counties.

A petition signed by a long list of citizens of Edinburg, in Walsh County, favoring the passage of House Bill No. 102 providing for the establishment of a State Industrial Alcohol Plant, which the Speaker referred to the Comm. on Agriculture.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 142, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 82, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title of the bill after the word "Fuel" strike out the semi-colon and the words "and Declaring an Emergency" and insert in lieu thereof a period. Also strike out all of Section 2, emergency.

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom

was referred House Bill No. 104, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish, to whom was referred House Bill No. 65, have had the same under consideration and recommend that the same do pass.

REP. A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 112, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 8, after the word "highways" insert the words "except necessary repairs for such road machinery".

In Section 1, line 9, strike out the words and the figures "Five Hundred Dollars (\$500.00)" and insert in lieu thereof the words and figures "Two Hundred Dollars (\$200.00)".

And when so amended recommend the same do pass.

REP. P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Agriculture, to whom was referred House Bill No. 102, have had the same under consideration and recommend that the same do pass.

REP. ALEX DALZELL, Chairman.

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

Mr. Speaker: Your Committee on Public Health, to whom was referred House Bill No. 128, have had the same under consideration and recommend that the same do pass.

C. T. OLSON, Chairman.

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

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 23, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 7, have had the same under consideration and recommend that the same do pass.

REP. TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 53, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 114.

House Bill No. 98.

House Bill No. 83.

And find the same correctly engrossed.

REP. WAMBHEIM, Chairman.

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

Rep. Trydahl moved that House Bill No. 137 be re-referred from the Comm. on Appropriations to the Comm. on State Affairs, which motion prevailed.

Rep. Severson moved that action on House Bill No. 143 be deferred one legislative day, which motion prevailed.

FIRST READING OF HOUSE BILLS

The Committee on Game and Fish introduced:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

Was read the first time and referred to the Comm. on Game and Fish.

The Committee on Tax and Tax Laws introduced:

House Bill No. 173. A Bill for an Act to Exempt Certain Personal Property to the Amount of \$150.00 from Taxation, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Swanson and Kee introduced:

House Bill No. 174. A Bill for an Act Prohibiting the Sale and Use on Automobiles, Trucks and Motorcycles in the State of North Dakota, Regroved Tires; Penalty and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Gackle and Haugen introduced:

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

Representatives Shure and Smart introduced:

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or

Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

Were read the first time and referred to the Comm. on Cities and Municipal Corporations.

Representative Smart introduced:

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

SECOND READING OF HOUSE BILLS

House Bill No. 134. A Bill for an Act to Amend and Re-enact Chapter 126 of the Session Laws of the State of North Dakota for the Year 1933, Relative to and Covering the Awarding of Certain Contracts, and Giving Preference to Residents of the State of North Dakota; Repeal; Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Richland

Falconer	Myers	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker
Fuglestad	Nelson, Sargent	
Absent and not voting:		
Belzer	Nelson, Steele	Welder
Fitch	Peterson, Bottineau	

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

House Bill No. 141 was read the second time.

Rep. Beede moved that House Bill No. 141 be re-referred to the Comm. on Public Safety.

Rep. Johnson of Cass moved a substitute motion that House Bill No. 141 be indefinitely postponed, which motion was lost.

The question being on the motion of Rep. Beede that House Bill No. 141 be re-referred to the Comm. on Public Safety, the motion prevailed.

House Bill No. 114. A Bill for an Act to Amend and Re-enact Section 11105 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 130 of the 1939 Session Laws of the State of North Dakota, Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board; Repealing All Acts or Parts of Acts in Conflict Herewith; 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, 104; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Steele
Allen	Gainor	Nicholsen
Anderson	Glas	Nystrom
Arneson	Gress	Ohnstad
Arndt	Haag	Olson, Barnes
Austad	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bingenheimer	Hofstrand	Rieker
Bjella	Hogoboom	Rohde
Black	Holm	Rygg
Blair	Ireland	Sagehorn
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Kee	Sellens
Brusseau	Kindem	Semerad
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson

Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Richland
Falconer	Myers	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker
Fuglestad	Nelson, Sargent	

Absent and not voting:

Belzer	Juhola	Twichell
Collette	Saumur	Welder
Fitch	Severson	

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

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 7; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Cass
Allen	Gackle	Nelson, Morton
Anderson	Gainor	Nelson, Ramsey
Arneson	Glas	Nelson, Sargent
Arndt	Gress	Nelson, Steele
Austad	Haag	Nicholsen
Beede	Halvorson	Ohnstad
Benno	Haugen	Olson, Barnes
Bergesen	Haugland	Olson, Bowman
Bingenheimer	Heckman	Panko
Bjella	Hofstrand	Peterson, Bottineau
Black	Hogoboom	Peterson, Ransom
Blair	Holm	Rieker
Bolmeier	Ireland	Rohde
Boulden	Jennings	Rygg
Braun, McLean	Johnson, Cass	Sagehorn
Braun, Stark	Johnson, Richland	Sandness
Brusseau	Juhola	Saumur
Bubel	Kee	Sellens
Bymers	Kindem	Sharpe
Carlson	Langley	Shure
Crockett	Larson	Singleton
Culver	Levin	Smart
Dalzell	Lillehaugen	Starck
Devlin	Lunde	Stormon
Dittmer	McInnes	Swanson
Drovdal	McIntyre	Trydahl
Erickson, Divide	Moe	Westby
Erickson, Williams	Mollet	Williams, Stutsman
Falconer	Morland	Wolf, McIntosh

Fitzharris	Morrison	Wolf, Morton
Fleck	Myers	Mr. Speaker
Fraser		
Those voting in the negative were:		
Nystrom	Semerad	Wambheim
Schmidt	Tuff	Williams, Richland
Schwartz		
Absent and not voting:		
Belzer	Fitch	Twichell
Coghlan	McIntee	Welder
Collette	Severson	

So the bill passed and the title was agreed to.

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 104; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	Moe	Trydahl
Dittmer	Morland	Tuff
Drovdal	Morrison	Wambheim
Erickson, Divide	Myers	Westby

Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad	Nicholsen	

Those voting in the negative were:

Kee

Absent and not voting:

Belzer	McIntyre	Twichell
Collette	Mollet	Welder
Fitch		

So the bill passed and the title was agreed to.

Explanation of vote:

Rep. Falconer: I vote "aye" although I have objections to the fact that it taxes the poor man's tobacco. It doesn't include cigars which are the wealthy man's smoke and the politician's smoke, and it also taxes snuff which is something all of us Scandinavians should be against. But it brings in very badly needed revenue and because Mr. Twichell and Mr. Thompson have gone through it very thoroughly and improved the conditions of the tax measure under which we have operated, I vote "aye".

Rep. Myers: There are two things in this bill that I object to: they are the transfer of the administration of the stamps from the State Treasurer to the Tax Commissioner, and the 5% commission offered to the wholesaler. But it seems to be the best thing we can get on this matter and therefore I vote "aye".

FIRST READING OF SENATE BILLS

Senate Concurrent Resolution No. 5. A Concurrent Resolution Providing for the Amendment of the Constitution to Provide That the Governor or Legislative Assembly Shall Have Authority to Require Advisory Opinions From the Supreme Court.

Senate Concurrent Resolution "H". For the Appointment of an Interim Legislative Committee on Code Revision; Prescribing the Duties and Compensation of the Committee.

Were read the first time and referred to the Comm. on Judiciary.

Senate Concurrent Resolution "I". A Resolution Memorializing the U. S. Department of the Interior (Fish and Wild Life Service) to Enact More Suitable Hours for the Taking of Migratory Waterfowl During the Open Season as Provided for by the Fish and Wild Life Service.

Was read the first time and referred to the Comm. on Game and Fish.

Senate Bill No. 68. A Bill for an Act Creating Pensions for Disabled or Retired City Employees, Other Than Policemen, Their Widows, and Children Under Sixteen Years of Age; and Widows of City Employees Who Die in the Service and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population of 10,000 or Over by the Last Official Census, Federal or State; and Providing for a Fund out of Which Such Pensions Shall Be Paid; and

for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund, and Declaring an Emergency.

Senate Bill No. 98. A Bill for an Act to Provide for an Annual Audit of the Affairs of the North Dakota Mill and Elevator Association as of the 30th Day of June in Each Year, and Such Other Audits as May Be Deemed Necessary by the Industrial Commission, and Repealing Conflicting Portions of Prior Acts.

Were read the first time and referred to the Comm. on State Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 78 was read the second time.

Rep. Beede moved that Senate Bill No. 78 be re-referred to the Comm. on Tax and Tax Laws, which motion prevailed.

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Sections 5 and 11 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at a Special Election Held September 22, 1933 and as Amended and Re-enacted by Chapter 97 of the Session Laws for the Year 1935, Relating to the Manufacture, Sale, and Distribution of Beer.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gainor	Nicholsen
Allen	Glas	Nystrom
Arneson	Haag	Ohnstad
Arndt	Halvorson	Olson, Barnes
Austad	Haugen	Olson, Bowman
Beede	Haugland	Panko
Benno	Heckman	Peterson, Bottineau
Bergesen	Hofstrand	Peterson, Ransom
Bingenheimer	Hogoboom	Rohde
Bjella	Holm	Rygg
Black	Ireland	Sagehorn
Bolmeier	Jennings	Sandness
Boulden	Johnson, Richland	Saumur
Braun, McLean	Juhola	Schmidt
Brusseau	Kee	Schwartz
Bubel	Kindem	Sellens
Bymers	Langley	Semerad
Carlson	Larson	Severson
Coghlan	Levin	Shure
Crockett	Lillehaugen	Smart
Culver	Lunde	Starck
Dalzell	McInnes	Stormon
Devlin	McIntee	Swanson
Dittmer	Moe	Trydahl
Drovdal	Mollet	Tuff
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Westby
Falconer	Myers	Williams, Richland

Fitzharris	Nelson, Cass	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker
Gackle		

Absent and not voting:

Anderson	Fitch	Rieker
Belzer	Gress	Sharpe
Blair	Johnson, Cass	Singleton
Braun, Stark	McIntyre	Twichell
Collette	Nelson, Morton	Welder

So the bill passed and the title was agreed to.

Senate Bill No. 59 was read the second time.

Rep. Morland moved that Senate Bill No. 59 be re-referred to the Comm. on Livestock, which motion was lost.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section 2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 13; absent and not voting, 11.

Those voting in the affirmative were:

Allen	Gainor	Ohnstad
Anderson	Haag	Panko
Arneson	Halvorson	Peterson, Bottineau
Arndt	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Holm	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Schmidt
Blair	Johnson, Cass	Schwartz
Bolmeier	Kee	Sellens
Boulden	Kindem	Semerad
Brusseau	Langley	Severson
Bubel	Larson	Shure
Bymers	Levin	Singleton
Coghlan	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Devlin	McIntee	Swanson
Dittmer	Mollet	Trydahl
Drovdal	Morrison	Tuff
Erickson, Divide	Myers	Twichell
Erickson, Williams	Nelson, Cass	Wambheim
Falconer	Nelson, Morton	Westby
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fleck	Nelson, Sargent	Wolf, McIntosh
Fraser	Nelson, Steele	Wolf, Morton
Fuglestad	Nystrom	Mr. Speaker
Gackle		

Those voting in the negative were:

Aker	Hogoboom	Nicholsen
Austad	Juhola	Olson, Barnes
Braun, McLean	Moe	Olson, Bowman
Carlson	Morland	Williams, Richland
Dalzell		

Absent and not voting:

Belzer	Glas	Rieker
Braun, Stark	Gress	Sharpe
Collette	Johnson, Richland	Welder
Fitch	McIntyre	

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

Rep. Morland moved that the vote by which Senate Bill No. 59 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Beede moved that action on Senate Bill No. 50 be deferred until after 2:00 P. M., Monday, February 10th, which motion prevailed.

The House reverted to the Seventh Order of Business.

Rep. Swanson:

Mr. Speaker: The Military Affairs Committee has just received for consideration from the Adjutant General a bill consisting of 91 sections and some forty typewritten pages. I am informed by the Adjutant General that this bill which rewrites the Military Code is essential at this time because of the induction of the North Dakota National Guard into the National Service. The present military code is obsolete, and the Adjutant General states that it would be highly inconvenient to wait until the new code is completed.

I, therefore, move that this bill be not printed, and that in lieu of having the bill printed, the Adjutant General be requested to furnish two hundred copies of such bill, mimeographed, for distribution to the members of the Legislative Assembly. I make this motion in accordance with the provisions of Chapter 186, Section 2 of the 1937 Session Laws.

Which motion prevailed.

Rep. Starck moved that House Bill No. 31 be withdrawn, which motion prevailed.

SELECT COMMITTEE REPORT

Rep. Benno submitted the resignation of C. E. Mattson as night watchman effective February 8, 1941.

The Committee on Employment submitted the following report:

Mr. Speaker: Your Committee on Employment wishes to place the name of Jake Hegland, Oberon, N. D., for night watchman.

REP. BENNO, Chairman.

Rep. Benno moved the adoption of the report.

ROLL CALL

The question being on the employment of Jake Hegland as night watchman, the roll was called and there were ayes, 75; nays, 19; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Falconer	Myers
Allen	Fitzharris	Nelson, Cass
Anderson	Fraser	Nelson, Morton
Arndt	Gainor	Nelson, Ramsey
Austad	Haag	Nelson, Sargent
Beede	Halvorson	Nelson, Steele
Benno	Haugen	Nicholsen
Bergesen	Haugland	Nystrom
Bingenheimer	Heckman	Ohnstad
Bjella	Hofstrand	Olson, Barnes
Black	Hogoboom	Olson, Bowman
Blair	Holm	Panko
Bolmeier	Ireland	Rygg
Brusseau	Johnson, Richland	Sagehorn
Bubel	Juhola	Saumur
Bymers	Kee	Sellens
Carlson	Kindem	Severson
Coghlan	Langley	Singleton
Culver	Larson	Smart
Dalzell	Levin	Starck
Devlin	Lunde	Swanson
Dittmer	McInnes	Tuff
Drovdal	McIntee	Westby
Erickson, Divide	Morland	Wolf, Morton
Erickson, Williams	Morrison	Mr. Speaker

Those voting in the negative were:

Arneson	Moe	Shure
Boulden	Peterson, Ransom	Trydahl
Crockett	Sandness	Twichell
Fuglestad	Schmidt	Wambheim
Gackle	Schwartz	Williams, Richland
Johnson, Cass	Semerad	Wolf, McIntosh
Lillehaugen		

Absent and not voting:

Belzer	Glas	Rieker
Braun, McLean	Gress	Rohde
Braun, Stark	Jennings	Sharpe
Collette	McIntyre	Stormon
Fitch	Mollet	Welder
Fleck	Peterson, Bottineau	Williams, Stutsman

So Jake Hegland was declared elected as night watchman.

The Speaker administered the oath of office to Jake Hegland as night watchman.

Rep. Hofstrand requested an extension of time for the consideration of House Bill Nos. 78 and 99, which request was granted.

Rep. Morland moved that the House do now recess until 1 P. M., Monday, February 10th, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

THIRTY-THIRD DAY AFTER RECESS AND
THIRTY-FIFTH DAY

Bismarck, February 10, 1941.

The House re-assembled at 1:00 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 152, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Insurance, to whom was referred House Bill No. 153, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 78, have had the same under consideration and recommend that the same be indefinitely postponed.

C. H. HOFSTRAND, Chairman.

Rep. Aker moved that the report be adopted.

Rep. Panko moved a substitute motion that House Bill No. 78 be placed on the calendar, which motion was lost.

The question being on the motion of Rep. Aker that House Bill No. 78 be indefinitely postponed, the motion prevailed.

Rep. Bergesen moved that the vote by which House Bill No. 78 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 99, have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

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

Mr. Speaker: Your Committee on Education, to whom was

referred House Bill No. 135, have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

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

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 158, have had the same under consideration and recommend that the same do pass.

REP. P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Education, to whom was referred House Bill No. 136, have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 76, have had the same under consideration and recommend that the same be amended as follows:

At the end of line 16 of the printed bill and after the word "cause" strike out the period and substitute therefore a comma, and add the following words after the comma "provided, however, such office shall in all cases become vacant upon the termination of the term for which he was elected or appointed."

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Warehouse & Grain Grading, to whom was referred House Bill No. 146, have had the same under consideration and recommend that the same be amended as follows:

In line 11 of Section 1, strike out "\$4.00" and insert in lieu thereof "\$3.00".

In line 31 strike out "\$5.00" and insert in lieu thereof "\$3.00".

In line 35 strike out the word "certified".

In line 40 strike out the word "misconstructed" and strike out the "comma" and insert in lieu thereof the word "or," add a comma after the words "out of repair". Strike out "or in any".

In line 41 strike out "other condition which can be remedied by him".

And when so amended recommend the same do pass.

D. S. BLAIR, Chairman.

Rep. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: A Majority of your Committee on Ways and Means, to whom was referred House Bill No. 62, have had the same under consideration and recommend that the same be amended as follows:

In Section 7, line 14, after the word "term" insert the following: "Provided, however, that applicants who are eighteen years of age or younger shall pay the sum of twenty-five cents for each such license;"

In Section 7, line 14, strike out the word "Provided" and insert in lieu thereof the words "and provided".

In Section 7, line 15, strike out the word "however" and insert in lieu thereof the word "further".

(Signed)

K. A. FITCH
A. W. BENNO
M. R. OHNSTAD
BJORN FUGLESTAD
A. N. KINDEM

And when so amended recommend the same do pass.

REP. K. A. FITCH, Chairman.

Rep. Fuglestad moved that the report be adopted.

Mr. Speaker: A Minority of your Committee on Ways and Means, to whom was referred House Bill No. 62, have had the same under consideration and recommend that the same be indefinitely postponed.

(Signed)

WALTER BUBEL
PETER PETERSON
DUNCAN FRASER

Rep. Bubel moved that the report of the minority on House Bill No. 62 be substituted for that of the majority, which motion was lost.

The question being on the motion of Rep. Fuglestad for the adoption of the report of the majority on House Bill No. 62, the motion prevailed and House Bill No. 62 was placed in General Orders.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 58 have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

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

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 60 have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

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

Mr. Speaker: A majority of your Committee on Apportionment to whom was referred Senate Bill No. 41 have had the same under consideration and recommend that the same do pass.

HARRY CARLSON, Chairman.

Rep. Nelson of Cass moved that the report be adopted.

Mr. Speaker: A minority of your Committee on Apportionment to whom was referred Senate Bill No. 41 have had

the same under consideration and recommend that the same be indefinitely postponed.

RALPH G. BEEDE
 W. E. SELLENS
 WM. IRELAND
 LEONAS MYERS
 PALMER LEVIN
 J. N. MOLLET
 JOSEPH GLAS
 BRAUN of McLean
 BERT ANDERSON
 ART BENNO
 ED RIEKER
 ANDREW HALVORSON

Rep. Beede moved a substitute motion that the report of the minority on Senate Bill No. 41 be substituted for the report of the majority.

Roll Call was demanded and granted.

ROLL CALL

The question being on the motion of Rep. Beede for the adoption of the report of the minority that Senate Bill No. 41 be indefinitely postponed, the roll was called and there were ayes, 66; nays, 44; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Gress	Nelson, Ramsey
Arndt	Haag	Ohnstad
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bingenheimer	Heckman	Rieker
Braun, McLean	Hofstrand	Rohde
Braun, Stark	Hogoboom	Rygg
Brusseau	Ireland	Sagehorn
Bubel	Jennings	Sandness
Bymers	Juhola	Schmidt
Crockett	Kee	Schwartz
Culver	Kindem	Sellens
Devlin	Larson	Semerad
Drovdal	Levin	Smart
Erickson, Divide	Lillehaugen	Starck
Erickson, Williams	McIntee	Tuff
Falconer	McIntyre	Welder
Fitch	Mollet	Williams, Richland
Fleck	Morrison	Williams, Stutsman
Fraser	Myers	Wolf, McIntosh
Glas	Nelson, Morton	Wolf, Morton

Those voting in the negative were:

Aker	Gackle	Olson, Barnes
Allen	Gainor	Peterson, Ransom
Arneson	Holm	Saumur
Austad	Johnson, Cass	Severson
Bergesen	Johnson, Richland	Sharpe
Black	Langley	Shure
Blair	Lunde	Singleton
Bolmeier	McInnes	Stormon
Boulden	Moe	Swanson
Carlson	Morland	Trydahl

Coghlan	Nelson, Cass	Twichell
Collette	Nelson, Sargent	Wambheim
Dalzell	Nelson, Steele	Westby
Fitzharris	Nicholsen	Mr. Speaker
Fuglestad	Nystrom	

Absent and not voting:

Bjella	Dittmer
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So the motion was declared carried.

Rep. Fitch voted "aye" for the purpose of reconsideration.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills: House Bill No. 38 and House Bill No. 39, and find the same correctly enrolled.

REP. WAMBHEIM, Chairman.

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

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

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

THIRTY-FIFTH DAY

Bismarck, February 10, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Walter E. Vater, Bismarck.

Roll Call disclosed all members present except Reps. Bjella and Dittmer.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-third day and find the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A letter was received from W. A. Zachor of Portal, N. D., opposing the passage of Senate Bill No. 84, prohibiting the sale of intoxicating liquor where other commodities are sold, which the Speaker referred to the Comm. on Temperance.

A letter was received from the Board of County Commissioners of Pierce County opposing any change in the present trucking law, which the Speaker referred to the Comm. on Highways and Bridges.

A resolution was received from the Farmers Grain Dealers Association of North Dakota in convention at Grand Forks urging the passage of House Bill No. 80 amending the Corporation Farming Law, which the Speaker referred to the Comm. on State Affairs.

MOTIONS AND RESOLUTIONS

The Chief Clerk read House Resolution "M" as follows:
Representatives Crockett and Fitch introduced:

HOUSE RESOLUTION "M"

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA:

1 WHEREAS, pursuant to executive order of the Presi-
1a dent
2 of the United States and the statutes in such case made
3 and provided, this the 10th day of February, 1941, has
3a been
4 designated as mobilization day for the 34th Division, and
5 today the 164th Infantry of the North Dakota National
5a Guard
6 is being inducted for one year of active training as a part
7 of the National Defense Program, and

1 WHEREAS, we are proud that North Dakota is able to
2 answer the call in this present emergency as it always has
3 done in the past, we recall with a feeling of pride the
4 military records of the State of North Dakota and rejoice
5 that today North Dakota will tender to the service of our
6 country a fine regiment of men under the direction and
7 guidance of well trained and capable officers, and

1 WHEREAS, in every instance our soldiers have
1a acquitted
2 themselves in a manner that has brought distinction to the
3 regiment and credit to the State of North Dakota, it is
4 fitting that we should call to mind the service of our
5 regiment in answering the Call of 1898 for the Spanish
6 American War; in responding to the Call in 1916 for
7 service on the Mexican border; and to remember their
8 unselfish service and sacrifices in answering the call of
9 1917 during the World War.

1 NOW, THEREFORE, BE IT RESOLVED BY THE
1a HOUSE OF

2 REPRESENTATIVES: That we pause in our delibera-
2a tions to
3 extend to Colonel Earl R. Sarles, Commanding Officer
4 of the 164th Infantry, and to his officers and men our
5 very best wishes and to bid them God speed in their
5a journey
6 to the training camp, and we wish them to know that we
7 appreciate their patriotism in laying aside their private
8 business and personal affairs to undergo this training
9 period to better enable our country to preserve and to
10 defend our democratic ideals and institutions.

1 BE IT FURTHER RESOLVED, that a copy of this
2 resolution be forwarded to Colonel Earl R. Sarles,
3 Commanding Officer of the 164th Infantry.

Rep. Crockett moved that House Resolution "M" be adopted and printed in the Journal, which motion prevailed and House Resolution "M" was declared adopted.

Rep. Severson moved that House Bill No. 143 be re-referred to the Comm. on Military Affairs for amendment, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, February 10, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 87. A Bill for an Act to Provide for Payments from the North Dakota Workmen's Compensation Fund in Certain Cases Where No Actual Dependency Is Shown and Providing on Option in Certain Cases.

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Subdivision (f) of Section 4609b8 of the Supplement to the Compiled Laws of North Dakota of 1913; Relating to Articles of Incorporation of Co-operative Marketing Associations.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Chapter 243 of the Session Laws of 1939 Relating to the Distribution of Seeds and Planting Stock by the State Forester, and Declaring an Emergency.

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 8 of the 1939 Session Laws Relating to Unfair Discrimination in the Purchase of Certain Farm Products; Repealing Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

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

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 10, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 10, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D". A Concurrent Resolu-

tion in Regard to University and School Land Oil Leases and If Production of Oil Is Realized.

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

W. J. TROUT, Secretary.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

Senate Concurrent Resolution "D". A Concurrent Resolution in Regard to University and School Land Oil Leases and If Production of Oil Is Realized.

And the Speaker signed the same in the presence of the House.

FIRST READING OF HOUSE BILLS

Representatives Nelson of Cass, Boulden, and Gainor introduced:

House Bill No. 178. A Bill for an Act to Repeal Chapter 41 of the Session Laws of North Dakota for 1939, Relating to State Hail Insurance Fund Reimbursement.

Was read the first time and referred to the Comm. on Insurance.

The Committee on Military Affairs introduced:

House Bill No. 179. A Bill for an Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

The Committee on Military Affairs introduced:

House Bill No. 180. A Bill for an Act Relating to National and State Defense, Providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and Prescribing the Powers and Duties Thereof; Declaring an Emergency.

Were read the first time and referred to the Comm. on Military Affairs.

Representative Holm introduced:

House Bill No. 181. A Bill for an Act to Provide for the Method and Time for Renewing Contracts of Teachers, Principals and Superintendents in the Public Schools and Institutions of Higher Education in the State of North Dakota. Repeal.

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

Representatives Sharpe and Olson of Barnes introduced:

House Bill No. 182. A Bill for an Act Amending and Re-enacting Section 3292 of the Compiled Laws for the Year of 1913; Providing that Records of the Various County Offices Shall Be in the Court House, in Rooms Provided for Said Offices; Providing for a Penalty for Failure to Comply with Said Act, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Counties.

Representatives Sellens and Starck introduced:

House Bill No. 183. A Bill for an Act Governing the Sale, Transportation, Handling and Slaughtering of Live-stock; Providing for Licensing of Persons Butchering and Slaughtering Animals; and of Certain Exemptions Thereto; Providing for the Keeping of Records of Animals Purchased, Received, Transported or Slaughtered; For the Tagging of Certain Unbranded Animals; Regulating the Sale of Animals and Dressed Carcasses Thereof; Providing for the Revocation of Licenses and Penalties for the Violation of this Act and Providing for the Enforcement of this Act and Declaring an Emergency.

Was read the first time and referred to the Comm. on Livestock.

Representatives Ireland and Bjella introduced:

House Bill No. 184. A Bill for an Act Authorizing the Board of University and School Lands to Transfer and Convey Certain Acreage of State School Lands to the Game and Fish Department in Exchange for Other Land, to Be Used and Maintained for Wildlife-Restoration Projects, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Game and Fish.

The Committee on Ways and Means introduced:

House Bill No. 185. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Fleck, Storman and Olson of Barnes introduced:

House Bill No. 186. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended

and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, Relating to Tax Limitations of Cities.

Representative Fleck introduced:

House Bill No. 187. A Bill for an Act Relating to Payment of the Costs of Sewer and Water Improvements in Cities and Villages Partly by Special Assessments and Partly by Service Charges, and Declaring an Emergency,

Representatives Fleck and Fitch introduced:

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purpose, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; Emergency.

Were read the first time and referred to the Comm. on Cities and Municipal Corporations.

Representatives Drovdal and Anderson introduced:

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

Representatives Drovdal and Anderson introduced:

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

Were read the first time and referred to the Comm. on Counties.

The Committee on Judiciary introduced:

House Bill No. 191. A Bill for an Act to Provide a Limitation of Time Within Which Claims May Be Made or Proceedings Brought to Recover Monies in Personal Accounts of Inmates and Patients in State Charitable Institutions; and Providing the Transfer of Such Monies.

Was read the first time and referred to the Comm. on State Affairs.

The Committee on Judiciary introduced:

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 3251, Compiled Laws of 1913, to Require the Levy of a Tax to Pay Final Judgments Against Counties, to Limit the Amount Which Can Be Extended in Any One Year, Creating a Special Fund and Limiting Use of Proceeds of Tax to Payment of Judgment.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Nystrom, Beede and Twichell introduced:

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Wambheim and Nelson of Morton introduced:

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and Non-resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to Be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of This Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

Was read the first time and referred to the Comm. on Ways and Means.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, February 10, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 77. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 221 of the Session Laws of North Dakota for the Year 1935, Providing for the Appointment of Members of the State Board of Public Welfare.

Senate Bill No. 100. A Bill for an Act to Prohibit Sales of Total Assets and Reorganizations of Corporations Unless Authorized by a Two-thirds Vote of Stockholders or Members, and Declaring an Emergency.

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

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 90 was read the second time.

Rep. Fitch moved that further consideration of House Bill No. 90 be indefinitely postponed, which motion was lost.

House Bill No. 90. A Bill for an Act Providing for the Consideration by the State Board of Equalization of Certain Property Valuation in Determining the Value of Public Utilities for Taxing Purposes, and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays, 51; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Halvorson	Nelson, Sargent
Beede	Haugen	Ohnstad
Belzer	Haugland	Olson, Bowman
Bingenheimer	Heckman	Panko
Braun, McLean	Hofstrand	Peterson, Bottineau
Braun, Stark	Ireland	Rieker
Brusseau	Jennings	Rohde
Bubel	Juhola	Rygg
Bymers	Kindem	Schmidt
Crockett	Larson	Schwartz
Culver	Levin	Semerad
Devlin	Lillehaugen	Severson
Drovdal	McIntee	Singleton
Erickson, Divide	McIntyre	Smart
Erickson, Williams	Moe	Starck
Falconer	Mollet	Welder
Fraser	Morland	Williams, Richland
Fuglestad	Morrison	Wolf, McIntosh
Glas	Myers	Wolf, Morton
Gress	Nelson, Ramsey	

Those voting in the negative were:

Aker	Fleck	Olson, Barnes
Allen	Gackle	Peterson, Ransom
Arneson	Gainor	Sagehorn
Arndt	Haag	Sandness
Austad	Hogoboom	Saumur
Benno	Holm	Sellens
Bergesen	Johnson, Cass	Sharpe
Black	Johnson, Richland	Shure
Blair	Kee	Stormon
Bolmeier	Langley	Swanson
Boulden	Lunde	Trydahl
Carlson	McInnes	Tuff
Coghlan	Nelson, Cass	Twichell
Collette	Nelson, Morton	Wambheim
Dalzell	Nelson, Steele	Westby
Fitch	Nicholsen	Williams, Stutsman
Fitzharris	Nystrom	Mr. Speaker

Absent and not voting:

Bjella Dittmer

So the bill passed and the title was agreed to, and the Emergency Clause was declared lost.

Rep. Crockett moved that the vote by which House Bill No. 90 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building, to Prescribe Rules and Regulations for the Operation and Maintenance of the Same, and Making an Appropriation 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, 89; nays, 20; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Steele
Allen	Fleck	Nicholsen
Anderson	Fraser	Nystrom
Arneson	Fuglestad	Ohnstad
Arndt	Gackle	Olson, Barnes
Austad	Gainor	Olson, Bowman
Beede	Gress	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Schmidt
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Carlson	Langley	Shure
Coghlan	Lillehaugen	Singleton
Collette	Lunde	Smart
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Drovdal	Moe	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Ramsey	Mr. Speaker
Fitch	Nelson, Sargent	

Those voting in the negative were:

Crockett	Mollet	Tuff
Glas	Morrison	Welder
Haag	Myers	Williams, Richland
Haugen	Nelson, Morton	Williams, Stutsman
Juhola	Rieker	Wolf, McIntosh
Larson	Rohde	Wolf, Morton
Levin	Starck	

Absent and not voting:

Bjella	Bymers	Dittmer
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So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 142 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 104. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of Chapter 135, Laws of 1935, and Section 8 of Chapter 135, Laws of 1935, as Amended by Chapter 143, Laws of 1939, and Providing for the Selection of Precinct, County and State Committee Women.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 54; nays, 55; absent and not voting, 3.

Those voting in the affirmative were:

Allen	Gackle	Olson, Bowman
Arneson	Haugland	Peterson, Ransom
Arndt	Heckman	Rygg
Austad	Hofstrand	Sagehorn
Benno	Hogoboom	Sandness
Bergesen	Holm	Saumur
Blair	Ireland	Sellens
Bolmeier	Johnson, Cass	Severson
Brusseau	Johnson, Richland	Shure
Bymers	Kee	Singleton
Coghlan	Kindem	Smart
Collette	Langley	Stormon
Culver	McInnes	Swanson
Erickson, Williams	Morland	Trydahl
Falconer	Nelson, Cass	Twichell
Fitch	Nelson, Sargent	Westby
Fitzharris	Ohnstad	Williams, Richland
Fleck	Olson, Barnes	Williams, Stutsman

Those voting in the negative were:

Aker	Glas	Nelson, Ramsey
Anderson	Gress	Nicholsen
Beede	Haag	Nystrom
Belzer	Halvorson	Panko
Bingenheimer	Haugen	Peterson, Bottineau
Black	Jennings	Rieker
Boulden	Juhola	Rohde
Braun, McLean	Larson	Schmidt
Braun, Stark	Levin	Schwartz
Bubel	Lillehaugen	Semerad
Carlson	Lunde	Sharpe
Crockett	McIntee	Starck
Dalzell	McIntyre	Tuff
Devlin	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morrison	Wolf, McIntosh
Fraser	Myers	Wolf, Morton
Fuglestad	Nelson, Morton	Mr. Speaker
Gainor		

Absent and not voting:

Bjella	Dittmer	Nelson, Steele
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So the bill was declared lost.

Rep. Myers moved that the vote by which House Bill No. 104 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Moe: I would like to see the bill re-referred to the committee and have the word "shall" taken out and the word "may" inserted in lieu thereof. I vote "no".

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and

Dispensing with Licenses Relative to Foxes when Declared Predatory.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 11; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen	Halvorson	Olson, Bowman
Arneson	Haugland	Panko
Arndt	Heckman	Peterson, Bottineau
Austad	Hofstrand	Peterson, Ransom
Beede	Hogoboom	Rieker
Belzer	Holm	Rohde
Benno	Ireland	Rygg
Bergesen	Johnson, Cass	Sagehorn
Black	Johnson, Richland	Sandness
Bolmeier	Kee	Schmidt
Boulden	Kindem	Schwartz
Braun, McLean	Langley	Sellens
Braun, Stark	Larson	Semerad
Brusseau	Levin	Severson
Bubel	Lillehaugen	Sharpe
Bymers	Lunde	Shure
Carlson	McInnes	Singleton
Coghlan	McIntee	Smart
Collette	McIntyre	Starek
Crockett	Moe	Stormon
Culver	Mollet	Swanson
Dalzell	Morland	Trydahl
Drovdal	Morrison	Tuff
Erickson, Divide	Myers	Twichell
Erickson, Williams	Nelson, Cass	Wambheim
Falconer	Nelson, Morton	Welder
Fitzharris	Nelson, Ramsey	Westby
Fleck	Nelson, Sargent	Williams, Richland
Gackle	Nicholsen	Williams, Stutsman
Gainor	Nystrom	Wolf, Morton
Glas	Ohnstad	Mr. Speaker

Those voting in the negative were:

Anderson	Fuglestad	Juhola
Bingenheimer	Gress	Nelson, Steele
Devlin	Haugen	Wolf, McIntosh
Fraser	Jennings	

Absent and not voting:

Bjella	Dittmer	Saumur
Blair	Fitch	

So the bill passed and the title was agreed to.

Rep. Swanson moved that the vote by which House Bill No. 65 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Juhola: I am in favor of this bill on exterminating these foxes and not in favor of extending any powers to protect them. I vote "no".

Rep. Twichell moved that House Bill No. 102 be re-referred from the Comm. on Agriculture to the Comm. on Appropriations.

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Guinness Patent Butter and to Patent Butter and Cheese.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rieker
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz
Boulden	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Braun, Stark	Johnson, Richland	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Lillehaugen	Smart
Coghlan	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Mollet	Twichell
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Myers	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker
Fraser	Nicholsen	

Absent and not voting:

Bjella	Kea	Saumur
Collette	Levin	Starck
Dittmer	Moe	Wambheim
Juhola	Nelson, Morton	

So the bill passed and the title was agreed to.

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 8; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Cass
Allen	Fraser	Nelson, Sargent
Anderson	Gackle	Nicholsen
Arneson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Heckman	Rieker
Bingenheimer	Hofstrand	Rohde
Black	Hogoboom	Rygg
Blair	Holm	Sagehorn
Bolmeier	Ireland	Schmidt
Braun, McLean	Jennings	Schwartz
Braun, Stark	Johnson, Cass	Semerad
Bubel	Johnson, Richland	Sharpe
Bymers	Kindem	Starck
Carlson	Langley	Stormon
Coghlan	Larson	Swanson
Collette	Lillehaugen	Trydahl
Crockett	Lunde	Twichell
Culver	McInnes	Wambheim
Dalzell	McIntee	Welder
Devlin	McIntyre	Williams, Richland
Drovdal	Mollet	Williams, Stutsman
Erickson, Divide	Morland	Wolf, McIntosh
Erickson, Williams	Morrison	Wolf, Morton
Falconer	Myers	Mr. Speaker

Those voting in the negative were:

Boulden	Kee	Shure
Fitzharris	Nelson, Steele	Tuff
Fuglestad	Sellens	

Absent and not voting:

Bjella	Moe	Saumur
Brusseau	Nelson, Morton	Severson
Dittmer	Nelson, Ramsey	Singleton
Haugland	Nystrom	Smart
Juhola	Sandness	Westby
Levin		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 23 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 5; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fitzharris	Nicholsen
Allen	Fleck	Ohnstad
Anderson	Fraser	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Glas	Panko
Austad	Gress	Peterson, Bottineau
Beede	Haag	Peterson, Ransom
Belzer	Halvorson	Rieker
Benno	Haugen	Rohde
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Black	Hofstrand	Saumur
Blair	Hogboom	Schmidt
Bolmeier	Holm	Schwartz
Boulden	Ireland	Sellens
Braun, McLean	Jennings	Semerad
Braun, Stark	Juhola	Sharpe
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Lillehaugen	Swanson
Collette	McInnes	Trydahl
Crockett	McIntee	Twichell
Culver	McIntyre	Wambheim
Dalzell	Mollet	Westby
Devlin	Morland	Williams, Richland
Drovdal	Morrison	Williams, Stutsman
Erickson, Divide	Myers	Wolf, McIntosh
Erickson, Williams	Nelson, Morton	Wolf, Morton
Falconer	Nelson, Sargent	Mr. Speaker
Fitch	Nelson, Steele	

Those voting in the negative were:

Lunde	Stormon	Welder
Nelson, Ramsey	Tuff	

Absent and not voting:

Bjella	Johnson, Cass	Nelson, Cass
Dittmer	Johnson, Richland	Nystrom
Fuglestad	Levin	Sandness
Gackle	Moe	Severson

So the bill passed and the title was agreed to.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 10, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 69. A Bill for an Act to Amend Sections 1, 3 and 4 of Chapter 207 Session Laws of 1935, Relating to Refunding Special Improvement Warrants and Declaring an Emergency.

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Sections 5 and 11 of That Certain Initiated Law

Adopted by the Voters of the State of North Dakota at a Special Election Held September 22, 1933 and as Amended and Re-enacted by Chapter 97 of the Session Laws for the Year 1935, Relating to the Manufacture, Sale, and Distribution of Beer.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 10, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section 2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony and Declaring an Emergency.

Which the House has amended.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 10, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 51. A Bill for an Act Creating a Lien in Favor of the State for All Rentals Due From, and For All Damages Done by Tenants or Trespassers Upon Lands Belonging to the State of North Dakota and Being a Part of the Permanent School Fund Upon All Crops Raised By, and Upon All Buildings, Structures, Fences or Other Improvements Put Upon Leased or Occupied Lands, By Tenants or Trespassers Upon Such Lands; Providing for the Priority and for the Enforcement and Satisfaction Thereof and Declaring an Emergency.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 10, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 134. A Bill for an Act to Amend and Re-enact Chapter 126 of the Session Laws of the State of North Dakota for the Year 1933, Relative to and Covering the Awarding of Certain Contracts, and Giving Preference to Residents of the State of North Dakota; Repeal; Emergency.

House Bill No. 114. A Bill for an Act to Amend and Re-enact Section 11105 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 130 of the 1939 Session Laws of the State of North Dakota, Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 10, 1941.

Mr. President: I have the honor to return:
Senate Concurrent Resolution "D". A Concurrent Resolution in Regard to University and School Land Oil Leases and If Production of Oil Is Realized.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 10, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 10, 1941.

Mr. President: I have the honor to inform you that the House has appointed a committee consisting of Reps. Bergesen, Myers and Sellens to act with a like committee of the Senate to arrange for a Joint Memorial program.

C. R. VERRY, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, February 10, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

Which the Senate has amended as follows:

Insert in the title of the Bill, after the word "qualified": "and repealing all acts and parts of acts relating to Commission form of government in conflict with this act."

In line 33, Section 2, after the word "acts," insert, "relating to commission form of government and".

W. J. TROUT, Secretary.

Rep. Twichell moved that the House do concur in the Senate amendments to House Bill No. 68, which motion prevailed.

Rep. Sandness moved that the rules be suspended and that House Bill No. 68 be considered properly re-engrossed, placed on second reading and final passage as amended by the Senate, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Allen	Glas	Nelson, Steele
Anderson	Gress	Nicholsen
Arneson	Haag	Nystrom
Arndt	Halvorson	Ohnstad
Austad	Haugen	Olson, Bowman
Beede	Heckman	Panko
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rieker
Blair	Holm	Rygg
Bolmeier	Ireland	Sagehorn
Boulden	Jennings	Sandness
Braun, McLean	Johnson, Richland	Saumur
Braun, Stark	Juhola	Schmidt
Brusseau	Kee	Sellens
Bubel	Kindem	Semerad
Bymers	Langley	Severson
Carlson	Larson	Sharpe
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morland	Twichell
Falconer	Morrison	Wambheim
Fitzharris	Myers	Welder
Fleck	Nelson, Cass	Westby
Fraser	Nelson, Morton	Wolf, McIntosh
Fuglestad	Nelson, Ramsey	Wolf, Morton

Gackle	Nelson, Sargent	Mr. Speaker
Gainor		
Absent and not voting:		
Aker	Drovdal	Peterson, Bottineau
Belzer	Fitch	Rohde
Bingenheimer	Haugland	Schwartz
Bjella	Johnson, Cass	Shure
Black	Moe	Williams, Richland
Dittmer	Olson, Barnes	Williams, Stutsman

So the bill passed and the title was agreed to.

GENERAL ORDERS

Rep. Blair moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Blair to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 82.

And report the same out of the Committee of the Whole for further action by the House, with no action taken on the Standing Committee amendments.

House Bill No. 112.

In Section 1, line 8, after the word "highways" insert the words "except necessary repairs for such road machinery".

In Section 1, line 9, strike out the words and the figures "Five Hundred Dollars (\$500.00)" and insert in lieu thereof the words and figures "Two Hundred Dollars (\$200.00)".

And recommend the adoption of the Standing Committee amendments.

And the following further amendments:

In Sec. 1, line 8, after the word "Highways" insert a comma and after the word "machinery" strike out the period and insert a comma in lieu thereof.

And when so amended recommend the same do pass.

D. S. BLAIR, Chm., Comm. of the Whole.

Rep. Morland moved the adoption of the report of the Committee of the Whole, which motion prevailed.

Rep. Westby moved that House Bill No. 82 be re-referred to the Comm. on State Affairs, which motion prevailed.

The House reverted to the Fifth Order of Business.

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 44.

House Resolution "M".

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

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

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Resolution "M".

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 10, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 68.

C. R. VERRY, Chief Clerk.

Rep. Olson of Bowman moved that the House do now recess until 1:00 P. M., tomorrow, which motion prevailed.

C. R. VERRY, Chief Clerk.

THIRTY-FIFTH DAY AFTER RECESS
AND THIRTY-SIXTH DAY

Bismarck, February 11, 1941.

The House re-assembled at 1:00 P. M., pursuant to recess, Speaker Symington presiding.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 143, have had the same under consideration and recommend that the same be amended as follows:

In line 3, Sec. 1, after the word "Governor" insert the following: "by proclamation".

And when so amended recommend the same do pass.

REP. SEVERSON, Chairman.

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

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

On line 7, after the word "be", insert the word "on". Strike out the letter "d" in the word "filed".

On line 9, strike out the word "August" and in lieu thereof insert the word "July", and on the same line add an "s" to the word "year".

On line 10, add the letter "s" to the word "crop". Strike out the word "is" and insert the word "are".

And when so amended recommend the same do pass.

REP. MORLAND, Chairman.

Rep. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 173, have had the same under consideration and recommend that the same do pass.

REP. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 169, have had the same under con-

sideration and recommend that the same be indefinitely postponed.

REP. HOLM, Chairman.

Rep. Holm moved that the report be adopted.

Rep. Morland moved a substitute motion that House Bill No. 169 do pass, which motion was lost.

The question being on the motion of Rep. Holm that House Bill No. 169 be indefinitely postponed, the motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 127, have had the same under consideration and recommend that the same be amended as follows:

In the second line of the title, correct the spelling of the word "Committed".

In Section 1, strike the comma after the word "Penitentiary" at the end of line 4, and strike from line 5, the following words: "and all persons committed to the State Training School".

Insert a new Section 2 to read as follows: "Section 2. TRANSPORTATION OF PERSONS COMMITTED TO STATE TRAINING SCHOOL. The juvenile commissioner, or other officer or person designated by the court at the time commitment is ordered, shall conduct to the State Training School all persons committed thereto."

Change the number Section 2 on the printed bill to read "Section 3" and strike the word "SHERIFF'S" from the section title.

In line 4 on page 2 of the printed bill, strike the words "shall receive the same mileage", and in line 5 on page 2 of the printed bill, strike the words: "the State" and in line 6 on page 2 of the printed bill, strike the words: "Training School".

Insert a comma after the word "Insane" at the end of line 6 on page 2 of the printed bill and add the following: "and juvenile commissioners or other officers designated by the court to transport persons committed to the State Training School, shall receive the same mileage".

In line 8 on page 2 of the printed bill, strike out the word "or" and insert a comma in lieu thereof, and in the same line, after the word "deputy" add a comma and the following: "a juvenile commissioner, or other officer".

On page 3 of the printed bill, change "Sec. 3" to "Sec. 4".

On page 3 of the printed bill, change "Sec. 4" to "Sec. 5".

Renumber lines to comply with the rules.

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 145, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Corporations Other Than Municipal to whom was referred House Bill No. 168,

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

WM. IRELAND, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 82, have had the same under consideration and recommend that the same be amended as follows:

In line 8 of Section 1, after the figures "30" strike out the "period" and insert in lieu thereof a semi-colon and add the following words "provided that until January 1, 1942, the knock rating shall not be less than Octane Number 25."

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 45, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Rep. Boulden moved that the vote by which House Bill No. 45 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 49, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Rep. Blair moved that the vote by which House Bill No. 49 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 56, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted.

Rep. Moe moved that House Bill No. 56 be re-referred to the Comm. on State Affairs, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 95, have had the same under consideration and recommend that the same be referred to Committee on Appropriations.

K. A. FITCH, Chairman.

Rep. Fraser moved that the report be adopted.

Rep. Panko moved a substitute motion that House Bill No. 95 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom

was referred Senate Bill No. 68, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 96, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

Rep. Bubel moved that the report be adopted.

Rep. Bergesen moved a substitute motion that Senate Bill No. 96 do pass, which motion was lost.

The question being on the motion of Rep. Bubel that Senate Bill No. 96 be indefinitely postponed, the motion prevailed.

Rep. Haag moved that the vote by which Senate Bill No. 96 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Committee on Enrollment and Engrossment made the following reports:

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

House Bill No. 68.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

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

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

House Bill No. 112.

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

SELECT COMMITTEE REPORT

The Committee on Employment presented the resignation of J. B. Fischer as janitor.

Rep. Benno moved that the House accept the resignation of J. B. Fischer, which motion prevailed.

The Committee on Employment made the following further report:

Mr. Speaker: Your Committee on Employment wishes to place the name of Jens Olson as janitor.

REP. BENNO, Chairman.

Mr. Benno moved the adoption of the report.

ROLL CALL

The question being on the employment of Jens Olson as janitor, the roll was called and there were ayes, 74; nays, 35; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Falconer	Myers
Allen	Fitch	Nelson, Cass
Anderson	Fitzharris	Nelson, Ramsey

Austad	Fleck	Nelson, Steele
Beede	Gackle	Nystrom
Belzer	Gainor	Ohnstad
Benno	Glas	Olson, Bowman
Bergesen	Haag	Panko
Bingenheimer	Halvorson	Peterson, Bottineau
Black	Haugen	Rieker
Blair	Heckman	Rygg
Bolmeier	Hofstrand	Sagehorn
Braun, McLean	Hogoboom	Saumur
Braun, Stark	Jennings	Sellens
Bubel	Johnson, Richland	Sharpe
Bymers	Juhola	Singleton
Carlson	Kindem	Smart
Collette	Langley	Swanson
Culver	Larson	Tuff
Dalzell	Levin	Welder
Devlin	Lunde	Westby
Dittmer	McInnes	Williams, Stutsman
Drovdal	McIntee	Wolf, McIntosh
Erickson, Divide	McIntyre	Mr. Speaker
Erickson, Williams	Morrison	
Those voting in the negative were:		
Arneson	Kee	Schwartz
Arndt	Lillehaugen	Semerad
Bjella	Moe	Severson
Boulden	Mollet	Shure
Brusseau	Morland	Starck
Coghlan	Nelson, Morton	Stormon
Crockett	Nelson, Sargent	Trydahl
Fuglestad	Nicholsen	Twichell
Gress	Olson, Barnes	Wambheim
Haugland	Peterson, Ransom	Williams, Richland
Holm	Sandness	Wolf, Morton
Ireland	Schmidt	
Absent and not voting:		
Fraser	Johnson, Cass	Rohde

So Jens Olson was declared elected as janitor.

SEVENTH ORDER OF BUSINESS

Rep. Johnson of Richland moved on behalf of the Comm. on Appropriations that House Bill No. 2 be withdrawn, which motion prevailed.

Rep. Myers moved that the Chief Clerk be instructed to immediately prepare vouchers to pay C. E. Mattson and J. B. Fischer, who have resigned, for their services as night watchman and janitor, which motion prevailed.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 11, 1941.

Mr. Speaker: I have the honor to transmit:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

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

C. R. VERRY, Chief Clerk.

FIRST READING OF HOUSE BILLS

Representatives Crockett, Halvorson and Juhola introduced:

House Bill No. 195. A Bill for an Act Abating Excessive and Illegal Taxes for the Year 1939 and Prior Years, Declaring a Procedure for the Lawful Determination of the Legal and Valid Tax Charges, and for the Determination of the Legal and Valid Amount to Be Paid to Effect Redemption from Tax Sales, Tax Certificates, Tax Deeds, and to Re-purchase from the County and Fixing the Legal and Valid Amount for Liquidation of Settlement Tax Contracts.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Glas, Rohde, Mollet, Braun of McLean, Jennings and Larson introduced:

House Bill No. 196. A Bill for an Act to Amend and Re-enact Subsection (h) of Section 51 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment By the Supreme Court of the State Examiner as Receiver of Insolvent State Banks, the Transfer of Powers and Duties of the Receiver or Receivers Heretofore Appointed by the Supreme Court to the State Examiner and Providing That the State Examiner Shall Become Receiver of All Insolvent State Banks from Which the Receiver Appointed by the Supreme Court has Not Been Discharged, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Banks and Banking.

Representatives Falconer, Crockett and Brusseau introduced:

House Bill No. 197. A Bill for an Act to Assist the People of North Dakota in Acquiring and Owning Homes, By Designating Homes Occupied By the Owners as a Separate Class of Real Property for Taxation Purposes; Fixing the Basis of Assessment Thereon, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Blair and Bergesen introduced:

House Bill No. 198. A Bill for an Act to Prohibit the Issuance of a Driver's License Except Upon Proof of Payment of Applicants' Personal Property and Poll Taxes.

Was read the first time and referred to the Comm. on Ways and Means.

Representative Johnson of Richland introduced:

House Bill No. 199. A Bill for an Act to Provide Punishment for the Taking and Operating of an Automobile or Other Motor Vehicle, or Causing the Same to Be Taken and Operated Without the Consent of the Owner, Under Circumstances Not Amounting to Larceny.

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

The Committee on Corporations Other Than Municipal introduced:

House Bill No. 200. A Bill for an Act to Provide for the Levying of Dues or Assessments Upon Members in Non-Stock Corporations, and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Ireland and Bjella introduced:

House Bill No. 201. A Bill for an Act to Amend and Re-enact Chapter 4 of the 1931 Session Laws of the State of North Dakota.

Was read the first time and referred to the Comm. on Livestock.

Representatives Bergesen, Beede and Haugland introduced:

House Bill No. 202. A Bill for an Act Providing for the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm, Providing for the Commitment and Transfer of Prisoners Thereto, and Their Care and Supervision Therein; Making an Appropriation for the Establishment and Maintenance of Said Institution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on State Affairs.

Representative Bergesen introduced:

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

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

Rep. Sharpe asked that the Comm. on Public Safety be granted an extension of time for the consideration of House Bill No. 121, which request was granted.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 175, have had under consideration and recommend that the same be returned to the House without recommendation.

REP. SHURE, Chairman.

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

Rep. Shure moved that House Bill No. 175 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 94, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SHURE, Chairman.

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

Rep. Swanson moved that the vote by which House Bill No. 94 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 70, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SHURE, Chairman.

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

Rep. Mollet moved that the vote by which House Bill No. 70 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 88, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SHURE, Chairman.

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

Rep. Shure moved that action on House Bill No. 176 be delayed one legislative day, which motion prevailed.

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

Rep. Crockett announced that T. D. Atchison, County Judge of Bottineau County and a former member of the House of Representatives was present in the Chamber and moved that Judge Atchison be extended the courtesy of the floor, which motion prevailed.

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

THIRTY-SIXTH DAY

Bismarck, February 11, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Walter E. Vater, Bismarck.

Roll Call disclosed all members present.

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

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

On page 312, in the roll call, Nelson of Ramsey is shown

as absent and not voting whereas he was present and voted "aye".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was received from C. A. Malander, Oakes, N. D., urging the passage of House Bill No. 80, amending the Anti-Corporation Farming Law, which the Speaker referred to the Comm. on State Affairs.

Communications were received from the following opposing the passage of House Bill No. 80, which the Speaker referred to the Comm. on State Affairs:

Members of Golden Glen Local No. 416 of the Farmers Union comprised of eighty members;

Harrison Farmers Union Local No. 822, Ward County.

Communications were received from Oscar J. Kaastad of Minot, and The Bismarck Trades and Labor Assembly opposing the passage of House Bill No. 139, amending the North Dakota Workmen's Compensation Law, which the Speaker referred to the Comm. on Ways and Means.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 11, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 11, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 90. A Bill for an Act Providing for the Consideration by the State Board of Equalization of Certain Property Valuation in Determining the Value of Public Utilities for Taxing Purposes, and Declaring an Emergency.

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building,

to Prescribe Rules and Regulations for the Operation and Maintenance of the Same, and Making an Appropriation Therefor.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 143, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Guinness Patent Butter and to Patent Butter and Cheese.

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 11, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 41. A Bill for an Act to Divide the State of North Dakota into Two (2) Congressional Districts, and Defining the Boundaries of Each of Said Congressional Districts.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 171, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. SHURE, Chairman.

Rep. Aker moved that the report be adopted.

Rep. Aker moved a substitute motion that House Bill No. 171 be re-referred to the Committee on Cities and Municipal Corporations for amendment, which motion prevailed.

Rep. Johnson of Richland asked to be granted a short time by the House in which to present a gift to Speaker Symington from the Young Republican members of the House, which request was granted.

Rep. Johnson of Richland in presenting the gift of a gavel to the Speaker spoke as follows:

"I am speaking for and on behalf of the Young Republicans in this House. In some of our informal meetings, we have given considerable thought as to how we could in some small measure show our appreciation to our friend Earl for the many courtesies he has shown us and for the very fair and considerate manner, with which he has helped us establish

ourselves as members of this House. We agreed upon a gavel as being one way in which we could show, at least in some small measure, our gratefulness to our good Speaker.

"I think that I speak for the entire body when I say that Earl has been an exceptionally efficient and impartial presiding officer. If we have any criticism to make, it would be of the fact that he is capable of hearing the opposition 'voice vote' entirely too well. We not only admire Earl as a Speaker, but we admire him as a man, and as a leader in his community and state. It is our sincere hope that Earl will continue a long and active career in the political destinies of his local community, state and nation. In a brief word, we, as North Dakotans, like Earl and are proud of him.

"In presenting this gavel, Honorable Speaker, we have one or two requests that we would like to make concerning its use. The first of these is that when Morland and Falconer start visiting back and forth across the room, you use it to remind them that is no coffee party. In the second place, when Swanson gets up to discuss the 50-50 bill, we urge you to use it to remind him that there may be ladies in the gallery. And last, but not least, Crockett and Twichell have never come to a clear-cut understanding on this proposition of shooting and pursuing. Now, should the situation develop where they have been shooting each other with everything they can lay their tongues to, and suddenly should the impulse move them to pursue one another across the aisle, we urge that you use this gavel not only to call out the Sergeant-at-Arms, but the janitors as well.

"Seriously speaking, it gives me a great deal of pleasure, on behalf of the Young Republicans in this house, to present you with this gavel in the hope that it will be of aid to you in presiding over the deliberations of this group, and that in future years it will serve as a pleasant reminder of the many happy days we have spent here together.

"The following Young Republicans herewith present this gavel to you as a token of their esteem and respect for you as the Speaker of the House of Representatives of this 1941 Session: Wesley L. Bolmeier, Manfred R. Ohnstad, Harold T. Morrison, Harry Carlson, C. G. Kee, Vernon M. Johnson, and Curtis G. Olson."

On being presented with the gavel, Speaker Earl Symington spoke as follows:

"Thank you, Mr. Johnson and Young Republicans. I don't see how a person could be anything else but fair with such a fine group of people as I have here to work with. I will try my best to use this gavel in the manner that Mr. Johnson has suggested. I thank you most sincerely, Young Republican members of this body, for this fine and appropriate gift."

Rep. Swanson moved that these remarks be printed in the Journal, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, February 11, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has appointed a committee consisting of Senators

Dahl, Greiser and Bilden to act with the House Committee for arranging a Joint Memorial Program.

W. J. TROUT, Secretary.

Rep. Bolmeier asked that the Committee on Insurance be granted an extension of time for the consideration of House Bill No. 115, which request was granted.

Rep. Bergesen asked that the Committee on Banks and Banking be granted an extension of time for the consideration of House Bill No. 138, which request was granted.

Rep. Stormon asked that the Committee on Judiciary be granted an extension of time for the consideration of House Bill No. 84, which request was granted.

Rep. Morland asked that the Committee on Tax and Tax Laws be granted an extension of time for the consideration of House Bill No. 36, which request was granted.

FIRST READING OF HOUSE BILLS

Representatives Lillehaugen, Rohde, Myers, Larson, Glas, Mollet and Braun of McLean introduced:

House Bill No. 204. A Bill for an Act Amending Section 283b1 of the Supplement to the Compiled Laws of 1913, and Amending Chapter 265, Laws of North Dakota 1931, and All Subsequent Amendatory Acts Thereof, Relating to Board of Administration for the General Supervision and Administration of All State Penal, Charitable and Other State Institutions Which Said Board Now Administers, and the General Supervision of Said Institutions, and Defining Its Powers and Duties, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on State Affairs.

Representative Devlin introduced:

House Bill No. 205. A Bill for an Act Relating to the Election of County Commissioners; Providing That They Be Elected By a Vote at Large in the County; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Counties.

The Joint Committee on Refinancing State Indebtedness introduced:

House Bill No. 206. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Mill and Elevator Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Mill and Elevator Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act.

Was read the first time and referred to the Comm. on State Affairs.

SECOND READING OF HOUSE BILLS

House Bill No. 152 was read the second time.

Rep. Bergesen moved that House Bill No. 152 be referred to the Comm. on Judiciary, which motion prevailed.

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation 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, 111; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker

Absent and not voting:

Johnson, Cass

So the bill passed and the title was agreed to.

House Bill No. 99 was read the second time.

Rep. Bergesen asked unanimous consent to amend House Bill No. 99, which consent was granted.

Rep. Bergesen moved the following amendment to House Bill No. 99: In Sec. 1, line 11, after the word "week" strike out the period and add the following: "under the supervision of a duly established or incorporated religious body."

Which motion prevailed.

Rep. Beede moved that the rules be suspended as to the amendment of a bill on Second Reading, which motion prevailed.

Rep. Beede moved the following amendment to House Bill

No. 99: On page 2, line 10, after the word "classes" insert the following: "outside of such public schools."

Which motion prevailed.

Rep. Twichell moved that the rules be suspended and that House Bill No. 99 be considered properly engrossed, and placed on Second Reading and final passage as amended, which motion prevailed.

House Bill No. 99. A Bill for an Act to Permit Not to Exceed Two Hours Per School Week of Religious Instruction by a Duly Established and Incorporated Religious Body, of Children Attending Elementary and Secondary Public Schools in the State of North Dakota; Excusing Pupils for Such Purposes When Requested by Parent, Guardian, or Other Person Having Control of the Pupil. Repeal.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bjella	Hofstrand	Rieker
Black	Hogoboom	Rohde
Blair	Holm	Rygg
Bolmeier	Ireland	Sagehorn
Boulden	Jennings	Sandness
Braun, McLean	Johnson, Richland	Schmidt
Braun, Stark	Juhola	Schwartz
Brusseau	Kee	Sellens
Bymers	Kindem	Semerad
Carlson	Langley	Severson
Collette	Larson	Sharpe
Crockett	Levin	Shure
Culver	Lillehaugen	Singleton
Dalzell	Lunde	Smart
Devlin	McInnes	Starck
Dittmer	McIntee	Stormon
Drovdal	McIntyre	Swanson
Erickson, Divide	Moe	Tuff
Erickson, Williams	Mollet	Twichell
Falconer	Morland	Wambheim
Fitch	Morrison	Welder
Fleck	Myers	Westby
Fraser	Nelson, Cass	Williams, Richland
Fuglestad	Nelson, Morton	Wolf, McIntosh
Gackle	Nelson, Ramsey	Wolf, Morton
Gainor	Nicholsen	Mr. Speaker

Those voting in the negative were:

Aker	Bubel	Nelson, Steele
Allen	Coghlan	Nystrom
Arndt	Fitzharris	Saumur
Belzer	Halvorson	Trydahl

Bingenheimer Nelson, Sargent Williams, Stutsman

Absent and not voting:

Johnson, Cass

So the bill was declared passed.

Rep. Beede moved that the title of House Bill No. 99 be amended as follows:

After the word "Instruction" insert the words "outside of the Public Schools".

Which motion prevailed.

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 213 of the Session Laws for 1939; Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen	Gress	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arneson	Halvorson	Panko
Arndt	Haugen	Peterson, Bottineau
Austad	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Richland	Schmidt
Boulden	Juhola	Schwartz
Braun, McLean	Kee	Sellens
Braun, Stark	Kindem	Semerad
Brusseau	Langley	Severson
Bubel	Larson	Sharpe
Bymers	Levin	Shure
Carlson	Lillehaugen	Singleton
Coghlan	Lunde	Starck
Collette	McInnes	Stormon
Crockett	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Moe	Tuff
Devlin	Morland	Twichell
Drovdal	Morrison	Wambheim
Erickson, Divide	Myers	Welder
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fleck	Nelson, Sargent	Wolf, McIntosh
Fraser	Nelson, Steele	Wolf, Morton
Fuglestad	Nicholsen	Mr. Speaker
Gackle	Nystrom	

Those voting in the negative were:

Belzer	Fitzharris	Mollet
Dittmer	Glas	

Absent and not voting:

Johnson, Cass Smart

Excused:

Beede

So the bill passed and the title was agreed to.

Rep. Beede asked to be excused from voting on House Bill No. 135 for the reason that he had a personal interest in the bill.

House Bill No. 158 was read the second time.

Rep. Morland moved that further consideration of House Bill No. 158 be indefinitely postponed, which motion prevailed.

Rep. Morland moved that the vote by which House Bill No. 158 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch moved that the House do now recess for a ten-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken and the House proceeded on the Eleventh Order of Business.

House Bill No. 136. A Bill for an Act to Repeal Subdivision 1 of Section 3 of Chapter 240 of the Session Laws of the State of North Dakota for the Year 1931.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 24; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gainor	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Haugland	Peterson, Bottineau
Austad	Heckman	Peterson, Ransom
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bingenheimer	Holm	Saumur
Bjella	Ireland	Schmidt
Black	Juhola	Sellens
Blair	Kee	Semerad
Bolmeier	Kindem	Severson
Boulder	Langley	Sharpe
Braun, Stark	Levin	Shure
Brusseau	Lillehaugen	Singleton
Bymers	Lunde	Smart
Carlson	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	Moe	Trydahl
Devlin	Morland	Tuff
Dittmer	Nelson, Cass	Twichell
Erickson, Divide	Nelson, Morton	Wambheim
Erickson, Williams	Nelson, Ramsey	Westby
Falconer	Nelson, Sargent	Williams, Stutsman
Fitch	Nelson, Steele	Wolf, Morton

Fitzharris	Nicholsen	Mr. Speaker
Fleck		
Those voting in the negative were:		
Beede	Jennings	Rieker
Braun, McLean	Larson	Rohde
Bubel	McIntyre	Rygg
Crockett	Mollet	Schwartz
Drovdal	Morrison	Starck
Fraser	Myers	Welder
Glas	Ohnstad	Williams, Richland
Haugen	Panko	Wolf, McIntosh
Absent and not voting:		
Anderson	Collette	Halvorson
Belzer	Gackle	Johnson, Cass
Coghlan	Gress	Johnson, Richland

So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 136 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the Expenditure of Money by Contract for Road Improvements and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rieker
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	McInnes	Starck
Crockett	McIntee	Swanson
Culver	McIntyre	Trydahl

Dalzell	Moe	Tuff
Devlin	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad		
Those voting in the negative were:		
Boulden	Juhola	Nelson, Ramsey
Dittmer	Lunde	Stormon

So the bill passed and the title was agreed to.

The House reverted to the Tenth Order of Business.

FIRST READING OF HOUSE BILL

Introduced by Reps. Blair, Johnson of Cass, Myers, Schwartz, Symington and Williams of Richland.

House Bill No. 207. A Bill for an Act Providing for the Refunding of the Real Estate Bonds of the State of North Dakota, the Issuance of Refunding Bonds by the Industrial Commission, Prescribing the Terms and Conditions Hereof, Providing for Their Sale, Exchange and Delivery, Establishing the "Refunding Bond Fund" and the "Refunding Bond Interest Fund," Providing for Annual Tax Levies, Providing for the Retirement and Payment of North Dakota's Outstanding Real Estate Bonds, Chapter 154 of the Session Laws of 1919 (Sections 2290b1 to 2290b16 Inclusive, 1925 Supplement to the 1913 Compiled Laws), Chapter 292 Session Laws of 1923 (Sections 2290c1 to 2290c15, Inclusive, 1925 Supplement to the Compiled Laws), Chapter 182, Session Laws of 1929, Chapters 101 and 102 Session Laws of 1931, Chapter 90, Session Laws of 1933, and Amendments to the Same, Transferring Assets and Funds Securing North Dakota Bonds for the Use of Refunding Bonds and Interest Thereon; Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Enactment; and Declaring an Emergency.

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

GENERAL ORDERS

Rep. Westby moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Westby to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 76.

At the end of line 16 of the printed bill and after the word "cause" strike out the period and substitute therefore a comma, and add the following words after the comma "provided, however, such office shall in all cases become vacant

upon the termination of the term for which he was elected or appointed."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 146.

In line 11 of Section 1, strike out "\$4.00" and insert in lieu thereof "\$3.00".

In line 31 strike out "\$5.00" and insert in lieu thereof "\$3.00".

In line 35 strike out the word "certified".

In line 40 strike out the word "misconstructed" and strike out the "comma" and insert in lieu thereof the word "or," add a comma after the words "out of repair". Strike out "or in any".

In line 41 strike out "other condition which can be remedied by him".

And recommend the adoption of the Standing Committee amendments.

And the further additional amendments:

On page 3, line 35, after the word "be" insert the words "re-inspected and certificate issued" in lieu of the word "certified" as stricken out by the Standing Committee amendment.

Strike out the Standing Committee amendment on page 2, in line 11 and on page 3, in line 31.

And when so amended recommend the same do pass.

House Bill No. 62.

In Section 7, line 14, after the word "term" insert the following: "Provided, however, that applicants who are eighteen years of age or younger shall pay the sum of twenty-five cents for each such license;"

In Section 7, line 14, strike out the word "Provided" and insert in lieu thereof the words "and provided".

In Section 7, line 15, strike out the word "however" and insert in lieu thereof the word "further".

And recommend the adoption of the Standing Committee amendments.

And the further additional amendments:

On page 8, line 47, strike out the figures "\$2,400" and insert in lieu thereof "\$2,000".

On page 8, line 48, strike out the figures "\$2,000" and insert in lieu thereof "\$1,800".

On page 8, line 50, strike out the figures "\$150" and insert in lieu thereof the figures "\$125".

On page 8, line 56, strike out words "forty-seven" and insert in lieu thereof the words "thirty-five".

And when so amended recommend the same do pass.

REP. WESTBY, Chm., Comm. of the Whole.

Rep. Fitch moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was adopted.

Rep. Twichell requested that the House be on the Seventh Order of Business, which request was granted.

Rep. Twichell moved that action on the Senate Bills on the

calendar be deferred one legislative day, which motion prevailed.

Rep. Fitch moved that the House reconsider its action taken on Senate Bill No. 41 for the purpose of amending the bill.

Rep. Beede moved a substitute motion that the motion of Rep. Fitch be laid on the table.

Roll Call was demanded and granted on the motion of Rep. Beede.

ROLL CALL

The question being on the motion of Rep. Beede that the motion of Rep. Fitch for reconsideration of action taken on Senate Bill No. 41 be laid on the table, the roll was called and there were ayes, 66; nays, 46; absent and not voting, 0.

Those voting in the affirmative were:

Anderson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Peterson, Bottineau
Bingenheimer	Haugland	Rieker
Bjella	Heckman	Rohde
Black	Hofstrand	Rygg
Braun, McLean	Ireland	Sagehorn
Braun, Stark	Jennings	Schmidt
Brusseau	Juhola	Schwartz
Bubel	Kee	Sellens
Bymers	Larson	Semerad
Crockett	Levin	Singleton
Culver	Lillehaugen	Smart
Devlin	McIntee	Starck
Drovdal	McIntyre	Tuff
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morrison	Williams, Richland
Falconer	Myers	Williams, Stutsman
Fleck	Nelson, Morton	Wolf, McIntosh
Fraser	Nelson, Ramsey	Wolf, Morton

Those voting in the negative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Arneson	Hogoboom	Peterson, Ransom
Austad	Holm	Sandness
Bergesen	Johnson, Cass	Saumur
Blair	Johnson, Richland	Severson
Bolmeier	Kindem	Sharpe
Boulder	Langley	Shure
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Collette	Moe	Trydahl
Dalzell	Morland	Twichell
Dittmer	Nelson, Cass	Wambheim
Fitch	Nelson, Sargent	Westby
Fitzharris	Nelson, Steele	Mr. Speaker
Fuglestad		

So the motion was declared carried.

Rep. Brusseau moved that subsequent to the First Reading of Senate Bills the House stand recessed until 1:00 P. M., tomorrow, which motion prevailed.

FIRST READING OF SENATE BILLS

Senate Bill No. 100. A Bill for an Act to Prohibit Sales of Total Assets and Reorganizations of Corporations Unless Authorized by a Two-thirds Vote of Stockholders or Members.

Was read the first time and referred to the Comm. on Corporations Other Than Municipal.

Senate Bill No. 77. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 221 of the Session Laws of North Dakota for the Year 1935, Providing for the Appointment of Members of the State Board of Public Welfare.

Was read the first time and referred to the Comm. on Public Welfare.

Senate Bill No. 87. A Bill for an Act to Provide for Payments from the North Dakota Workmen's Compensation Fund in Certain Cases Where No Actual Dependency Is Shown and Providing on Option in Certain Cases.

Was read the first time and referred to the Comm. on Insurance.

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Subdivision (f) of Section 4609b8 of the Supplement to the Compiled Laws of North Dakota of 1913; Relating to Articles of Incorporation of Co-operative Marketing Associations.

Was read the first time and referred to the Comm. on Livestock.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

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

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Chapter 243 of the Session Laws of 1939 Relating to the Distribution of Seeds and Planting Stock by the State Forester, and Declaring an Emergency.

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 8 of the 1939 Session Laws Relating to Unfair Discrimination in the Purchase of Certain Farm Products; Repealing Acts in Conflict, and Declaring an Emergency.

Were read the first time and referred to the Comm. on Agriculture.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

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

And the House stood recessed until 1:00 P. M., February 12th.

C. R. VERRY, Chief Clerk.

THIRTY-SIXTH DAY AFTER RECESS AND THIRTY-
SEVENTH DAY

Bismarck, February 12, 1941.

The House re-assembled at 1:00 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 103, have had the same under consideration and recommend that the same do pass.

REP. A. C. JOHNSON, Chairman.

Rep. Wolf of McIntosh moved that the report be adopted.

Rep. Trydahl moved a substitute motion that House Bill No. 103 be re-referred to the Comm. on Appropriations, which motion prevailed.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 124, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. A. C. JOHNSON, Chairman.

Rep. Braun of Stark moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the vote by which House Bill No. 124 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 192, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

Rep. Swanson moved that the report be adopted.

Rep. Shure moved a substitute motion that House Bill No. 192 be placed on the calendar.

Rep. Morland moved that House Bill No. 192 be re-referred to the Comm. on Judiciary, which motion was lost.

The question being on the substitute motion of Rep. Shure that House Bill No. 192 be placed on the calendar, the motion was lost.

The question then being on the motion of Rep. Swanson that House Bill No. 192 be indefinitely postponed. Roll Call was demanded and granted.

ROLL CALL

The question being on the motion of Rep. Swanson that House Bill No. 192 be indefinitely postponed, the roll was called and there were ayes, 70; nays, 42; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Sargent
Anderson	Fraser	Ohnstad
Arneson	Gainor	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Gress	Panko
Belzer	Haag	Peterson, Bottineau
Benno	Halvorson	Peterson, Ransom
Bergesen	Haugland	Rieker
Bingenheimer	Heekman	Rohde
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Braun, McLean	Holm	Sandness
Braun, Stark	Ireland	Schmidt
Bubel	Jennings	Schwartz
Bymers	Juhola	Semerad
Coghlan	Kindem	Singleton
Crockett	Larson	Starck
Culver	McIntee	Swanson
Devlin	McIntyre	Tuff
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Myers	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitch		

Those voting in the negative were:

Allen	Johnson, Cass	Nystrom
Arndt	Johnson, Richland	Saumur
Blair	Kee	Sellens
Bolmeier	Langley	Severson
Boulden	Levin	Sharpe
Brusseau	Lillehaugen	Shure
Carlson	Lunde	Smart
Collette	McInnes	Stormon
Dalzell	Moe	Trydahl
Dittmer	Morrison	Twichell
Fleck	Nelson, Cass	Wambheim
Fuglestad	Nelson, Ramsey	Westby
Gackle	Nelson, Steele	Williams, Stutsman
Haugen	Nicholsen	Mr. Speaker

Rep. Aker voted "aye" for the purpose of reconsideration.

So the motion was declared carried.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 176, have had the same under consideration and recommend that the same do pass.

REP. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Livestock to whom was referred Senate Bill No. 115, have had the same under consideration and recommend that the same do pass.

REP. NELSON OF CASS, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 99, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

Senate Concurrent Resolution "I" was reported in by the Committee on Game and Fish.

Rep. Benno moved that Senate Concurrent Resolution "I" be re-referred to the Committee on Game and Fish, which motion prevailed.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 170, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 172, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred Senate Bill No. 167, have had the same under consideration and recommend that the same do pass.

A. H. NYSTROM, Chairman.

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

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred House Bill No. 166, have had the same under consideration and recommend that the same do pass.

A. H. NYSTROM, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 62

House Bill No. 76

House Bill No. 146

House Bill No. 99

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber,

Bismarck, February 12, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Concurrent Resolution "E". A Concurrent Resolution Urging the Enactment of the Wheat Income Certificate Bill and the Debt Adjustment Bill By Congress.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, February 12, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 75. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 1 and to Repeal Sub-section 9 of Section 3, of Chapter 241, Session Laws of 1939, Relating to the Use Tax.

Senate Bill No. 103. A Bill for an Act Recognizing the Rule Making Powers of the Supreme Court; Providing That Existing Statutes of Procedure Shall Be Continued in Effect as Rules of Court Until Altered by the Supreme Court; Providing That Procedural Statutes Exist as Rules of Court; Authorizing the Supreme Court to Amend Rules Promulgated By It and Statutes Governing Procedure; Permitting the Supreme Court to Make New Rules; Providing for Hearings on Rules Before the Same Are Promulgated By the Court; Providing for the Making of a Complaint to the Supreme Court Against Rules and for Hearing on Such Complaint; Providing for Giving Notice of the Effective Date of the

Rules Promulgated By the Court; and Authorizing the Supreme Court to Make Rules Governing the Practice of Law and for the Admission, Disbarment, Discipline, and Reinstatement of Attorneys at Law.

Senate Bill No. 130. A Bill for an Act Defining Citizens of the State of North Dakota; Providing for a Judicial Proceeding for the Establishment of Citizenship for the State of North Dakota; And Repealing Section 13 of the 1913 Compiled Laws of the State of North Dakota.

Senate Bill No. 123. A Bill for an Act to Amend and Re-enact Section 8793 of the Compiled Laws of North Dakota, Relating to Petitions for Conveyance of Real Estate Sold on Contracts, and Contents of Petition and Decree, and Declaring an Emergency.

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, Relating to Wolf and Coyote Bounty and Declaring an Emergency.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229, of the Session Laws for 1939, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing that as to Stocks of Merchandise, the Average Value Thereof for the Year Preceding the Time of Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, and Declaring an Emergency.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931, Chapter 286, Session Laws of 1935, and Chapter 251, Session Laws of 1939.

Senate Bill No. 63. A Bill for an Act to Regulate the Practice of Lobbying Requiring Certain Information to be Filed Relative to Lobbyists and Providing Penalty for the Violation Thereof.

Senate Bill No. 94. A Bill for an Act Prohibiting Any Sheriff, Deputy Sheriff or Employee in the Sheriff's Office from Acting as a Collector or Collection Agent for Any Person, Firm or Corporation in the Collection of Any Accounts or Claims in the County where He Is Acting as Such Sheriff, Deputy Sheriff or Employee, and Prescribing Penalties.

Senate Bill No. 90. A Bill for an Act to Appropriate Seven Thousand, Five Hundred (\$7,500.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Co-operation with the United States in the Control of Such Predatory Animals; and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 12, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 69. A Bill for an Act to Amend Sections 1, 3 and 4 of Chapter 207 Session Laws of 1935, Relating to Refunding Special Improvement Warrants and Declaring an Emergency.

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Sections 5 and 11 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at a Special Election Held September 22, 1933 and as Amended and Re-enacted by Chapter 97 of the Session Laws for the Year 1935, Relating to the Manufacture, Sale, and Distribution of Beer.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 12, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3854 of the 1925 Supplement of the Compiled Laws of North Dakota and Allowing Villages to Elect Trustees at Large.

Senate Bill No. 46. A Bill for an Act to Amend Section 3787 of the Compiled Laws of North Dakota for 1913 Prescribing Qualifications of Officers Under the Commission Form of City Government.

Senate Concurrent Resolution "G." A Concurrent Resolution Memorializing Congress to Pass Legislation to Enable the Federal Government to Increase the Loan Value on Grains and Farm Products at Least 25%.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 12, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

House Bill No. 44. A Bill for an Act Transferring the

Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith. Which the President has signed.

W. J. TROUT, Secretary.

FIRST READING OF HOUSE BILLS

Representatives Dalzell and Anderson introduced:

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers. Repeal.

Was read the first time and referred to the Comm. on Warehouse and Grain Grading.

Representative Blair introduced:

House Bill No. 209. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 213 of the 1935 Session Laws of the State of North Dakota as Amended by Chapter 182 of the Session Laws of the State of North Dakota of 1939, Providing that State and Municipal Officers and Employees, or Those Drafted for Service, Shall Not Lose Pay While on Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

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

Representatives Morland, Bubel, Saumur and Rohde introduced:

House Bill No. 210. A Bill for an Act to Conserve Crude Petroleum Oil and Natural Gas; to Enlarge the Duties and Authority of the Industrial Commission of North Dakota to Supervise and Control the Oil and Gas Resources of North Dakota; Authorizing the Industrial Commission of North Dakota to Promulgate Rules and Regulations for the Enforcement of the Provisions of the Act for the Purpose of Conserving Oil and Gas; Providing Penalties for the Violation of Certain Provisions of the Act or the Regulations Promulgated Thereunder; Repealing Chapter 184 of the 1929 Session Laws and Chapter 135 of the 1937 Session Laws of North Dakota; Repealing All Laws and Parts of Laws in Conflict Herewith.

Was read the first time and referred to the Comm. on State Affairs.

Representative Johnson of Cass introduced:

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for 1939.

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

Representative Starck introduced by request:

House Bill No. 212. A Bill for an Act to Provide for Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Morland and Beede introduced:

House Bill No. 213. A Bill for an Act to Amend and Re-enact §§ 5 and 8 of Chapter 165 of the Session Laws of 1939, Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; and Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

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

Representatives Myers, Ireland, McIntyre, Morland and Olson of Bowman introduced.

House Concurrent Resolution No. 214. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 11 of the Constitution of the State of North Dakota as Amended by Articles 20 and 29 of the Amendments Thereto, Relating to the Levying of Taxes Upon Property in the State of North Dakota.

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

That the following proposed amendment to Section 176 of Article 11 of the Constitution of the State of North Dakota as amended by Articles 20 and 29 of the amendments thereto, is agreed to and that the same be submitted to the qualified electors of the State for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota as amended.

SECTION 1. AMENDMENT.) That Section 176 of Article 11 of the Constitution of the State of North Dakota as amended by Articles 20 and 29 of the amendments thereto, is hereby amended and re-enacted to read as follows:

SECTION 176. Taxes shall be uniform upon the same

class of property including franchises within the territorial limits of the authority levying the tax, except that farm and ranch lands above the value of \$20,000.00, when under one ownership, may be subject to a progressive graduated tax with the tax rate increasing in proportion to increasing value; and provided, that the people or the legislature may divide all property, both real and personal, into classes and determine which property shall for taxation purposes belong to each class and determine what class or classes of property shall be subject to taxation and what property, if any, shall not be subject to taxation. The legislature may by law exempt any or all classes of personal property from taxation and within the meaning of this section, fixtures, buildings and improvements of every character, whatsoever, upon land shall be deemed personal property. The property of the United States and of the state, county and municipal corporations and property used exclusively for schools, religious, cemetery, charitable or other public purposes shall be exempt from taxation. Except as restricted by this Article, the legislature may provide for raising revenue and fixing the situs of all property for the purpose of taxation. Provided that all taxes and exemptions in force when this amendment is adopted shall remain in force until otherwise provided by statute.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representative Smart introduced:

House Bill No. 215. A Bill for an Act Authorizing the Governor and the Secretary of State, Acting in the Name of, and on Behalf of, the State of North Dakota, to Transfer and Convey, Without Consideration, Certain Lands in Rolette County, Now Held by and in the Name of the State of North Dakota in Trust for the Use and Benefit of the International Peace Garden, Inc., a New York Corporation, to the United States of America For Use as a Customs Port of Entry to the United States From the Dominion of Canada, and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Bergesen, Twichell, Heckman, Mollet and Rohde introduced:

House Concurrent Resolution No. 216. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Municipal Liquor Stores.

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

That the following amendment to the Constitution of North Dakota is agreed to and shall be submitted to the qualified electors of North Dakota for approval or rejection in accordance with the provisions of Section 202 of said Constitution:

SECTION 1. Any city or incorporated village in this State may own, operate and maintain a municipal liquor store or stores within their corporate limits for the sale and consumption of intoxicating liquors whenever authorized by a majority vote of their qualified electors voting upon such question, pursuant to such regulations and restrictions

as may be prescribed by law; provided, that neither the state nor any county nor township shall engage in any manner in the wholesale or retail sale of any intoxicating liquors.

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

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Sections 5 and 11 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at a Special Election Held September 22, 1933 and as Amended and Re-enacted by Chapter 97 of the Session Laws for the Year 1935, Relating to the Manufacture, Sale, and Distribution of Beer.

Senate Bill No. 69. A Bill for an Act to Amend Sections 1, 3 and 4 of Chapter 207 Session Laws of 1935, Relating to Refunding Special Improvement Warrants and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

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

THIRTY-SEVENTH DAY

Bismarck, February 12, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Wm. A. Lemke, Bismarck.

Roll Call disclosed all members present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-sixth day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was received from G. B. Marks, President of the A. O. U. W. of North Dakota, urging the passage of House Bill No. 80, which the Speaker referred to the Committee on State Affairs.

Rep. Beede made the following motion and remarks: We are today reminded by the Chaplain that this is the birthday of Abraham Lincoln. I don't think it amiss to pause a few minutes in our labors to listen to the recitation of those moral words of the Gettysburg Address, and I announce at this time that Dixie Dale, the three and one-half year old daughter of Alfred S. Dale of Bismarck is present in the Chamber and is willing and eager to recite the Gettysburg Address for our benefit, and I now move that the courtesy of the floor be extended to little Miss Dixie Dale and Mrs. Dale so that we may hear her recitation from the desk, which motion prevailed.

Rep. Fitch moved that Rep. Beede be appointed to escort Mrs. Dale and her daughter to the rostrum, which motion prevailed.

Following the recitation Rep. Myers moved that the same be printed in the Journal, which motion prevailed.

THE GETTYSBURG ADDRESS

Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field, as a final resting-place of those who here gave their lives that this nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we cannot dedicate—we cannot consecrate—we cannot hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people shall not perish from the earth.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 193, have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title after the word "Acts" strike out the "period" and add the following words "in Conflict Herewith."

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 191, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 174, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title correct the spelling of the word "re-grooved"; also in the same line place a "period" after the word "penalty" and strike out the remainder of the line.

In line 2 of Section 1 correct the spelling of the word "regrooved."

Strike out all of Section 3.

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 125, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 123, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 137, have had the same under consideration and recommend that the same be amended as follows:

In Section 7, line 2, after the word "created" insert the following words "in the office of the State Treasurer".

In Section 8, line 10, after the words "shall be" insert the words "credited to."

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 98, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 48, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish, to whom was referred Senate Concurrent Resolution "I", have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State

Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

Were delivered to the Governor for his approval at the hour of 2:05 o'clock P. M., February 12th, 1941.

ALVA WAMBHEIM, Chairman.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 12, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 69. A Bill for an Act to Amend Sections 1, 3 and 4 of Chapter 207 Session Laws of 1935, Relating to Refunding Special Improvement Warrants and Declaring an Emergency.

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Sections 5 and 11 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at a Special Election Held September 22, 1933 and as Amended and Re-enacted by Chapter 97 of the Session Laws for the Year 1935, Relating to the Manufacture, Sale, and Distribution of Beer.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 12, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 99. A Bill for an Act to Permit Not to Exceed Two Hours Per School Week of Religious Instruction Outside of the Public Schools by a Duly Established and Incorporated Religious Body, of Children Attending Elementary and Secondary Public Schools in the State of North Dakota; Excusing Pupils for Such Purposes When Requested

by Parent, Guardian, or Other Person Having Control of the Pupil. Repeal.

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation Act.

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 213 of the Session Laws for 1939; Repeal.

House Bill No. 136. A Bill for an Act to Repeal Subdivision 1 of Section 3 of Chapter 240 of the Session Laws of the State of North Dakota for the Year 1931.

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the Expenditure of Money by Contract for Road Improvements and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 12, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

MOTIONS AND RESOLUTIONS

Rep. Saumur moved that Senate Bill No. 50 be placed at the head of the Calendar, which motion prevailed.

The Chief Clerk read House Concurrent Resolution "N" as follows:

HOUSE CONCURRENT RESOLUTION "N"

Introduced by Committee on Federal Relations

A Resolution Requesting Congress to Investigate Conditions on the Standing Rock Indian Reservation, and Relieve Needs Existing There.

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

WHEREAS, Upon petition of the Sioux Indians of the Standing Rock Reservation, who testified at a joint hearing of the Senate Indian Affairs and House Federal Relations committees that the general situation on the reservation is bad, and that the ration system as used on their reservation has failed, and recommended that monies appropriated by the United States Congress for rations be disbursed through State relief channels, as for white people, who take their grocery orders to the merchant, selecting from staple foods authorized, the Legislature by resolution, H. C. Res. "G", authorized an investigation of the conditions existing in that

area of the reservation lying within the State of North Dakota, and,

WHEREAS, a special joint committee visited Fort Yates, Cannonball, and Porcupine Sub-Agency, examined witnesses, and personally saw the deplorable, wretched conditions under which these Indians are existing, and as shown by report and testimony on pages 235-248, of the Senate Journal for February 8, 1941, which report is incorporated herewith by reference thereto and hereto attached, and also by photographs of a few of the cases referred to in the committee report attached hereto and made a part of this resolution, and

WHEREAS, the report of this committee indicates that many of these unfortunate people live on food allowances of the value of \$3.45 per month, and families of four on a double ration, amounting to \$6.90 per month, with perhaps occasional surplus commodities, inequitably distributed; green coffee, and no fruit, dairy products, nor milk for children; with only a very limited amount of dead cottonwood and willow timber and driftwood for fuel, burned in stoves not worthy of the name, wholly inadequate medical facilities; inability to contact the superintendent; school children with no other garments than one dress, a coat, stockings and shoes; old women gathering their own wood; and many entire families huddled in poor, leaky tents, with no furniture and inadequate bedding, nearly freezing in sub-zero weather; and that many other intolerable conditions were found to be the rule and not the exception; and many of the most miserable tents and huts were within a stone's throw of the beautiful brick office and residential buildings of the agency at Fort Yates and the sub-agencies at Cannonball and Porcupine, and

WHEREAS, such living conditions are demoralizing to both the younger and older Indians, and it appears that this situation is not known to Congress,

NOW, THEREFORE, BE IT RESOLVED, that we respectfully request Congress to authorize an immediate and thorough investigation of the conditions that exist on the Standing Rock Indian Reservation; and that adequate food, clothing, shelter, fuel, medicine and other urgent needs be supplied at the earliest possible moment to these destitute, hungry and homeless Indians and American citizens; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President of the United States; to the President of the Senate; the Speaker of the House of Representatives; to Senator Elmer Thomas and Representative Will Rogers, Chairmen of the Senate and House Indian Affairs Committees; to Senators Nye and Langer and Representatives Burdick and Robertson, and to the Press.

Rep. Culver moved that the House adopt House Concurrent Resolution "N", which motion prevailed and the Resolution was declared adopted.

The Chief Clerk read House Concurrent Resolution "O" as follows:

HOUSE CONCURRENT RESOLUTION "O"

Introduced by Reps. Fitzharris and Coghlan

Memorializing Congress to enact legislation giving to the United States District Court of the State of North Dakota criminal jurisdiction within the limits of the Indian Reser-

ventions in the State of North Dakota for the enforcement of the criminal laws and the punishment of crimes committed therein by Indians upon persons of Indian blood.

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

WHEREAS, the enforcement of the criminal laws within the Indian Reservations in the State of North Dakota has become burdensome financially and otherwise upon the counties wherein such reservations are located, and

WHEREAS, the Federal Government has made no provision to bear any part of the expense entailed in prosecution and punishment of crimes within such Indian Reservations, and the expense of the enforcement of the criminal laws is now borne by the counties, and

WHEREAS, Congress has heretofore enacted § 329 of the Criminal Code of the United States conferring jurisdiction for the enforcement of the criminal laws and violations thereof within the limits of Indian Reservations in that State upon the District Court of the United States, and thereby relieve the counties of the heavy burden of expense connected therewith;

THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

That the Congress of the United States is hereby memorialized and petitioned to enact such legislation as may be necessary to transfer to the District Court of the United States for the State of North Dakota exclusive jurisdiction to hear, try and determine all actions and proceedings in which any Indian within the Indian Reservations in the State of North Dakota shall be charged with crimes as defined by the criminal laws of the State of North Dakota committed against any person of Indian blood within the limits of any Indian Reservation in the State of North Dakota, and confer exclusive jurisdiction to the District Court of the United States for the State of North Dakota to sentence any Indian person convicted of any crime as defined by the criminal laws of the State of North Dakota committed within such reservations and to impose like punishment or punishments as are provided by the criminal statutes of the State of North Dakota.

BE IT FURTHER RESOLVED that the Secretary of State of the State of North Dakota be authorized and directed to cause this Resolution to be printed and copies thereof to be mailed to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and that copies be also sent by him to each of the Senators and Representatives in Congress from the State of North Dakota.

Rep. Rohde moved that the House adopt House Concurrent Resolution "O", which motion prevailed and the Resolution was declared adopted.

The Speaker administered the oath of office to Jens Olson of Wyndmere, N. D., as janitor.

SECOND READING OF SENATE BILLS

Senate Bill No. 50. A Bill for an Act Assessing and Levying from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 33; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fuglestad	Nelson, Steele
Arneson	Gackle	Nicholsen
Arndt	Gainor	Nystrom
Austad	Glas	Ohnstad
Benno	Haugen	Olson, Barnes
Bergesen	Haugland	Olson, Bowman
Bingenheimer	Heckman	Peterson, Ransom
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Blair	Holm	Sandness
Bolmeier	Ireland	Saumur
Boulden	Jennings	Sellens
Braun, McLean	Johnson, Cass	Severson
Braun, Stark	Johnson, Richland	Sharpe
Bymers	Kee	Shure
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Collette	Levin	Stormon
Crockett	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Twichell
Devlin	Moe	Wambheim
Dittmer	Morland	Westby
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Anderson	Halvorson	Rieker
Beede	Juhola	Rohde
Belzer	Larson	Schmidt
Brusseau	Lillehaugen	Schwartz
Bubel	McIntyre	Semerad
Drovdal	Mollet	Starck

Erickson, Divide	Morrison	Tuff
Falconer	Myers	Welder
Fraser	Nelson, Morton	Williams, Richland
Gress	Panko	Wolf, McIntosh
Haag	Peterson, Bottineau	Wolf, Morton

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which Senate Bill No. 50 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of votes:

Rep. Schwartz: I like good roads too. But it has been admitted on the floor of this House that the members of the Legislature here are farmers by eighty per cent or better and we know that an overwhelming majority of the people of the State of North Dakota are farmers. About two or three days ago the minority faction tried to put in an amendment whereby one-third of this money would go back to the counties whereby the majority of the people of this State of North Dakota would get some benefit. However, the majority faction didn't see fit to pass that amendment and now the majority of this House admits that, and I, being one of them have a warm spot in my heart for the majority faction of this State but as long as none of this money is going back where the majority faction can get some benefit, I vote "no".

Rep. Williams of Richland: I was sent up here from Richland County to represent the farmers and I feel the roads we have are in a whole lot better condition than the finances of the farmers. I vote "no".

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 12, 1941.

Mr. President: I have the honor to transmit:

House Concurrent Resolution "N". A Resolution Requesting Congress to Investigate Conditions on the Standing Rock Indian Reservation, and Relieve Needs Existing There.

House Concurrent Resolution "O". Memorializing Congress to Enact Legislation Giving to the United States District Court of the State of North Dakota Criminal Jurisdiction Within the Limits of the Indian Reservations in the State of North Dakota for the Enforcement of the Criminal Laws and the Punishment of Crimes Committed Therein by Indians Upon Persons of Indian Blood.

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

C. R. VERRY, Chief Clerk.

The House reverted to the Eleventh Order of Business.

SECOND READING OF HOUSE BILLS

House Bill No. 173. A Bill for an Act to Exempt Certain Personal Property to the Amount of \$150.00 from Taxation, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 81; nays, 29; absent and not voting, 2.

Those voting in the affirmative were:

Anderson	Glas	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bergesen	Heckman	Rieker
Bingenheimer	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Bolmeier	Ireland	Sagehorn
Braun, McLean	Jennings	Sandness
Braun, Stark	Johnson, Richland	Schmidt
Brusseau	Juhola	Schwartz
Bubel	Kee	Semerad
Bymers	Kindem	Sharpe
Carlson	Larson	Shure
Crockett	Levin	Singleton
Culver	Lillehaugen	Smart
Devlin	McIntee	Starck
Drovdal	McIntyre	Swanson
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morland	Welder
Falconer	Morrison	Williams, Richland
Fitch	Myers	Williams, Stutsman
Fleck	Nelson, Cass	Wolf, McIntosh
Fraser	Nelson, Morton	Wolf, Morton
Gackle	Nelson, Ramsey	Mr. Speaker

Those voting in the negative were:

Aker	Fitzharris	Nicholsen
Allen	Fuglestad	Peterson, Ransom
Arneson	Gainor	Sellens
Black	Holm	Severson
Blair	Langley	Stormon
Boulden	Lunde	Trydahl
Coghlan	McInnes	Twichell
Collette	Moe	Wambheim
Dalzell	Nelson, Sargent	Westby
Dittmer	Nelson, Steele	

Absent and not voting:

Johnson, Cass Saumur

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Rep. Williams of Richland moved that the vote by which House Bill No. 173 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Moe: I am at present and have been a farmer all my life but I am not in favor of being relieved from taxes every time a measure of that kind comes up as long as I am one of those who received the benefits provided by our government. Therefore, I vote "no" on this bill.

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 40 of Chapter 148 of the Session Laws of 1931

as Amended by Section 2 of Chapter 144, Laws of 1935,
Relating to Game Reserves and Refuges.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 15; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Austad	Haugen	Panko
Beede	Haugland	Peterson, Bottineau
Belzer	Hofstrand	Peterson, Ransom
Benno	Hogoboom	Rieker
Bergesen	Holm	Rygg
Bjella	Ireland	Sagehorn
Black	Jennings	Sandness
Blair	Johnson, Richland	Schwartz
Bolmeier	Kee	Sellens
Braun, McLean	Kindem	Severson
Braun, Stark	Langley	Sharpe
Brusseau	Larson	Shure
Bubel	Levin	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Collette	McIntee	Swanson
Crockett	McIntyre	Trydahl
Dalzell	Moe	Tuff
Devlin	Morland	Twichell
Drovdal	Morrison	Wambheim
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Bingenheimer	Fraser	Rohde
Boulden	Haag	Schmidt
Culver	Heckman	Semerad
Dittmer	Juhola	Welder
Erickson, Divide	Mollet	Wolf, McIntosh

Absent and not voting:

Johnson, Cass	Nelson, Steele	Saumur
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So the bill passed and the title was agreed to.

Rep. Falconer moved that the House revert to the Fifth Order of Business for the consideration of the committee report on House Bill No. 80.

Rep. Bergesen moved a substitute motion that the House recess for a ten-minute period and that House Bill No. 80 be considered subsequent to such recess, which motion was lost.

The question being on the motion of Rep. Falconer for immediate consideration of House Bill No. 80, the motion prevailed.

Rep. Blair demanded a Call of the House which request was granted and the Chief Clerk called the Roll and ascertained that all members were present.

Rep. Twichell moved that further proceedings of the Call of the House be dispensed with, which motion prevailed.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Divided Committee on State Affairs, to whom was referred House Bill No. 80, have had the same under consideration and recommend that the same be indefinitely postponed.

WM. B. FALCONER
BRYNHILD HAUGLAND
S. N. WELDER
ANDREW HALVORSON
W. M. CROCKETT
M. R. OHNSTAD
VERNON M. JOHNSON
BERNT ANDERSON
HARRY SEMERAD

Mr. Speaker: Your Divided Committee on State Affairs, to whom was referred House Bill No. 80, have had the same under consideration and recommend that the same do pass.

ALEX DALZELL
GEO. H. SAUMUR
E. A. LUNDE
WESLEY L. BOLMEIER
P. G. WESTBY
W. M. SMART
ALVA WAMBHEIM
L. L. TWICHELL, Chairman.

Rep. Beede moved that the report of the Divided Committee on State Affairs recommending the indefinite postponement of House Bill No. 80 be adopted.

Rep. Fitch moved a substitute motion that the report of the Divided Committee on State Affairs recommending that House Bill No. 80 do pass be adopted.

Rep. Twichell demanded Roll Call on the substitute motion of Rep. Fitch, which request was granted.

ROLL CALL

The question being on the substitute motion of Rep. Fitch for the adoption of the report of the Divided Committee on State Affairs that House Bill No. 80 do pass, the roll was called and there were ayes, 44; nays, 68; absent and not voting, 0.

Those voting in the affirmative were:

Allen	Fleck	Sagehorn
Arneson	Fuglestad	Saumur
Arndt	Gackle	Sellens
Austad	Gress	Sharpe
Benno	Hogoboom	Shure
Black	Holm	Singleton
Blair	Johnson, Cass	Smart
Bolmeier	Kee	Stormon
Roulden	Langley	Trydahl

Carlson	Lunde	Twichell
Coghlan	McInnes	Wambheim
Dalzell	Moe	Westby
Dittmer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Steele	Mr. Speaker
Fitzharris	Peterson, Ransom	

Those voting in the negative were:

Aker	Haag	Nicholsen
Anderson	Halvorson	Nystrom
Beede	Haugen	Ohnstad
Belzer	Haugland	Olson, Barnes
Bergesen	Heckman	Olson, Bowman
Bingenheimer	Hofstrand	Panko
Bjella	Ireland	Peterson, Bottineau
Braun, McLean	Jennings	Rieker
Braun, Stark	Johnson, Richland	Rohde
Brusseau	Juhola	Rygg
Bubel	Kindem	Sandness
Bymers	Larson	Schmidt
Collette	Levin	Schwartz
Crockett	Lillehaugen	Semerad
Culver	McIntee	Severson
Devlin	McIntyre	Starck
Drovdal	Mollet	Swanson
Erickson, Divide	Morland	Tuff
Erickson, Williams	Morrison	Welder
Falconer	Myers	Williams, Richland
Fraser	Nelson, Morton	Wolf, McIntosh
Gainor	Nelson, Ramsey	Wolf, Morton
Glas	Nelson, Sargent	

So the motion was declared lost.

Rep. Bergesen voted "no" for the purpose of reconsideration.

Explanation of vote:

Rep. Bingenheimer: I was in hopes that these bankers would get this through so we could have it modified in some other way, by giving an extension or something. I am willing to agree on an extension, but I am voting "no" because no change was made.

The question being on the motion of Rep. Beede, Roll Call was demanded and granted.

ROLL CALL

The question being on the motion of Rep. Beede for the adoption of the Divided Committee Report from the State Affairs Comm. recommending the indefinite postponement of House Bill No. 80, the roll was called and there were ayes, 68; nays, 43; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Halvorson	Nystrom
Anderson	Haugen	Ohnstad
Beede	Haugland	Olson, Barnes
Belzer	Heckman	Olson, Bowman
Bergesen	Hofstrand	Panko
Bingenheimer	Ireland	Peterson, Bottineau
Bjella	Jennings	Rieker
Braun, McLean	Johnson, Richland	Rohde
Braun, Stark	Juhola	Rygg

Brusseau	Kindem	Sagehorn
Bubel	Larson	Sandness
Bymers	Levin	Schmidt
Crockett	Lillehaugen	Schwartz
Culver	McIntee	Semerad
Devlin	McIntyre	Severson
Drovdal	Moe	Starck
Erickson, Divide	Mollet	Swanson
Erickson, Williams	Morland	Tuff
Falconer	Morrison	Welder
Fraser	Myers	Williams, Richland
Gainor	Nelson, Morton	Wolf, McIntosh
Glas	Nelson, Ramsey	Wolf, Morton
Haag	Nelson, Sargent	

Those voting in the negative were:

Allen	Fitzharris	Nicholsen
Arneson	Fleck	Peterson, Ransom
Arndt	Fuglestad	Saumur
Austad	Gackle	Sellens
Benno	Gress	Sharpe
Black	Hogoboom	Shure
Blair	Holm	Singleton
Bolmeier	Johnson, Cass	Smart
Boulden	Kee	Stormon
Carlson	Langley	Twichell
Coghlan	Lunde	Wambheim
Collette	McInnes	Westby
Dalzell	Nelson, Cass	Williams, Stutsman
Dittmer	Nelson, Steele	Mr. Speaker
Fitch		

Absent and not voting:

Trydahl

So the motion was declared carried.

Rep. Bergesen voted "aye" for the purpose of reconsideration.

Rep. Fuglestad moved that the House do now recess for a ten-minute period, which motion prevailed.

The Speaker called the House to order subsequent to recess taken and announced the House would be on the Tenth Order of Business.

FIRST READING OF HOUSE BILLS

Introduced by Reps. Fuglestad and Williams of Richland:

House Bill No. 217. A Bill for an Act Providing for Closing at Midnight of All Taverns, Road Houses and Other Places Within or Without City or Village Limits Where Dancing Is Permitted; Providing for Enforcement by Sheriffs and Peace Officers; Prescribing Penalties for Violation and Declaring an Emergency.

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

Introduced by the Committee on State Affairs:

House Bill No. 218. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the County Manager Form.

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

Introduced by Reps. Starck, Glas, Tuff, Falconer, Panko and Williams of Richland:

House Bill No. 219. A Bill for an Act Regulating the Practice of Naturopathy in the State of North Dakota. Repeal; Emergency.

Introduced by Rep. Johnson of Richland:

House Bill No. 220. A Bill for an Act to Clarify and Declare the Law Relating to Rights of Inheritance of Children Born Out of Wedlock, to Repeal Inconsistent Provisions, If Any, and Declaring an Emergency.

Were read the first time and referred to the Committee on Ways and Means.

Rep. Trydahl requested that the House be on the Seventh Order of Business, which request was granted.

Rep. Trydahl moved that House Bill No. 2 be reinstated and that it be referred to the Comm. on Appropriations, which motion prevailed.

The House proceeded on the Eleventh Order of Business.

SECOND READING OF HOUSE BILLS

Rep. Beede moved that House Bill No. 168 be re-referred to the Comm. on Corporations Other Than Municipal, which motion prevailed.

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. 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, 110; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart

Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Richland
Falconer	Myers	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser	Nelson, Sargent	

Those voting in the negative were:

Wambheim

Absent and not voting:

Peterson, Bottineau

So the bill passed and the title was agreed to.

Rep. Panko moved that the vote by which House Bill No. 95 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty 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, 90; nays, 22; absent and not voting, 0.

Those voting in the affirmative were:

Allen	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Panko
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rieker
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Jennings	Schmidt
Braun, McLean	Johnson, Cass	Schwartz
Braun, Stark	Johnson, Richland	Sellens
Bymers	Juhola	Severson
Carlson	Kee	Sharpe
Coghlan	Kindem	Shure
Collette	Langley	Singleton
Crockett	Larson	Smart
Culver	Lunde	Starck
Dalzell	McInnes	Stormon
Devlin	McIntee	Swanson
Erickson, Divide	McIntyre	Trydahl
Erickson, Williams	Morland	Twichell

Falconer	Myers	Wambheim
Fitch	Nelson, Cass	Welder
Fitzharris	Nelson, Morton	Westby
Fleck	Nelson, Sargent	Williams, Richland
Fuglestad	Nelson, Steele	Williams, Stutsman
Gackle	Nicholsen	Wolf, Morton
Those voting in the negative were:		
Aker	Fraser	Nelson, Ramsey
Anderson	Ireland	Olson, Bowman
Bingenheimer	Levin	Peterson, Bottineau
Black	Lillehaugen	Semerad
Brusseau	Moe	Tuff
Bubel	Mollet	Wolf, McIntosh
Dittmer	Morrison	Mr. Speaker
Drovdal		

So the bill passed and the title was agreed to.

Rep. Morland voted "aye" for the purpose of reconsideration.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 112; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff

Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad		

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

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, 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, 106; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arneson	Gainor	Olson, Barnes
Arndt	Glas	Olson, Bowman
Austad	Gress	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Sellens
Braun, McLean	Johnson, Richland	Semerad
Braun, Stark	Juhola	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Morland	Wambheim
Drovdal	Morrison	Westby
Erickson, Divide	Myers	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton

Fitzharris Nelson, Sargent Mr. Speaker
Fleck

Those voting in the negative were:

Haag Mollet Schwartz
Lillehaugen Nichol森 Welder

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

Rep. Bergesen requested that the House be on the Seventh Order of Business, which request was granted, and Rep. Bergesen announced that Dr. E. C. Stone of Minot, a member of this House during the last Session, was present in the Chamber and moved that he be extended the courtesy of the floor, which motion prevailed.

The House proceeded on the Eleventh Order of Business.

SECOND READING OF HOUSE BILLS

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division of Highway Safety and Police Patrol, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 61; nays, 51; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen	Haugland	Olson, Barnes
Arneson	Heckman	Peterson, Ransom
Arndt	Hofstrand	Sagehorn
Austad	Holm	Sandness
Benno	Ireland	Saumur
Bergesen	Johnson, Cass	Sellens
Bjella	Johnson, Richland	Severson
Blair	Kee	Sharpe
Bolmeier	Kindem	Shure
Boulden	Langley	Singleton
Bymers	Lunde	Smart
Carlson	McInnes	Stormon
Coghlan	Morland	Swanson
Collette	Nelson, Cass	Trydahl
Dalzell	Nelson, Ramsey	Twichell
Fitch	Nelson, Sargent	Wambheim
Fitzharris	Nelson, Steele	Westby
Fleck	Nichol森	Williams, Stutsman
Fuglestad	Nystrom	Mr. Speaker
Gackle		

Those voting in the negative were:

Anderson	Fraser	Myers
Beede	Glas	Nelson, Morton
Belzer	Gress	Olson, Bowman
Bingenheimer	Haag	Panko

Black	Halvorson	Peterson, Bottineau
Braun, McLean	Haugen	Rieker
Braun, Stark	Hogoboom	Rohde
Brusseau	Jennings	Rygg
Bubel	Juhola	Schmidt
Crockett	Larson	Schwartz
Culver	Levin	Semerad
Devlin	Lillehaugen	Starck
Dittmer	McIntee	Tuff
Drovdal	McIntyre	Welder
Erickson, Divide	Moe	Williams, Richland
Erickson, Williams	Mollet	Wolf, McIntosh
Falconer	Morrison	Wolf, Morton

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

Rep. Fitch moved that the vote by which House Bill No. 62 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Braun of McLean: If I were sure that this would do away with accidents on the highways, I promise I would be for it and would vote "aye", but for the reason that I am sure that the patrolman who is appointed gets a fat job and the poor people out in the country with nothing to eat and hardly a place to sleep have to pay for it. I have lived in Turtle Lake for many years and have never seen a highway patrolman.

Rep. Hogoboom: I vote "no". I believe that a car is only a hazard when it is on the highway and we have families that hardly ever use the highways who would have to pay as high as five dollars and we have travelling men representing various companies who would pay only a dollar and their cars are on the highways continually.

Rep. Lillehaugen: I vote "no". I am in favor of road patrols but this bill is drawn without giving us absolute protection. The minority faction offered amendments on the floor yesterday and they were voted down.

Rep. Moe: I vote "no". I think we are on the wrong track. We are buying cars that will go one hundred miles an hour and are building roads for fifty-mile-an-hour driving, and we have drivers who shouldn't be allowed to go more than ten miles an hour.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, February 12, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 59 and the President has appointed as a conference committee to act with a like committee from the House, Senators Brant, Olson of Mountrail and Isaak.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 12, 1941.

Mr. Speaker: I have the honor to return:
House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Includ-

ing Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

FIRST READING OF SENATE BILLS

Senate Bill No. 75. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 1 and to Repeal Sub-section 9 of Section 3, of Chapter 241, Session Laws of 1939, Relating to the Use Tax.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 103. A Bill for an Act Recognizing the Rule Making Powers of the Supreme Court; Providing That Existing Statutes of Procedure Shall Be Continued in Effect as Rules of Court Until Altered by the Supreme Court; Providing That Procedural Statutes Exist as Rules of Court; Authorizing the Supreme Court to Amend Rules Promulgated By It and Statutes Governing Procedure; Permitting the Supreme Court to Make New Rules; Providing for Hearings on Rules Before the Same Are Promulgated By the Court; Providing for the Making of a Complaint to the Supreme Court Against Rules and for Hearing on Such Complaint; Providing for Giving Notice of the Effective Date of the Rules Promulgated By the Court; and Authorizing the Supreme Court to Make Rules Governing the Practice of Law and for the Admission, Disbarment, Discipline, and Reinstatement of Attorneys at Law.

Senate Bill No. 130. A Bill for an Act Defining Citizens of the State of North Dakota; Providing for a Judicial Proceeding for the Establishment of Citizenship for the State of North Dakota; And Repealing Section 13 of the 1913 Compiled Laws of the State of North Dakota.

Senate Bill No. 123. A Bill for an Act to Amend and Re-enact Section 8793 of the Compiled Laws of North Dakota, Relating to Petitions for Conveyance of Real Estate Sold on Contracts, and Contents of Petition and Decree, and Declaring an Emergency.

Were read the first time and referred to the Comm. on Judiciary.

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, Relating to Wolf and Coyote Bounty and Declaring an Emergency.

Was read the first time and referred to the Comm. on Game and Fish.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229, of the Session Laws for 1939, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing that as to Stocks of Merchandise, the Average

Value Thereof for the Year Preceding the Time of Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931, Chapter 286, Session Laws of 1935, and Chapter 251, Session Laws of 1939.

Was read the first time and referred to the Comm. on Insurance.

Senate Bill No. 63. A Bill for an Act to Regulate the Practice of Lobbying Requiring Certain Information to be Filed Relative to Lobbyists and Providing Penalty for the Violation Thereof.

Senate Bill No. 94. A Bill for an Act Prohibiting Any Sheriff, Deputy Sheriff or Employee in the Sheriff's Office from Acting as a Collector or Collection Agent for Any Person, Firm or Corporation in the Collection of Any Accounts or Claims in the County where He Is Acting as Such Sheriff, Deputy Sheriff or Employee, and Prescribing Penalties.

Were read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 90. A Bill for an Act to Appropriate Seven Thousand, Five Hundred (\$7,500.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Co-operation with the United States in the Control of Such Predatory Animals; and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3854 of the 1925 Supplement of the Compiled Laws of North Dakota and Allowing Villages to Elect Trustees at Large.

Senate Bill No. 46. A Bill for an Act to Amend Section 3787 of the Compiled Laws of North Dakota for 1913 Prescribing Qualifications of Officers Under the Commission Form of City Government.

Were read the first time and referred to the Comm. on Corporations Other Than Municipal.

Senate Concurrent Resolution "G." A Concurrent Resolution Memorializing Congress to Pass Legislation to Enable the Federal Government to Increase the Loan Value on Grains and Farm Products at Least 25%.

Was read the first time and referred to the Comm. on Livestock.

Rep. Twichell moved that the House do now recess until 12:30 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

THIRTY-SEVENTH DAY AFTER RECESS
AND THIRTY-EIGHTH DAY

Bismarck, February 13, 1941.

The House re-assembled at 12:30 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Tenth Order of Business.

FIRST READING OF HOUSE BILLS

Introduced by Reps. Culver, Braun of Stark and Gress:

House Bill No. 221. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20 of Chapter 148 of the Session Laws of 1931, and as Amended by Section 1 of Chapter 144 of the Session Laws of 1935, Relating to Game and Fish.

Was read the first time and referred to the Committee on Game and Fish.

Introduced by Reps. Drovdal, Sellens, Anderson and Myers:

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 176 of the Session Laws of 1931, and as Amended by Chapter 146 of the Session Laws of 1933, Providing for a Lien for Repairs Made on Automobiles, Trucks, Engines, Threshing Machines, Combines, Tractors, Power-driven Farm Equipment and Well Machines. Repeal.

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

Introduced by Reps. Twichell, Saumur, Blair and Crockett:

House Bill No. 223. A Bill for an Act Authorizing and Directing County Auditors to Destroy Certain Old, No Longer of Use, and Obsolete Books, Blanks, Forms, and Records of Their Offices and Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

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

Introduced by Reps. Haugland and Sellens:

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for 1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such

Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor; Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

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

Introduced by the Committee on Public Welfare:

House Bill No. 225. A Bill for an Act to Establish a Merit System Council Relating to the Establishment and Maintenance of Personnel Standards on a Merit Basis for State and County Employees of the Public Welfare Board and County Welfare Boards whose Employment in Any Way Involves Duties Relating to Aid to Dependent Children, Aid to the Blind, Old Age Assistance, Child Welfare Services, and Crippled Children's Services and for All State, County, and District Employees of the Workmen's Compensation Bureau as Required by the Federal Social Security Act; Providing for Qualifications, Compensation, and Appointment of Such Council by the Governor, Authorizing the Appointment of a Supervisor and Limiting His Salary, and Prescribing Duties of the Merit System Council; and Providing for an Emergency.

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

Introduced by Reps. Morrison and Rieker by request:

House Bill No. 226. A Bill for an Act to Repeal Chapter 252 of the Session Laws of the State of North Dakota for 1937 as Amended by Chapter 244, of the Session Laws of the State of North Dakota for 1939, and as Amended by Chapter 245 of the Session Laws of the State of North Dakota for 1939, Relating to Bounty for Tree Planting.

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

MOTIONS AND RESOLUTIONS

The Chief Clerk read Concurrent Resolution "P" as follows:

The Committee on Employment introduced:

HOUSE CONCURRENT RESOLUTION "P"

A Concurrent Resolution providing and designating additional House Employees and naming and fixing their salaries:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

That for and during the balance of the Twenty-seventh Legislative Assembly the following named persons be employed and appointed as employees of the House and shall be paid the compensation set opposite their respective names:

Jake Heglund, Night Watchman.....	\$4.50
Jens Olson, Janitor.....	4.50
Kirb Parnell, Assistant Sergeant-at-arms.....	4.50

That the compensation of each of said employees shall commence from the date upon which said employee's oath of office was accepted.

Representative Benno moved the adoption of this Report.

ROLL CALL

The question being on the adoption of Concurrent Resolution "P", the roll was called and there were ayes, 101; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fraser	Nelson, Steele
Anderson	Gackle	Nicholsen
Arneson	Gainor	Nystrom
Arndt	Glas	Ohnstad
Austad	Gress	Olson, Barnes
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Peterson, Bottineau
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rieker
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Schwartz
Boulden	Jennings	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Swanson
Collette	McInnes	Trydahl
Crockett	McIntee	Tuff
Culver	McIntyre	Wambheim
Dalzell	Moe	Welder
Devlin	Mollet	Westby
Drovdal	Morland	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Myers	Wolf, McIntosh
Falconer	Nelson, Cass	Wolf, Morton
Fitch	Nelson, Morton	Mr. Speaker
Fitzharris	Nelson, Ramsey	

Those voting in the negative were:

Fuglestad	Shure	Twichell
Johnson, Cass		

Absent and not voting:

Dittmer	Rohde	Schmidt
Johnson, Richland	Sagehorn	Stormon
Juhola		

So the Resolution was declared adopted.

GENERAL ORDERS

Mr. McInnes moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Mr. McInnes to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration:
House Bill No. 143.

In line 3, Sec. 1, after the word "Governor" insert the following: "by proclamation".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 33.

On line 7, after the word "be", insert the word "on". Strike out the letter "d" in the word "filed".

On line 9, strike out the word "August" and in lieu thereof insert the word "July", and on the same line add an "s" to the word "year".

On line 10, add the letter "s" to the word "crop". Strike out the word "is" and insert the word "are".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 127.

In the second line of the title, correct the spelling of the word "Committed".

In Section 1, strike the comma after the word "Penitentiary" at the end of line 4, and strike from line 5, the following words: "and all persons committed to the State Training School".

Insert a new Section 2 to read as follows: "Section 2. TRANSPORTATION OF PERSONS COMMITTED TO STATE TRAINING SCHOOL. The juvenile commissioner, or other officer or person designated by the court at the time commitment is ordered, shall conduct to the State Training School all persons committed thereto."

Change the number Section 2 on the printed bill to read "Section 3" and strike the word "SHERIFF'S" from the section title.

In line 4 on page 2 of the printed bill, strike the words "shall receive the same mileage", and in line 5 on page 2 of the printed bill, strike the words: "the State" and in line 6 on page 2 of the printed bill, strike the words: "Training School".

Insert a comma after the word "Insane" at the end of line 6 on page 2 of the printed bill and add the following: "and juvenile commissioners or other officers designated by the court to transport persons committed to the State Training School, shall receive the same mileage".

In line 8 on page 2 of the printed bill, strike out the word "or" and insert a comma in lieu thereof, and in the same line, after the word "deputy" add a comma and the following: "a juvenile commissioner, or other officer".

On page 3 of the printed bill, change "Sec. 3" to "Sec. 4".

On page 3 of the printed bill, change "Sec. 4" to "Sec. 5".

Re-number lines to comply with the rules.

And recommend the adoption of the Standing Committee amendments.

And the further amendment to the Standing Committee amendment:

In the Standing Committee amendment to be added following line 6, on page 2, strike out the period after the word "mileage" and insert in lieu thereof a comma.

And when so amended recommend the same be re-referred to the Comm. on Judiciary for further consideration.

House Bill No. 82.

In line 8 of Section 1, after the figures "30" strike out the "period" and insert in lieu thereof a semi-colon and add the following words "provided that until January 1, 1942, the knock rating shall not be less than Octane Number 25."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 193.

In the last line of the title after the word "Acts" strike out the "period" and add the following words "in Conflict Herewith."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 174.

In line 3 of the title correct the spelling of the word "re-grooved"; also in the same line place a "period" after the word "penalty" and strike out the remainder of the line.

In line 2 of Section 1 correct the spelling of the word "regrooved."

Strike out all of Section 3.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 137.

In Section 7, line 2, after the word "created" insert the following words "in the office of the State Treasurer".

In Section 8, line 10, after the words "shall be" insert the words "credited to."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

H. W. McInnes, Chm., Committee of the Whole.

Rep. Westby moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Concurrent Resolution "E."

House Bill No. 26.

House Bill No. 61.

And find the same correctly enrolled.

Rep. Wambheim, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 71.

House Bill No. 75.

House Bill No. 100.

And find the same correctly enrolled.

Rep. Wambheim, Chairman.

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

Mr. Speaker: Your Committee on Public Welfare, to whom was referred House Bill No. 164, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

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

Mr. Speaker: Your Committee on Public Welfare, to whom was referred House Bill No. 161, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

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

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 1, have had the same under consideration and recommend that the same be indefinitely postponed.

P. K. HOLM, Chairman.

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

Rep. Crockett moved that the vote by which House Bill No. 1 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 159, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. K. A. FITCH, Chairman.

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

Rep. Gackle moved that the vote by which House Bill No. 159 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 160, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. K. A. FITCH, Chairman.

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

Rep. Gackle moved that the vote by which House Bill No. 160 was indefinitely postponed be reconsidered and the motion

to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 156, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 133, have had the same under consideration and recommend that the same be amended as follows:

In the printed bill in Section 2, line 6, strike out the following: "Fifty dollars (\$50.00)" and substitute therefore the following "Twenty-five Dollars (\$25.00)."

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 132, have had the same under consideration and recommend that the same be amended as follows:

In the printed bill in section one and in line 22 after the word "claimant" strike out the semi-colon and substitute therefore a period.

In line 22, beginning with the word "provided" strike out that word and the comma and all words in line 23, 24, 25, 26, 27, 28 and 29.

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 140, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMON, Chairman.

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

Rep. Swanson moved that the vote by which House Bill No. 140 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 116, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMAN, Chairman.

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

Rep. Tuff moved that the House reconsider its action taken on House Bill No. 116, which motion prevailed.

Rep. Tuff moved that House Bill No. 116 be placed on the calendar.

Rep. Crockett moved a substitute motion that House Bill No. 116 be re-referred to the Comm. on Insurance, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 84, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMON, Chairman.

Rep. Shure moved that the report be adopted.

REPORT OF STANDING COMMITTEE

Mr. Speaker: A Minority of your Committee on Judiciary, to whom was referred House Bill No. 84, have had the same under consideration and recommend that the same do pass.

(Signed)

HAUGEN
ERICKSON
M. R. OHNSTAD
LEONAS MYERS

Rep. Ohnstad moved a substitute motion that the report of the minority be substituted for the report of the majority, which motion prevailed, and House Bill No. 84 was thereby placed on the calendar.

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

THIRTY-EIGHTH DAY

Bismarck, February 13, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Wm. A. Lemke, Bismarck.

Roll Call disclosed all members present.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the 37th day and recommends that the same be corrected as follows:

On page 344, following the roll call strike out lines 3, 4, 5 and 6 from the bottom of the page.

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, February 13, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 131. A Bill for an Act Validating the Record of Mineral Deeds in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act Validating the Record of All Deeds and Mortgages in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Sections 5518 and 5519 of the Compiled Laws of North Dakota for 1913, Relating to Aid to Assessors in Valuing Coal Deposits Reserved to Grantors by Providing That All Deeds and Transfers of Real Property Which Reserves the Coal Deposits to the Grantor Shall Contain a Full Description of the Coal Deposits so Reserved, Its Length, Width, and Thickness, and Validating All Reservations and Conveyances of Other Minerals or Mineral Deposits Made Prior to the Passage and Taking Effect of This Act, and Limiting the Time Within Which Actions May Be Commenced in the Courts of This State to Contest the Validity or Legality of Such Reservations or Conveyances, and Declaring an Emergency.

Senate Bill No. 134. A Bill for an Act to Authorize the Leasing of Land Owned by School Districts, Cities, Villages, Townships and Park Districts, for Oil and Gas; Authorizing the Governing Boards to Make Such Leases; Providing for the Consolidation of Such Oil and Gas Leases with Adjoining Lands for Operation and Development; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 135. A Bill for an Act Authorizing Executors and Administrators of Decedents and Guardians of Minors and Incompetents to Execute Oil and Gas Leases, Providing for the Procedure for the Approval and Confirmation of Such Leases, and Validating All Such Leases Executed Prior to the Passage and Taking Effect of This Act, and Declaring an Emergency.

Senate Bill No. 136. A Bill for an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Senate Bill No. 137. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 254 of the Session Laws of 1935; Providing That Deeds Taken in Lieu of Foreclosure Shall Have the Force and Effect of a Sheriff's Certificate on Foreclosure Sale as to All Subsequent Lien Holders; for Notice to Subsequent Lien Holders, of the Record of Such Deeds Preserving to Such Subsequent Lien Holders the Same Rights of Redemption as They Would Have Had, Had Foreclosure Been Made; Providing That After the Period of Redemption Expires, Such Deeds Shall Have the Full Force and Effect of a Sheriff's Deed on Foreclosure as Against Subsequent Lien Holders Who Do Not Redeem.

Senate Bill No. 126. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96 of the Session Laws for the State of North Dakota, as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937, Relating to Reserve Fund Requirements for State Banking Associations.

Senate Bill No. 127. A Bill for an Act to Amend and Re-enact Section 22 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, as Amended by Chapter 95 of the Session Laws of North Dakota for the Year 1937, Relating to the Responsibility of Shareholders of State Bank Stock.

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

W. J. TROUT, Secretary.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 182, have had the same under consideration and recommend that the same be amended as follows:

In line 8 and 9, on Page 2, strike out comma and the following words "with the exception of the office of the States Attorney".

And when so amended recommend the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 190, have had the same under consideration and recommend that the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 189, have had the same under consideration and recommend that the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 155, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. McIntyre moved that the report be adopted.

Rep. Trydahl moved a substitute motion that House Bill No. 155 be indefinitely postponed, which motion was lost.

The question being on the motion of Rep. McIntyre that House Bill No. 155 be placed on the calendar, the motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 154, have had the same under consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 122, have had the same under consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Richland moved that the report be adopted.

Rep. Johnson of Cass moved a substitute motion that House Bill No. 122 be placed on the calendar, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 13, 1941.

Mr. President: I have the honor to transmit:

House Concurrent Resolution "P". A Concurrent Resolution Providing and Designating Additional House Employees and Naming and Fixing Their Salaries.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 13, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 40 of Chapter 148 of the Session Laws of 1931 as Amended by Section 2 of Chapter 144, Laws of 1935, Relating to Game Reserves and Refuges.

House Bill No. 173. A Bill for an Act to Exempt Certain Personal Property to the Amount of \$150.00 from Taxation, and Declaring an Emergency.

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division of Highway Safety and Police Patrol, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 13, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 50. A Bill for an Act Assessing and Levying

from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

MOTIONS AND RESOLUTIONS

The Chief Clerk read House Concurrent Resolution "Q" as follows:

Introduced by Representatives Ireland, Nystrom and Juhola:

HOUSE CONCURRENT RESOLUTION "Q"

A Concurrent Resolution Petitioning Congress to Enact the Capper Bill Establishing a Division of Cooperatives in the United States Department of Agriculture.

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

WHEREAS, Cooperation has proven beneficial to both producer and consumer and through years of successful operation in all democracies has established itself as a useful economic unit of well-ordered society, and

WHEREAS, Senator Arthur Capper of Kansas has introduced a bill (S. 650) to establish a Division of Cooperatives in the United States Department of Agriculture, the purposes of which are: to serve as a source of information and cooperation to producers and consumers in cooperative buying and selling; to conduct research and assemble statistical data; prepare publications on cooperative subjects, which will be placed on the distribution lists of Members of Congress; and authorizing the Secretary of Agriculture to establish cooperative relationships between this Division and those other branches of the Department that carry on services in the cooperative field, and

WHEREAS, Honorable Henry A. Wallace, as Secretary of Agriculture, and many officials of outstanding farm and cooperative organizations have endorsed the provisions of the Capper bill as beneficial to agriculture and cooperatives,

NOW, THEREFORE, **BE IT RESOLVED** by the Legislative Assembly of the State of North Dakota, That we petition and urge Congress to take early and favorable action on the Capper Bill, S. 650; and that it be enacted into law during the present Congressional session, and

BE IT FURTHER RESOLVED, That attested copies of this Resolution be sent to the President of the Senate, the Speaker of the House of Representatives, the Secretary of Agriculture,

and to the members of the North Dakota delegation in Congress.

Rep. Myers moved the adoption of House Concurrent Resolution "Q", which motion prevailed and the Resolution was declared adopted.

FIRST READING OF HOUSE BILLS

Introduced by Reps. Benno, Falconer, Panko, Nelson of Ramsey and Starck:

House Bill No. 227. A Bill for an Act to Repeal Section 10322A27 and 10322A49 of the 1925 Supplement to the Compiled Laws of the State of North Dakota, and All Acts Amendatory Thereto and to Provide for the Licensing and Regulating of Hunting Dogs and Hunting Dog Trainers and Declaring an Emergency.

Was read the first time and referred to the Committee on Game and Fish.

Introduced by Reps. Schmidt and Erickson of Williams by request:

House Bill No. 228. A Bill for an Act to Prohibit the Sale of Intoxicating Liquor of an Alcoholic Content Greater Than 4% Alcohol by Volume in Any Place of Business Licensed as a Restaurant Under the Laws of the State of North Dakota; Providing Penalties, and Declaring an Emergency.

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

Introduced by Reps. Olson of Bowman and Wolf of McIntosh:

House Bill No. 229. A Bill for an Act to Prohibit Recovery of Old Age Assistance Payments by the State Welfare Agency from the Estate of an Old Age Assistance Applicant or from Any Property of an Old Age Assistance Recipient Where the Federal Government Does Not Require Such Recovery from the Estate or from the Property of an Old Age Recipient as a Condition to Federal Financial Participation in the Old Age Assistance Program.

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

Introduced by Reps. Braun of McLean, Wolf of Morton, Schmidt and Starck:

House Bill No. 230. A Bill for an Act to Amend and Re-enact Chapter 120 of the Session Laws of 1933 as Amended by Chapter 145 of the Session Laws of 1935 Relating to the Disposition of Money Collected by the Game and Fish Department; Providing for the Conservation of Water and the Construction of Dams Within the State, and Declaring an Emergency.

Was read the first time and referred to the Committee on Game and Fish.

Introduced by Reps. Wolf of Morton and Johnson of Cass:

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 195 of the Session Laws of 1929 Relating to the Opening of Bids, Award of Contract, and Bond Required for Public Buildings.

Introduced by Reps. Wolf of Morton and Johnson of Cass:

House Bill No. 232. A Bill for an Act to Amend and Re-enact Sections 5, 6 and 8 of Chapter 110 of the Session Laws of 1937 Relating to the Classifying and Fixing of the License Fee of Public Contractors and the Award of Contracts to Licensed Contractors.

Were read the first time and referred to the Committee on State Affairs.

Introduced by Rep. Starck by request:

House Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 157 of the Session Laws of 1939, Relating to the Admission of Foreign Mutual Insurance Companies, and Declaring an Emergency.

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

SECOND READING OF HOUSE BILLS

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Steele
Allen	Gainor	Nicholsen
Anderson	Glas	Nystrom
Arneson	Gress	Ohnstad
Arndt	Halvorson	Olson, Barnes
Austad	Haugen	Olson, Bowman
Beede	Haugland	Panko
Belzer	Heckman	Peterson, Bottineau
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rieker
Bingenheimer	Holm	Rohde
Bjella	Ireland	Rygg
Black	Jennings	Sagehorn
Blair	Johnson, Cass	Sandness
Bolmeier	Johnson, Richland	Saumur
Braun, McLean	Juhola	Schwartz
Braun, Stark	Kee	Sellens
Brusseau	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Tuff

Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Westby
Falconer	Myers	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Bubel	Schmidt	Welder
Haag	Semerad	

Absent and not voting:

Boulden	Moe	Trydahl
Dittmer		

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

House Bill No. 170. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Glas	Panko
Austad	Gress	Peterson, Bottineau
Beede	Haag	Peterson, Ransom
Belzer	Halvorson	Rieker
Benno	Haugen	Rohde
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Schmidt
Black	Holm	Schwartz
Blair	Ireland	Sellens
Bolmeier	Jennings	Semerad
Boulden	Johnson, Cass	Severson
Braun, McLean	Johnson, Richland	Sharpe
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Carlson	Levin	Stormon
Coghlan	Lillehaugen	Swanson
Collette	Lunde	Trydahl
Crockett	McInnes	Tuff
Culver	McIntee	Twichell
Dalzell	McIntyre	Wambheim
Devlin	Morland	Welder
Drovdal	Morrison	Westby
Erickson, Divide	Myers	Williams, Richland

Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck	Nicholsen	

Those voting in the negative were:

Moe

Absent and not voting:

Dittmer	Mollet	Sandness
Hogoboom	Nelson, Steele	Saumur
Juhola		

So the bill passed and the title was agreed to.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 5; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nicholsen
Allen	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arneson	Gainor	Olson, Barnes
Arndt	Glas	Olson, Bowman
Austad	Gress	Panko
Beede	Haag	Peterson, Bottineau
Belzer	Halvorson	Peterson, Ransom
Benno	Haugen	Rieker
Bergesen	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Boulden	Johnson, Cass	Severson
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Shure
Brusseau	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Drovdal	Moe	Wambheim
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Myers	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck	Nelson, Sargent	

Those voting in the negative were:

Bubel	Mollet	Welder
Crockett	Semerad	

Absent and not voting:

Dittmer	Juhola	Sandness
Hogoboom	Morrison	Saumur
Johnson, Richland	Nelson, Steele	Westby

So the bill passed and the title was agreed to.

Rep. Beede moved that action on House Bills Nos. 166 and 167 be deferred one legislative day, which motion prevailed.

House Bill No. 191. A Bill for an Act to Provide a Limitation of Time Within Which Claims May Be Made or Proceedings Brought to Recover Monies in Personal Accounts of Inmates and Patients in State Charitable Institutions; and Providing the Transfer of Such Monies.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 108; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Kee	Sellens
Brusseau	Kindem	Semerad
Bubel	Langley	Severson
Bymers	Larson	Sharpe
Carlson	Levin	Shure
Coghlan	Lillehaugen	Singleton
Collette	Lunde	Smart
Crockett	McInnes	Starck
Culver	McIntee	Stormon
Dalzell	McIntyre	Swanson
Devlin	Moe	Trydahl
Dittmer	Mollet	Tuff
Drovdal	Morland	Twichell
Erickson, Divide	Morrison	Wambheim
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker

Absent and not voting:

Bjella	Juhola	Welder
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Hogoboom
So the bill passed and the title was agreed to.

House Bill No. 123 was read the second time.

Rep. Twitchell moved that House Bill No. 123 be re-referred to the Comm. on State Affairs, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 13, 1941.

Mr. President: I have the honor to transmit:

House Concurrent Resolution "Q". A Concurrent Resolution Petitioning Congress to Enact the Capper Bill Establishing a Division of Cooperatives in the United States Department of Agriculture.

Which the House adopted and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, February 13, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "P". A Concurrent Resolution Providing and Designating Additional House Employees and Naming and Fixing Their Salaries.

Which the Senate has adopted unchanged.

W. J. TROUT, Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE

Rep. Fitch moved that a conference committee be appointed to confer with a like committee from the Senate on the House amendment to Senate Bill No. 59, which motion prevailed and the Speaker appointed on that committee Reps. Dalzell, McInnes and Devlin.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 13, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

Which the Senate has amended as follows:

In Section 3 of the original bill at line 6, strike out the word "plus" and insert in lieu thereof the word "including."

In Section 6 at line 8, strike out the words "together with" and insert in lieu thereof, the word "including", and in line 9 of the same section, strike out the word "security" and insert in lieu thereof the word "securities".

W. J. TROUT, Secretary.

Rep. Fitch moved that the House do concur in the Senate amendments to House Bill No. 74, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Bill No. 74 be considered properly engrossed, and placed on Second Reading and Final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Heckman	Rieker
Bingenheimer	Hofstrand	Rygg
Bjella	Hogboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	Moe	Tuff
Devlin	Mollet	Twichell
Dittmer	Morland	Wambheim
Drovdal	Morrison	Westby
Erickson, Divide	Myers	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	

Absent and not voting:

Anderson	Johnson, Cass	Severson
Fleck	McIntyre	Welder
Haugland	Rohde	

So the bill passed and the title was agreed to.

Rep. Swanson moved that the vote by which House Bill No. 74 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 12, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

Which the Senate has amended as follows:

In line 13, strike out the following words "of the net proceeds".

W. J. TROUT, Secretary.

Rep. Morland moved that the House do concur in the Senate amendment to House Bill No. 55, which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 55 be considered properly engrossed, and placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 24; absent and not voting, 7.

Those voting in the affirmative were:

Allen	Erickson, Williams	Morland
Anderson	Falconer	Morrison
Arndt	Fitch	Nelson, Cass
Austad	Fitzharris	Nelson, Sargent
Beede	Fraser	Nelson, Steele
Belzer	Fuglestad	Nicholsen
Benno	Gainor	Nystrom
Bingenheimer	Glas	Olson, Barnes
Black	Gress	Olson, Bowman
Blair	Haag	Peterson, Bottineau
Bolmeier	Halvorson	Rieker
Boulder	Haugen	Rygg
Braun, McLean	Heckman	Sagehorn
Braun, Stark	Hofstrand	Saumur
Brusseau	Hogboom	Schmidt
Bubel	Holm	Sellens
Bymers	Jennings	Semerad
Carlson	Johnson, Richland	Sharpe
Coghlan	Juhola	Shure
Collette	Kee	Singleton
Crockett	Kindem	Smart
Culver	Langley	Swanson
Dalzell	Levin	Trydahl
Devlin	Lillehaugen	Twichell
Dittmer	Lunde	Williams, Richland
Drovdal	McIntee	Williams, Stutsman

Erickson, Divide McIntyre Mr. Speaker

Those voting in the negative were:

Aker	Myers	Schwartz
Bergesen	Nelson, Morton	Starck
Bjella	Nelson, Ramsey	Stormon
Gackle	Ohnstad	Tuff
Ireland	Panko	Welder
Larson	Peterson, Ransom	Westby
Moe	Rohde	Wolf, McIntosh
Mollet	Sandness	Wolf, Morton

Absent and not voting:

Arneson	Johnson, Cass	Severson
Fleck	McInnes	Wambheim
Haugland		

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

Mr. Morland moved that the vote by which House Bill No. 55 was passed be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 12, 1941.

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, Representatives: Dalzell, McInnes and Devlin on Senate Bill No. 59.

C. R. VERRY, Chief Clerk.

Rep. Haugen moved that the House do now recess for a ten-minute period to re-assemble subsequent to First Reading of Senate Bills, which motion prevailed.

FIRST READING OF SENATE BILLS

Senate Bill No. 131. A Bill for an Act Validating the Record of Mineral Deeds in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act Validating the Record of All Deeds and Mortgages in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Sections 5518 and 5519 of the Compiled Laws of North Dakota for 1913, Relating to Aid to Assessors in Valuing Coal Deposits Reserved to Grantors by Providing That All Deeds and Transfers of Real Property Which Reserves the Coal Deposits to the Grantor Shall Contain a Full Description of the Coal Deposits so Reserved, Its Length, Width, and Thickness, and Validating All Reservations and Conveyances of Other Minerals or Mineral Deposits Made Prior to the Passage and Taking Effect of This Act, and Limiting the Time Within Which Actions May Be Commenced in the Courts of This State to Contest the Validity or Legality of Such Reservations or Conveyances, and Declaring an Emergency.

Senate Bill No. 134. A Bill for an Act to Authorize the Leasing of Land Owned by School Districts, Cities, Villages, Townships and Park Districts, for Oil and Gas; Authorizing the Governing Boards to Make Such Leases; Providing for the Consolidation of Such Oil and Gas Leases with Adjoining Lands for Operation and Development; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 135. A Bill for an Act Authorizing Executors and Administrators of Decedents and Guardians of Minors and Incompetents to Execute Oil and Gas Leases, Providing for the Procedure for the Approval and Confirmation of Such Leases, and Validating All Such Leases Executed Prior to the Passage and Taking Effect of This Act, and Declaring an Emergency.

Senate Bill No. 136. A Bill for an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Senate Bill No. 137. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 254 of the Session Laws of 1935; Providing That Deeds Taken in Lieu of Foreclosure Shall Have the Force and Effect of a Sheriff's Certificate on Foreclosure Sale as to All Subsequent Lien Holders; for Notice to Subsequent Lien Holders, of the Record of Such Deeds Preserving to Such Subsequent Lien Holders the Same Rights of Redemption as They Would Have Had, Had Foreclosure Been Made; Providing That After the Period of Redemption Expires, Such Deeds Shall Have the Full Force and Effect of a Sheriff's Deed on Foreclosure as Against Subsequent Lien Holders Who Do Not Redeem.

Were read the first time and referred to the Comm. on Judiciary.

Senate Bill No. 126. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96 of the Session Laws for the State of North Dakota, as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937, Relating to Reserve Fund Requirements for State Banking Associations.

Senate Bill No. 127. A Bill for an Act to Amend and Re-enact Section 22 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, as Amended by Chapter 95 of the Session Laws of North Dakota for the Year 1937, Relating to the Responsibility of Shareholders of State Bank Stock.

Were read the first time and referred to the Comm. on Banks and Banking.

The Speaker called the House to order pursuant to recess taken and announced the House would be on the Fourteenth Order of Business.

SECOND READING OF SENATE BILLS

Senate Bill No. 68. A Bill for an Act Creating Pensions for Disabled or Retired City Employees, Other Than Policemen, Their Widows, and Children Under Sixteen Years of Age; and Widows of City Employees Who Die in the Service and Their Children Under Sixteen Years of Age; in Cities

Now or Hereafter Having a Population of 10,000 or Over by the Last Official Census, Federal or State; and Providing for a Fund out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund, 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, 102; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Steele
Allen	Fraser	Nicholsen
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Gress	Panko
Belzer	Haag	Peterson, Bottineau
Benno	Halvorson	Peterson, Ransom
Bergesen	Haugen	Rieker
Bingenheimer	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Ireland	Schmidt
Braun, McLean	Jennings	Schwartz
Braun, Stark	Johnson, Richland	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Singleton
Collette	Levin	Smart
Crockett	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Trydahl
Devlin	McIntee	Tuff
Dittmer	Morland	Twichell
Drovdal	Morrison	Wambheim
Erickson, Divide	Myers	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Johnson, Cass	Shure	Welder
Moe	Swanson	Wolf, McIntosh

Mollet

Absent and not voting:

Coglan	Juhola	McIntyre
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Crockett moved that the vote by which Senate Bill No. 68 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Myers: I vote "aye" on this bill with the hopes that it will encourage the enactment of an adequate pension for our old people.

Rep. Welder: I believe in pensions but I believe that the people who are more financially distressed should be given first consideration in the matter of pensions.

Senate Bill No. 53. A Bill for an Act Providing for a Lien in Favor of House-movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rieker
Benno	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Kee	Sellens
Brusseau	Kindem	Semerad
Bubel	Langley	Severson
Bymers	Larson	Sharpe
Carlson	Levin	Shure
Coghlan	Lillehaugen	Singleton
Crockett	Lunde	Smart
Culver	McInnes	Starck
Dalzell	McIntee	Stormon
Devlin	McIntyre	Swanson
Dittmer	Moe	Trydahl
Drovdal	Mollet	Tuff
Erickson, Divide	Morrison	Twichell
Erickson, Williams	Myers	Wambheim
Falconer	Nelson, Cass	Westby
Fitch	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fleck	Nelson, Sargent	Wolf, McIntosh
Fraser	Nelson, Steele	Wolf, Morton
Gackle	Nicholsen	Mr. Speaker

Absent and not voting:

Bergesen	Fuglestad	Morland
Bingenheimer	Juhola	Welder
Collette		

So the bill passed and the title was agreed to.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 259, Laws 1935; Chapter 218, Laws 1937

Relating to Meetings of Boards of Common School Districts, Provide for Notices of Same and Relating to Attendance Per Diem and Mileage of School Officers and to Duties and Compensation of Clerks 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, 100; nays, 8; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Steele
Allen	Gainor	Nicholsen
Anderson	Glas	Nystrom
Arneson	Gress	Ohnstad
Arndt	Haag	Olson, Barnes
Austad	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Belzer	Haugland	Peterson, Bottineau
Benno	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rieker
Bjella	Hogoboom	Rohde
Black	Holm	Rygg
Bolmeier	Ireland	Sagehorn
Boulden	Jennings	Sandness
Braun, McLean	Johnson, Richland	Schmidt
Braun, Stark	Kee	Schwartz
Brusseau	Kindem	Sellens
Bubel	Langley	Semerad
Bymers	Larson	Severson
Carlson	Levin	Sharpe
Coghlan	Lillehaugen	Singleton
Collette	Lunde	Smart
Crockett	McInnes	Starck
Culver	McIntee	Swanson
Devlin	McIntyre	Trydahl
Drovdal	Moe	Tuff
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Myers	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Blair	Nelson, Sargent	Twichell
Dittmer	Saumur	Wambheim
Johnson, Cass	Shure	

Absent and not voting:

Bingenheimer	Juhola	Stormon
Dalzell		

So the bill passed and the title was agreed to.

Senate Bill No. 60 was read the second time.

Rep. Twichell asked unanimous consent to amend Senate Bill No. 60, which consent was granted.

Rep. Twichell moved the following amendment to Senate Bill No. 60:

In Section 1, page 3, after line 41 insert the following:

"Provided, that if the application be made for a primary election ballot such application shall also give the name of the political party with which the applicant is affiliated."

Rep. Twichell moved that Senate Bill No. 60 be placed on second reading and final passage as amended, which motion prevailed.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for 1933 and Amending and Re-enacting Section 1004 of the Compiled Laws of North Dakota for 1913.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 78; nays, 34; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Devlin	Nelson, Steele
Allen	Dittmer	Nicholsen
Arneson	Erickson, Williams	Nystrom
Arndt	Falconer	Ohnstad
Austad	Fitch	Olson, Barnes
Beede	Fitzharris	Panko
Belzer	Fleck	Peterson, Ransom
Benno	Gackle	Rygg
Bergesen	Gainor	Sagehorn
Bingenheimer	Glas	Sandness
Bjella	Haugland	Saumur
Black	Hofstrand	Sellens
Blair	Hogoboom	Severson
Bolmeier	Holm	Sharpe
Boulden	Ireland	Shure
Braun, McLean	Johnson, Cass	Smart
Braun, Stark	Johnson, Richland	Singleton
Brusseau	Kee	Stormon
Bubel	Kindem	Swanson
Bymers	Langley	Trydahl
Carlson	McInnes	Twichell
Coghlan	Moe	Wambheim
Collette	Morland	Westby
Crockett	Nelson, Cass	Williams, Richland
Culver	Nelson, Ramsey	Williams, Stutsman
Dalzell	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Anderson	Larson	Peterson, Bottineau
Drovdal	Levin	Rieker
Erickson, Divide	Lillehaugen	Rohde
Fraser	Lunde	Schmidt
Fuglestad	McIntee	Schwartz
Gress	McIntyre	Semerad
Haag	Mollet	Starck
Halvorson	Morrison	Tuff
Haugen	Myers	Welder
Heckman	Nelson, Morton	Wolf, McIntosh
Jennings	Olson, Bowman	Wolf, Morton
Juhola		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which Senate Bill No. 60 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Myers: I vote "no" on this bill for the reason that it requires an affidavit of a licensed physician in order to get an absent voter's ballot. It will cost the average man who lives in the country from ten to fifteen dollars to have a physician come out and give him an affidavit that he is sick.

Senate Bill No. 115 was read the second time.

Rep. Bergesen asked unanimous consent to amend Senate Bill No. 115, which consent was granted.

Rep. Bergesen moved the following amendments to Senate Bill No. 115:

In line 2 of the title, after the word "the" and before the word "Supplement" insert the figures "1925".

In Section 1, line 2, after the word "the" and before the word "Supplement" insert the figures "1925".

Which motion prevailed.

Rep. Morland moved that Senate Bill No. 115 be placed on second reading and final passage as amended, which motion prevailed.

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Subdivision (f) of Section 4609b8 of the Supplement to the Compiled Laws of North Dakota of 1913; Relating to Articles of Incorporation of Co-operative Marketing Associations.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rieker
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon

Collette	McIntee	Swanson
Crockett	McIntyre	Trydahl
Culver	Moe	Tuff
Devlin	Mollet	Twichell
Dittmer	Morrison	Wambheim
Drovdal	Myers	Welder
Erickson, Divide	Nelson, Cass	Westby
Erickson, Williams	Nelson, Morton	Williams, Richland
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad		

Absent and not voting:

Dalzell	Johnson, Richland	Morland
Fitch	McInnes	Sagehorn

So the bill passed and the title was agreed to.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 144 Laws of North Dakota for 1929 Relating to Hotels, Restaurants, Lodging Houses and Boarding Houses to Provide for Application for License and Payment of License 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, 112; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell

Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad		

So the bill passed and the title was agreed to.

Senate Bill No. 98. A Bill for an Act to Provide for an Annual Audit of the Affairs of the North Dakota Mill and Elevator Association as of the 30th Day of June in Each Year, and Such Other Audits as May Be Deemed Necessary by the Industrial Commission, and Repealing Conflicting Portions of Prior Acts.

Was read the second time.

- ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 111; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rieker
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh

Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Morland

So the bill passed and the title was agreed to.

Senate Bill No. 48. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929 creating the Office of Grain Storage 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, 112; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rieker
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad		

So the bill passed and the title was agreed to.

Rep. Morland moved that the vote by which Senate Bill No. 48 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "I" was read the second time.

Senate Concurrent Resolution "I". A Resolution Memorializing the U. S. Department of the Interior (Fish and Wild Life Service) to Enact More Suitable Hours for the Taking of Migratory Waterfowl During the Open Season as Provided for by the Fish and Wild Life Service.

Rep. Swanson moved that the House adopt Senate Concurrent Resolution "I," which motion prevailed and the Resolution was declared adopted.

Rep. Bergesen requested that the House be on the Seventh Order of Business, which request was granted.

Rep. Bergesen moved that the Senate be requested to return Senate Bill No. 96 for the further consideration of the House, which motion prevailed.

Rep. Haag moved that the House do now recess until 1:00 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

THIRTY-EIGHTH DAY AFTER RECESS
AND THIRTY-NINTH DAY

Bismarck, February 14, 1941.

The House re-assembled at 1:00 P. M., pursuant to recess, Speaker Symington presiding.

Rep. Morrison announced that it was his sad duty to inform the members of the House that Rep. Edward Rieker passed away last night and moved that his name be stricken from the roll call, which motion prevailed.

Rep. Rohde moved that a committee of two be appointed to assist the family in making arrangements for the funeral of Rep. Rieker, which motion prevailed and the Speaker appointed Reps. Morrison and Rohde on that committee.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 194, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted.

Rep. Falconer moved a substitute motion that House Bill No. 139 be placed on the calendar.

Rep. Myers moved an amendment to Rep. Falconer's motion that House Bill 139 be re-referred to the Committee on Ways and Means, which motion prevailed.

The question being on the motion of Rep. Falconer as amended by the motion of Rep. Myers, the motion prevailed and House Bill No. 139 was re-referred to the Committee on Ways and Means.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 171, have had the same under consideration and recommend that the same be amended as follows:

Strike out all words and figures after the word bill, and insert in lieu thereof, the following words and figures:

Section 1. All cities in this state, except in the event of

an emergency, shall advertise for bids in a newspaper published in the city, once each week, for two successive weeks, or if no newspaper be published in the city, then the notice shall be posted in three public places within the city, before purchasing machinery, fuel, stationery, and all articles for the use of the city, when the amount to be paid for the same during any one year exceeds the sum of Five hundred dollars.

Section 2. No contract relating thereto shall be entered into by the city within ten days after the first publication or posting of said advertisement.

Section 3. The contract as provided for herein, shall be let to the lowest and best responsible bidder, with the right or privilege of rejecting any and all bids.

Section 4. The provisions of this act shall not apply to purchases used in the operation of a water works, light, power, steam heating or gas plant, sewage disposal plant, incinerator, or any other public utility.

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 186 have had the same under consideration and recommend that the same be amended as follows:

After the word "bands" in line 15 strike out comma and insert the word "or". In same line strike out last word "or".

In line 16 strike out word the "airports" and substitute the word "two" for the word "three".

In line 18 substitute semi-colon for period. Then add following words: "provided further, that in cities supporting bands, public libraries and airports a levy, in addition to the above 14 mills, but not to exceed three mills on the net taxable assessed valuation of property in such city may be made for these purposes".

And when so amended recommend the same do pass.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 188, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 46, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

Rep. Bingenheimer moved that the report be adopted.

Rep. Bergesen moved a substitute motion that House Bill No. 46 be re-referred to the Committee on Banks and Banking, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 85, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 86, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

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

Mr. Speaker: Your Committee on Corporations, to whom was referred Senate Bill No. 89, have had the same under consideration and recommend that the same do pass.

WM. IRELAND, Chairman.

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

Mr. Speaker: Your Committee on Corporations to whom was referred Senate Bill No. 100, have had the same under consideration and recommend that the same be amended as follows:

In the third line of the heading after the word "members" add the following to the title: "Provided that stockholders or members shall have ninety (90) days after this act takes effect to injoin or by other appropriate judicial process question the legality of the sale or authorization as herein provided."

In Section 3, line 22, strike out the word "sixty" and insert in lieu thereof the word "ninety".

And when so amended recommend the same do pass.

WM. IRELAND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 55

House Bill No. 74

And find the same correctly Enrolled.

ALVA WAMBHEIM, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 33

House Bill No. 82

House Bill No. 137

House Bill No. 143

House Bill No. 174

House Bill No. 193

And find the same correctly Engrossed.

ALVA WAMBHEIM, Chairman.

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

Rep. Fitch moved the House reconsider its action taken on House Bill No. 140, which motion prevailed.

Rep. Fitch moved that House Bill No. 140 be re-referred to the Comm. on Judiciary, which motion prevailed.

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

Rep. Sharpe requested that the Comm. on Public Safety be granted an extension of time for consideration of House Bill No. 141, which request was granted.

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

THIRTY-NINTH DAY

Bismarck, February 14, 1941.

The House assembled at 2:00 p. m., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Wm. A. Lemke, Bismarck.

Roll Call disclosed all members present except Rep. Beede.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-eighth day and recommends that the same be corrected as follows:

On page 392, in lines 1 and 2, strike out the figures "191" and insert in lieu thereof the figures "123".

On page 387, House Bill No. 228 is to be shown as referred to the Comm. on Temperance in lieu of State Affairs.

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 6, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

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

Rep. Myers moved that the deceased, Rep. Ed. Rieker, be considered excused for the balance of the Session and that the Chief Clerk be empowered to sign the payroll in his name and that his check be issued in the name of his wife and forwarded to Tappen, N. D., for the balance of the Session and that his check for the last 20 days now due him be also included, which motion prevailed.

SELECT COMMITTEE REPORT

Conference Committee Report:

Mr. Speaker: Your Conference Committee on Senate Bill

No. 59 have had the same under consideration and it is recommended that the House recede from its amendments.

Senate:

SEN. BRANT
SEN. OLSON of Mountrail
SEN. ISAAK

House:

REP. DALZELL
REP. McINNES
REP. DEVLIN

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

Rep. Fitch moved that Senate Bill No. 59 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section 2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony 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, 100; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fraser	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Bjella	Hogboom	Sandness
Black	Holm	Saumur
Bolmeier	Ireland	Schwartz
Boulden	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Braun, Stark	Johnson, Richland	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Mollet	Welder
Drovdal	Morland	Westby
Erickson, Divide	Myers	Williams, Richland

Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck		

Those voting in the negative were:

Fuglestad	Juhola	Schmidt
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Absent and not voting:

Beede	Langley	Rohde
Blair	Morrison	Wambheim
Halvorson	Nelson, Steele	

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

FIRST READING OF HOUSE BILLS AND RESOLUTIONS

Representatives Semerad, Brusseau and Gress introduced:

HOUSE CONCURRENT RESOLUTION NO. 234

A Concurrent Resolution Providing for the Amendment of Section 179 of the Constitution of North Dakota as Amended by Article 44 of the Amendments to the State Constitution.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA THE SENATE CONCURRING THEREIN:

That the following proposed amendment to Section 179 of the Constitution of the State of North Dakota as amended by Article 44 of the Amendments to the Constitution of the State of North Dakota is agreed to and that the same be submitted to the qualified electors of the State of North Dakota for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota as amended.

SECTION 1.) That Section 179 of the Constitution of the State of North Dakota as amended by Article 44 of the Amendments to the Constitution of North Dakota is hereby amended and re-enacted to read as follows:

SECTION 179. All taxable property except as hereinafter in this section provided, shall be assessed in the county, city, township, village or district in which it is situated or such taxable property may be listed for taxation purposes by the owner thereof in accordance with regulations to be prescribed by appropriate legislation. The property, including franchises of all railroads operated in this State, and of all express companies, freight line companies, dining car companies, sleeping car companies, car equipment companies, or private car line companies, telegraph or telephone companies, the property of any person, firm or corporation used for the purpose of furnishing electric light, heat or power, or in distributing the same for public use, and the property of any other corporation, firm or individual now or hereafter operating in this State, and used directly or indirectly in the carrying of persons, property or messages, shall be assessed by the State Board of Equalization in a manner prescribed by such State board or commission as may be provided by law. But should any railroad allow any portion of its railway to be used for any purpose other than the

operation of a railroad thereon, such portion of its railway, while so used shall be assessed in a manner provided for the assessment of other real property.

Was read the first time and referred to the Comm. on State Affairs.

Representative Starck introduced by request:

House Bill No. 235. A Bill for an Act to Amend and Re-enact Section 4907 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 156 of the Session Laws of 1939, Relating to Capital of Foreign Insurance Companies as a Condition to Writing Fidelity and Surety Risks in this State, and Repealing All Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Insurance.

Representatives Myers, Ohnstad, Morrison, Brusseau, McIntyre, Starck and McIntee introduced:

House Bill No. 236. A Bill for an Act Providing That the Attorney General and His Assistants Shall Be the Legal Advisors of and Serve as Attorneys for all State Elective and Appointive Officials, Departments, Commissions, Bureaus, Boards and Other State Agencies; Authorizing the Appointment of Special Assistants and Providing for the Payment of Compensation of Special Assistants and Statutory Costs.

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

Representatives Fuglestad, Collette, Benno and Fitch introduced:

House Bill No. 237. A Bill for an Act Providing for Retention by County Auditors of a Part of the Resident and Non-resident Hunting License and Non-resident Fishing License Fees, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Game and Fish.

Representative Severson introduced by request:

House Bill No. 238. A Bill for an Act to Amend and Re-enact Chapter 162 of the 1929 Session Laws of the State of North Dakota Providing That Attachment Shall Lie Against Motor Vehicles, in Case of Accident Occasioned Through the Negligence of the Driver or Owner Thereof; Denying Exemption as to Such Motor Vehicles; Specifying Place of Trial.

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

Representative Falconer introduced:

House Bill No. 239. A Bill for an Act to Amend and Re-enact Subdivision 6 of § 7426, of the Compiled Laws of North Dakota for 1913, Relating to Service of Process Upon a Foreign Corporation, Joint Stock Company or Association That Has Not Appointed Either the Secretary of State or Commissioner of Insurance, as the Case May Be, as Its Lawful Attorney, Upon Whom Service of Process May Be Made; and Providing That If Such Corporation, Joint Stock Company or Association is Engaged in Industrial, Manufacturing or Other Productive Business, and Is Regularly Disposing, Within the State, of Any Considerable Quantities of Its Product or Sending Such Product, Goods, Wares and Merchandise for Sale and Delivery Therein, Such Process May

Be Served Upon the Secretary of State With the Same Effect as Provided by Subsection 5 of Said § 7426.

Was read the first time and referred to the Comm. on Insurance.

Representatives Sharpe, Benno and Collette introduced:

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

Was read the first time and referred to the Comm. on Game and Fish.

Representatives Crockett, Belzer and Fitch introduced:

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 3163a1, Compiled Laws of North Dakota, as Amended by Chapter 136 Session Laws of 1939, Defining a Public Dancing Place, Repeal.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Bergesen, Beede, Morland and Haugland introduced:

House Bill No. 242. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259, Session Laws of 1937, Authorizing the Issuance and Sale of Stamps Representing the Excise Liquor Tax, Requiring Their Attachment to Each Package or Container; Creating a Special Fund and Limiting the Use and Disbursement Thereof.

Representatives Bergesen, Morland, Culver, Haugland and Beede introduced:

House Bill No. 243. A Bill for an Act to Amend and Re-enact Section 1 and Section 7 of Chapter 242, Session Laws of North Dakota for the Year 1939, Relating to a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Creating a Special Fund and Limiting the Use Thereof for Specific Purposes.

Were read the first time and referred to the Comm. on Temperance.

Representatives Fraser and Peterson of Bottineau introduced:

House Bill No. 244. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of North Dakota of 1913, as Amended by Chapter 226 of the 1937 Session Laws, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Was read the first time and referred to the Comm. on Elections and Election Privileges.

Representatives Swanson and Fitch introduced:

House Bill No. 245. A Bill for an Act to Amend and Re-enact Sections 26 and 53 and Sub-Division (2) of Section 20 of Chapter 148, Laws 1931, Providing for Permit Fee and Defining Commercial Fishing and Providing Penalties for the Illegal Hunting of Big Game.

Was read the first time and referred to the Comm. on Game and Fish.

The Committee on Education introduced:

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High School Tuition" from \$1,100,000.00 as Therein Provided to \$1,200,000.00, and Declaring an Emergency.

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

Representatives Fleck and Crockett introduced:

House Bill No. 247. A Bill for an Act to License and Regulate Public Dancing in Places Where Alcoholic Beverages Are Sold; Defining the Powers and Duties of the State Tax Commissioner and the Governing Bodies of Cities, Villages, Towns and Townships; Prescribing Penalties for Violations; Repealing Conflicting Acts and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Bymers, Nelson of Cass, Arndt, Schwartz, Rynn and Sagehorn introduced:

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Representatives Aker, Benno, Swanson and Bymers introduced:

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 10322a51 of the Supplement of 1925 and Chapter 118, Laws 1933 Relative to Going Afield With Guns Before the Hunting Season and Illegal Possession of Game and Fish After the Hunting Season.

Was read the first time and referred to the Comm. on Game and Fish.

Representative Schwartz introduced:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Temperance.

Representatives McIntyre, Culver, Halvorson, Haugland, Sandness and Schwartz introduced:

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 118, Laws 1929 Relative to the Posting of Butter Fat Prices at Creamery and Cream Stations and Other Places of Business Purchasing Such Products From the Public.

Representatives McIntyre, Culver and Sandness introduced:

House Bill No. 252. A Bill for an Act Establishing Standards and Definitions of Milk and Milk Products and Butter; and Amending Section 2852 of the Compiled Laws of 1913 and Section 2855a1 of the 1925 Supplement to the Compiled Laws of 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith, Providing for the Enforcement of the Provision of This Act and for Penalties for the Violation Thereof and Declaring an Emergency.

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

Representative Fuglestad introduced by request:

House Bill No. 253. A Bill for an Act Providing for Submission to the Electors of Counties Upon Petition the Question of Local Option as to Sale of Alcoholic Beverages; and, Where Approved, Declaring Violation Thereof a Misdemeanor; and Repealing Conflicting Acts.

Was read the first time and referred to the Comm. on Elections and Election Privileges.

Representatives Panko, Sharpe, Gackle and Benno introduced.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 23 and 24 of Chapter 148 of the Session Laws of North Dakota of 1931 Relating to Non-resident Hunting and Trapping Licenses, Including the Cost, Issuance, Application, Form Thereof and Game Shipments Thereunder, and Relating to Resident Hunting Licenses to Actual Settlers Who Are Recent Arrivals; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Game and Fish.

The Committee on Education introduced:

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 1456 of the Supplement of 1925 as Amended by Chapter 202, Laws 1929, Relative to Maintenance of County Agricultural and Training Schools and the Tuition to Be Charged by Them. Repeal.

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

Representatives Sharpe and Peterson of Bottineau introduced:

House Bill No. 256. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor Services to Be Performed in Connection Therewith; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Starck, Haag and McIntee introduced:

House Bill No. 257. A Bill for an Act Providing for the Leasing of All Lands Now Owned or Which May Hereafter Be Owned by the Various Counties of the State and Providing the Manner and Mode of Such Leasing and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Representative Fitch introduced:

House Bill No. 258. A Bill for an Act Preserving the Rights to Benefits Under the North Dakota Unemployment Compensation Act to Persons Entering the Military or Naval Service of the United States During the Period of Such Service; Repeal; Declaring an Emergency.

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

Representatives Stormon and Bergesen introduced:

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sections 2 and 3 of Chapter 120, Session Laws of 1921, Being Sections 6001a2 and 6001a3 of the 1925 Supplement, Relating to Notice to Be Given County Treasurer of Auction Sales of Personal Property and the Collection of Personal Property Taxes.

Was read the first time and referred to the Comm. on Counties.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, February 14, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 108. A Bill for an Act to Prescribe Uniform Rules of Practice for Administrative Agencies; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Senate Bill No. 140. A Bill for an Act Authorizing the Sale by Executors, Administrators and Guardians of Estates of Oil, Gas and Mineral Interests in Land, Providing for the Procedure Relative to Such Sales, and Declaring an Emergency.

Senate Bill No. 142. A Bill for an Act Authorizing the Board of County Commissioners of the Counties of the State of North Dakota to Confirm, Approve and Adopt Oil and Gas Leases, Executed by Owners of the Right of Redemption, Owners of the Title to and Owners of Interests in Lands Subject to Delinquent Tax Charges, Including Lands the Tax Charges Against Which Have Been Adjusted by Contract, and Lands Forfeited to the County Under Tax Proceedings, and Held by the County by Tax Deeds Sufficient to Constitute Color of Title in the County; and Providing That Upon Such Confirmation, Approval or Adoption, That Such Oil and Gas Leases Shall Be and Become Binding Upon the County and the Lessee Named Therein and Assigns, with Like Force and Effect as Though the County Had Become a Party to the Said Leases; and Providing for the Payment of Rentals, Bonuses and Royalties and the Distribution and Allocation Thereof; and Providing for Constructive Notice to Purchasers of Said Lands from the County, and Validating Prior Proceedings of County Commissioners in Substantial Compliance Herewith.

Senate Concurrent Resolution No. 4. A Concurrent Resolution Providing for the Amendment of the Constitution to Empower the Legislative Assembly or the Electors by Initiated Measure to Provide for an Appointive Board to Manage the Permanent Funds of the State, Which Board, If Established, Will Supersede, the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 14, 1941.

Mr. Speaker: I have the honor to return:
House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 14, 1941.

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "L". A Concurrent Resolution Urging the Continuance of the Existing Embargo Applying to All Countries Where Foot-and-mouth Disease Exists.

House Concurrent Resolution "K". Petitioning the Congress of the United States to Amend the Agricultural Adjustment Act.

Which the Senate has adopted unchanged.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 14, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 59.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 167. A Bill for an Act to Amend and Re-enact Sections 11, 21 and 22 of Chapter 256 of the Session Laws of North Dakota for the Year 1939 Relating to the Powers and Duties of the State Water Conservation Commission, Relating to State Water Conservation Commission Bonds 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, 58; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Morton
Anderson	Gress	Nystrom
Austad	Haugen	Ohnstad
Belzer	Heckman	Olson, Barnes
Benno	Hofstrand	Olson, Bowman
Bergesen	Holm	Panko
Bjella	Ireland	Peterson, Bottineau
Black	Johnson, Cass	Peterson, Ransom

Braun, McLean	Johnson, Richland	Sagehorn
Braun, Stark	Kindem	Semerad
Bubel	Larson	Sharpe
Culver	McIntee	Starck
Devlin	McIntyre	Tuff
Drovdal	Mollet	Wolf, Morton
Erickson, Divide	Morland	Mr. Speaker
Erickson, Williams	Myers	

Those voting in the negative were:

Allen	Haag	Sandness
Arneson	Halvorson	Saumur
Arndt	Haugland	Schmidt
Bingenheimer	Hogoboom	Schwartz
Blair	Jennings	Sellens
Bolmeier	Juhola	Severson
Boulden	Kee	Shure
Brusseau	Langley	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Stormon
Coghlan	Lunde	Swanson
Crockett	McInnes	Trydahl
Dalzell	Moe	Twichell
Dittmer	Nelson, Cass	Wambheim
Falconer	Nelson, Ramsey	Welder
Fitzharris	Nelson, Sargent	Westby
Fleck	Nelson, Steele	Williams, Richland
Gackle	Nicholsen	Williams, Stutsman
Gainor	Rygg	Wolf, McIntosh
Glas		

Absent and not voting:

Beede	Fitch	Morrison
Collette	Fraser	Rohde

So the bill was declared lost.

Rep. Brusseau moved that the vote by which House Bill No. 167 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Nystrom moved that action on House Bill No. 166 be deferred one legislative day, which motion prevailed.

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 4; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fleck	Nicholsen
Allen	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arneson	Gainor	Olson, Bowman
Arndt	Glas	Panko
Austad	Gress	Peterson, Bottineau
Belzer	Haag	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn

Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Boulden	Juhola	Semerad
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Shure
Brusseau	Langley	Singleton
Bubel	Larson	Smart
Bymers	Levin	Starck
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Moe	Twichell
Devlin	Mollet	Wambheim
Dittmer	Morland	Welder
Drovdal	Morrison	Westby
Erickson, Divide	Myers	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Halvorson	Jennings	Wolf, McIntosh
Haugen		

Absent and not voting:

Beede	Lillehaugen	Olson, Barnes
Collette	Nelson, Sargent	Sellens
Fraser	Nelson, Steele	Severson
Johnson, Cass		

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

House Bill No. 33. A Bill for an Act to Require the Filing of a Farm Lease Containing a Reservation of Title to Crop in the Lessor and Providing for a Waiver of Rights by the Lessor Upon Failure to File Such Lease.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gainor	Ohnstad
Anderson	Halvorson	Olson, Barnes
Arneson	Haugen	Olson, Bowman
Arndt	Haugland	Panko
Austad	Heckman	Peterson, Bottineau
Belzer	Hofstrand	Peterson, Ransom
Benno	Hogoboom	Rohde
Bergesen	Holm	Rygg
Bingenheimer	Ireland	Sagehorn
Bjella	Jennings	Sandness
Black	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmidt
Boulden	Juhola	Schwartz
Braun, McLean	Kee	Sellens

Braun, Stark	Kindem	Semerad
Brusseau	Langley	Sharpe
Bubel	Larson	Shure
Bymers	Levin	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Starck
Crockett	McIntee	Stormon
Culver	McIntyre	Swanson
Dalzell	Mollet	Trydahl
Devlin	Morland	Tuff
Drovdal	Morrison	Twichell
Erickson, Divide	Myers	Welder
Erickson, Williams	Nelson, Morton	Westby
Falconer	Nelson, Ramsey	Williams, Richland
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Wolf, Morton
Fleck	Nicholsen	Mr. Speaker
Those voting in the negative were:		
Blair	Glas	Nelson, Cass
Dittmer	Haag	Wambheim
Gackle	Moe	Wolf, McIntosh
Absent and not voting:		
Beede	Fraser	Lillehaugen
Collette	Gress	Severson

So the bill passed and the title was agreed to.

Rep. Haugen moved that the vote by which House Bill No. 33 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The House reverted to the Seventh Order of Business.

Rep. Crockett announced that Governor John Moses had ordered the flag on the Capitol grounds to be flown at half mast, out of respect for Representative Edward Rieker, deceased.

The House continued on the Eleventh Order of Business.

House Bill No. 82. A Bill for an Act to Amend and Re-enact Section 3 (d) of Chapter 165 Laws of North Dakota for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel; 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, 71; nays, 33; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Falconer	Nelson, Sargent
Allen	Fitzharris	Nelson, Steele
Anderson	Fleck	Nicholsen
Arneson	Fuglestad	Nystrom
Arndt	Gackle	Ohnstad
Austad	Glas	Peterson, Ranson
Benno	Haugland	Rygg
Bergesen	Heckman	Sandness
Bjella	Hofstrand	Saumur
Black	Hogoboom	Schwartz
Blair	Holm	Sellens
Bingenheimer	Ireland	Semerad
Bolmeier	Johnson, Cass	Sharpe

Boulden	Johnson, Richland	Shure
Braun, McLean	Juhola	Singleton
Braun, Stark	Kee	Smart
Carlson	Kindem	Stormon
Coghlan	Langley	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Twichell
Dittmer	McIntee	Wambheim
Drovdal	McIntyre	Westby
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Ramsey	
Those voting in the negative were:		
Belzer	Levin	Rohde
Bubel	Moe	Sagehorn
Bymers	Mollet	Schmidt
Crockett	Morland	Severson
Culver	Morrison	Starck
Gress	Myers	Tuff
Haag	Nelson, Morton	Welder
Halvorson	Olson, Barnes	Williams, Richland
Haugen	Olson, Bowman	Wolf, McIntosh
Jennings	Panko	Wolf, Morton
Larson	Peterson, Bottineau	Mr. Speaker
Absent and not voting:		
Beede	Fitch	Gainor
Brusseau	Fraser	Lillehaugen
Collette		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 82 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 1; absent and not voting, 10.

ROLL CALL

Those voting in the affirmative were:

Aker	Gress	Ohnstad
Allen	Haag	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arneson	Haugen	Panko
Arndt	Haugland	Peterson, Bottineau
Austad	Heckman	Peterson, Ransom
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Saumur
Blair	Johnson, Cass	Schmidt

Bolmeier	Johnson, Richland	Schwartz
Boulden	Juhola	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lunde	Smart
Crockett	McIntee	Starck
Culver	McIntyre	Stormon
Dalzell	Mollet	Swanson
Devlin	Morland	Trydahl
Dittmer	Morrison	Tuff
Drovdal	Myers	Twichell
Erickson, Divide	Nelson, Cass	Welder
Erickson, Williams	Nelson, Morton	Westby
Falconer	Nelson, Ramsey	Williams, Richland
Fitzharris	Nelson, Sargent	Williams, Stutsman
Fleck	Nelson, Steele	Wolf, McIntosh
Fuglestad	Nicholsen	Wolf, Morton
Gackle	Nystrom	Mr. Speaker
Glas		

Those voting in the negative were:

Moe

Absent and not voting:

Beede	Fitch	Lillehaugen
Bergesen	Fraser	McInnes
Brusseau	Gainor	Wambheim
Collette		

So the bill passed and the title was agreed to.

House Bill No. 174. A Bill for an Act Prohibiting the Sale and Use on Automobiles, Trucks and Motorcycles in the State of North Dakota, Regrooved Tires; Penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 17; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fitch	Nelson, Cass
Allen	Fitzharris	Nelson, Sargent
Anderson	Fuglestad	Nelson, Steele
Arneson	Gackle	Nicholsen
Arndt	Gainor	Nystrom
Austad	Haag	Ohnstad
Belzer	Halvorson	Olson, Barnes
Benno	Haugen	Panko
Bergesen	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Ireland	Schwartz
Braun, McLean	Jennings	Shure
Braun, Stark	Johnson, Cass	Singleton
Bymers	Johnson, Richland	Smart
Carlson	Juhola	Stormon
Coghlan	Kee	Swanson
Crockett	Kindem	Trydahl

Culver	Langley	Tuff
Dalzell	Lunde	Twichell
Devlin	McInnes	Welder
Dittmer	McIntee	Williams, Richland
Drovdal	McIntyre	Williams, Stutsman
Erickson, Divide	Morland	Wolf, Morton
Erickson, Williams	Morrison	Wolf, McIntosh
Falconer	Myers	Mr. Speaker
Those voting in the negative were:		
Black	Moe	Schmidt
Bubel	Nelson, Morton	Semerad
Glas	Nelson, Ramsey	Severson
Gress	Olson, Bowman	Sharpe
Larson	Peterson, Bottineau	Starck
Levin	Peterson, Ransom	
Absent and not voting:		
Beede	Fraser	Sellens
Brusseau	Lillehaugen	Wambheim
Collette	Mollet	Westby
Fleck		

So the bill passed and the title was agreed to.

The House reverted to the Seventh Order of Business.

REPORT OF COMMITTEE ON ARRANGEMENTS FOR FUNERAL OF EDWARD RIEKER

Mr. Speaker: Your Committee on Arrangements for the Funeral of Honorable Edward Rieker, Representative from the Thirty-fifth Legislative District, respectfully reports that the body of Edward Rieker will lie in state at the Calnan Funeral Parlors until 1:30 P. M., tomorrow, after which time the body will be taken to the farm home of Mr. Rieker at Tappen, North Dakota. The funeral will be held Sunday, February 16th, 1941, at 2 o'clock, at the Evangelical Church in Tappen, N. D.

Mr. Speaker: I move that a Committee of Two be appointed to attend the funeral services of Representative Edward Rieker.

Which motion prevailed and the Speaker appointed on that committee Reps. Rohde and Morrison.

House Bill No. 137 was read the second time.

Rep. Myers moved that action on House Bill No. 137 be deferred until after 2:00 P. M., Monday, February 17th.

Rep. Crockett moved a substitute motion that House Bill No. 137 be indefinitely postponed.

Roll Call was demanded.

A Call of the House was also demanded and granted and the Chief Clerk called the roll to ascertain that all members were present. The roll showed Reps. Beede, Fraser and Collette as absent.

Rep. Fitch moved that Reps. Beede, Fraser and Collette be excused from the Call of the House, which motion prevailed.

Reps. Myers and Crockett withdrew their motions and a roll call on the final passage of House Bill No. 137 was demanded and granted.

Rep. Blair moved that further proceedings with the Call of the House be dispensed with, which motion prevailed.

House Bill No. 137. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate

a Central Mailing Bureau in the Capitol Building, for the Use of State Officers, Departments or Agencies, and to Prescribe Rules and Regulations for the General Use and Management of the Same; and Establishing a Board of Administration Postage Revolving Fund; and Making an Appropriation for the Establishment, Maintenance and Operation of the Same.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 65; nays, 43; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen	Gainor	Olson, Bowman
Arneson	Haugland	Peterson, Ransom
Arndt	Hofstrand	Sagehorn
Austad	Hogoboom	Sandness
Benno	Holm	Saumur
Bergesen	Ireland	Sellens
Bjella	Johnson, Cass	Severson
Black	Johnson, Richland	Sharpe
Blair	Kee	Shure
Bolmeier	Kindem	Singleton
Boulden	Langley	Smart
Brusseau	Lunde	Stormon
Carlson	McInnes	Swanson
Cophlan	Moe	Trydahl
Culver	Morland	Twichell
Dalzell	Nelson, Cass	Wambheim
Dittmer	Nelson, Ramsey	Welder
Fitch	Nelson, Sargent	Westby
Fitzharris	Nelson, Steele	Williams, Stutsman
Fleck	Nicholsen	Mr. Speaker
Fuglestad	Nystrom	

Those voting in the negative were:

Anderson	Haag	Nelson, Morton
Belzer	Halvorson	Ohnstad
Bingenheimer	Haugen	Panko
Braun, McLean	Heckman	Peterson, Bottineau
Braun, Stark	Jennings	Rohde
Bubel	Juhola	Rygg
Bymers	Larson	Schmidt
Crockett	Levin	Schwartz
Devlin	Lillehaugen	Semerad
Droydal	McIntee	Starck
Erickson, Divide	McIntyre	Tuff
Erickson, Williams	Mollet	Williams, Richland
Falconer	Morrison	Wolf, McIntosh
Glas	Myers	Wolf, Morton

Absent and not voting:

Beede	Collette	Fraser
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So the bill passed and the title was agreed to.

Rep. Welder changed his vote from "no" to "aye" for the purpose of reconsideration.

Rep. Welder moved that the House do now recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken and the House continued on the Eleventh Order of Business.

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, and to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lunde	Smart
Crockett	McInnes	Starck
Culver	McIntee	Stormon
Dalzell	McIntyre	Swanson
Devlin	Moe	Trydahl
Dittmer	Mollet	Tuff
Drovdal	Morland	Twichell
Erickson, Divide	Morrison	Wambheim
Erickson, Williams	Myers	Welder
Falconer	Nelson, Cass	Westby
Fitch	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fleck	Nelson, Sargent	Wolf, McIntosh
Fuglestad	Nelson, Steele	Wolf, Morton
Gackle	Nicholsen	Mr. Speaker

Absent and not voting:

Beede	Collette	Langley
Blair	Fraser	Lillehaugen

So the bill passed and the title was agreed to.

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare

Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 5; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Gress	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Bottineau
Belzer	Heckman	Peterson, Ransom
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Saumur
Bolmeier	Johnson, Richland	Schmidt
Boulden	Kee	Schwartz
Braun, McLean	Kindem	Sellens
Braun, Stark	Larson	Semerad
Brusseau	Levin	Severson
Bymers	Lillehaugen	Sharpe
Carlson	Lunde	Singleton
Coghlan	McInnes	Smart
Culver	McIntee	Starck
Dalzell	McIntyre	Stormon
Devlin	Moe	Swanson
Dittmer	Mollet	Tuff
Drovdal	Morland	Twichell
Erickson, Divide	Morrison	Welder
Erickson, Williams	Myers	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker
Gackle	Nicholsen	

Those voting in the negative were:

Glas	Juhola	Trydahl
Johnson, Cass	Shure	
Absent and not voting:		
Beede	Collette	Langley

Blair Crockett Wambheim
 Bubel Fraser

So the bill passed and the title was agreed to.

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937 as Amended by Chapter 177 of the Session Laws of North Dakota for the Year 1939, Relating to Pensions for Policemen and Dependents in Cities Now, or Hereafter, Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Glas	Nystrom
Allen	Gress	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Bottineau
Belzer	Heckman	Peterson, Ransom
Benno	Hofstrand	Rygg
Bergesen	Hogboom	Sagehorn
Bingenheimer	Holm	Saumur
Bjella	Ireland	Schmidt
Black	Jennings	Schwartz
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Semerad
Braun, McLean	Juhola	Severson
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bymers	Larson	Singleton
Carlson	Lillehaugen	Smart
Culver	Lunde	Starck
Dalzell	McInnes	Stormon
Devlin	McIntee	Swanson
Dittmer	McIntyre	Trydahl
Drovdal	Mollet	Tuff
Erickson, Divide	Morland	Twichell
Erickson, Williams	Morrison	Wambheim
Falconer	Myers	Welder
Fitch	Nelson, Cass	Westby
Fitzharris	Nelson, Morton	Williams, Richland
Fleck	Nelson, Ramsey	Williams, Stutsman
Fuglestad	Nelson, Sargent	Wolf, McIntosh
Gackle	Nelson, Steele	Wolf, Morton
Gainor	Nicholsen	Mr. Speaker

Those voting in the negative were:

Coghlan Moe

Absent and not voting:

Beede	Crockett	Levin
Blair	Fraser	Rohde
Bubel	Langley	Sandness

Collette

So the bill passed and the title was agreed to.

Explanations of vote:

Rep. Myers: I vote "aye" on this bill but I hope some-time to see a reasonable Old Age Pension passed so that bills like these would not be necessary.

Rep. Shure: I vote "aye" on this bill but I don't believe the bill is any better than the bill passed four years ago or the one passed two years ago.

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section 10993 of the Compiled Laws of North Dakota for 1913, Relating to the Right of the State to Appeal in Criminal Procedure.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 69; nays, 31; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fitch	Myers
Allen	Fitzharris	Nelson, Cass
Anderson	Fleck	Nelson, Steele
Arndt	Fuglestad	Nicholsen
Austad	Gackle	Nystrom
Belzer	Gainor	Ohnstad
Bergesen	Glas	Olson, Barnes
Bjella	Gress	Panko
Black	Haag	Peterson, Ransom
Bolmeier	Halvorson	Rohde
Braun, McLean	Haugen	Rygg
Braun, Stark	Haugland	Sagehorn
Bymers	Heckman	Schmidt
Carlson	Hofstrand	Schwartz
Coghlan	Ireland	Sellens
Culver	Jennings	Semerad
Dalzell	Johnson, Richland	Sharpe
Devlin	Juhola	Singleton
Dittmer	Kindem	Swanson
Drovdal	Larson	Welder
Erickson, Divide	Lunde	Williams, Richland
Erickson, Williams	McIntee	Williams, Stutsman
Falconer	Morrison	Mr. Speaker

Those voting in the negative were:

Arneson	Moe	Smart
Bingenheimer	Morland	Starck
Boulden	Nelson, Morton	Stormon
Brusseau	Nelson, Ramsey	Trydahl
Hogoboom	Nelson, Sargent	Tuff
Holm	Olson, Bowman	Twichell
Johnson, Cass	Peterson, Bottineau	Wambheim
Kee	Saumur	Westby
Levin	Severson	Wolf, McIntosh
Lillehaugen	Shure	Wolf, Morton

Absent and not voting:

Beede	Collette	McIntyre
Benno	Crockett	Mollet
Blair	Fraser	Sandness
Bubel	Langley	

So the bill passed and the title was agreed to.

Rep. Bergesen moved that the vote by which House Bill

No. 84 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The House reverted to the Seventh Order of Business.

Rep. Rohde moved that the Speaker appoint a committee of three to make arrangements for a Joint Memorial Service for the deceased Rep. Edward Rieker, which motion prevailed and the Speaker appointed on that committee Reps. Rohde, Culver and Morrison.

SECOND READING OF HOUSE BILLS

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gress	Nystrom
Allen	Haag	Ohnstad
Anderson	Halvorson	Olson, Barnes
Arneson	Haugen	Olson, Bowman
Arndt	Haugland	Peterson, Bottineau
Austad	Heckman	Peterson, Ransom
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Rygg
Bergesen	Holm	Sagehorn
Bingenheimer	Ireland	Sandness
Bjella	Jennings	Saumur
Black	Johnson, Cass	Schmidt
Blair	Johnson, Richland	Schwartz
Bolmeier	Juhola	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Culver	Lunde	Starck
Dalzell	McInnes	Stormon
Devlin	McIntee	Swanson
Dittmer	McIntyre	Trydahl
Drovdal	Moe	Tuff
Erickson, Divide	Mollet	Twichell
Erickson, Williams	Morland	Wambheim
Falconer	Morrison	Welder
Fitch	Myers	Westby
Fitzharris	Nelson, Cass	Williams, Richland
Fleck	Nelson, Morton	Williams, Stutsman
Fuglestad	Nelson, Ramsey	Wolf, McIntosh
Gackle	Nelson, Sargent	Wolf, Morton
Gainor	Nelson, Steele	Mr. Speaker
Glas	Nicholsen	

Absent and not voting:

Beede	Collette	Fraser
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Boulden Crockett Panko
 Bubel

So the bill passed and the title was agreed to.

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 103; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gress	Nystrom
Allen	Haag	Ohnstad
Anderson	Halvorson	Olson, Barnes
Arneson	Haugen	Olson, Bowman
Arndt	Haugland	Panko
Austad	Heckman	Peterson, Bottineau
Belzer	Hofstrand	Peterson, Ransom
Benno	Hogoboom	Rygg
Bergesen	Holm	Sagehorn
Bingenheimer	Ireland	Sandness
Bjella	Jennings	Saumur
Black	Johnson, Cass	Schmidt
Blair	Johnson, Richland	Schwartz
Bolmeier	Kee	Sellens
Braun, McLean	Kindem	Semerad
Braun, Stark	Langley	Severson
Brusseau	Larson	Sharpe
Bymers	Levin	Shure
Carlson	Lillehaugen	Singleton
Coghlan	Lunde	Smart
Culver	McInnes	Starck
Dalzell	McIntee	Stormon
Devlin	McIntyre	Swanson
Dittmer	Moe	Trydahl
Drovdal	Mollet	Tuff
Erickson, Divide	Morland	Twichell
Erickson, Williams	Morrison	Wambheim
Falconer	Myers	Welder
Fitch	Nelson, Cass	Westby
Fitzharris	Nelson, Morton	Williams, Richland
Fleck	Nelson, Ramsey	Williams, Stutsman
Fuglestad	Nelson, Sargent	Wolf, McIntosh
Gackle	Nelson, Steele	Wolf, Morton
Gainor	Nicholsen	Mr. Speaker
Glas		

Absent and not voting:

Beede	Collette	Juhola
Boulden	Crockett	Rohde
Bubel	Fraser	

So the bill passed and the title was agreed to.

House Bill No. 155. A Bill for an Act Making an Emergency Appropriation to the Livestock Sanitary Board to Pay

Claims on Cattle Destroyed on Account of Bang's Disease up to July 1, 1941; 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, 96; nays, 7; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Glas	Nystrom
Allen	Gress	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Bottineau
Belzer	Heckman	Peterson, Ransom
Benno	Hofstrand	Rygg
Bergesen	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Braun, McLean	Jennings	Schmidt
Braun, Stark	Johnson, Richland	Schwartz
Brusseau	Juhola	Sellens
Bubel	Kindem	Semerad
Bymers	Langley	Severson
Carlson	Larson	Sharpe
Coghlan	Levin	Singleton
Culver	Lillehaugen	Smart
Dalzell	Lunde	Starck
Devlin	McInnes	Stormon
Dittmer	McIntee	Trydahl
Drovdal	McIntyre	Tuff
Erickson, Divide	Mollet	Twichell
Erickson, Williams	Morland	Wambheim
Falconer	Myers	Welder
Fitch	Nelson, Cass	Westby
Fitzharris	Nelson, Morton	Williams, Richland
Fleck	Nelson, Ramsey	Williams, Stutsman
Fuglestad	Nelson, Sargent	Wolf, McIntosh
Gackle	Nelson, Steele	Wolf, Morton
Gainor	Nicholsen	Mr. Speaker

Those voting in the negative were:

Blair	Kee	Shure
Bolmeier	Moe	Swanson
Johnson, Cass		

Absent and not voting:

Beede	Collette	Morrison
Bingenheimer	Crockett	Rohde
Boulden	Fraser	

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

House Bill No. 122. A Bill for an Act Making an Appropriation for Payment of an Emergency Expenditure by the North Dakota National Guard in Connection with the Organization of Two Extra Battalions of 155 m.m. by Order of the War Department and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 79; nays, 24; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gainor	Nicholsen
Allen	Glas	Nystrom
Arneson	Haugland	Ohnstad
Arndt	Heckman	Olson, Barnes
Austad	Hofstrand	Panko
Benno	Hogoboom	Peterson, Bottineau
Bergesen	Holm	Peterson, Ransom
Bingenheimer	Ireland	Rygg
Bjella	Johnson, Richland	Sagehorn
Black	Juhola	Sandness
Braun, Stark	Kee	Saumur
Brusseau	Kindem	Schwartz
Bymers	Langley	Sellens
Carlson	Larson	Severson
Coghlan	Levin	Sharpe
Crockett	Lunde	Singleton
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Drovdal	Moe	Twichell
Erickson, Williams	Morland	Wambheim
Falconer	Myers	Westby
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Sneaker

Those voting in the negative were:

Anderson	Gress	Olson, Bowman
Belzer	Haag	Schmidt
Blair	Halvorson	Semerad
Bolmeier	Haugen	Shure
Braun, McLean	Jennings	Starck
Bubel	Johnson, Cass	Tuff
Dittmer	Lillehaugen	Welder
Erickson, Divide	Mollet	Wolf, McIntosh

Absent and not voting:

Beede	Fraser	Rohde
Boulden	Morrison	Smart
Collette	Nelson, Sargent	

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

Rep. Bergesen moved that the vote by which House Bill No. 122 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

GENERAL ORDERS

Mr. Brusseau moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Mr. Brusseau to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 133.

In the printed bill in Section 2, line 6, strike out the following: "Fifty dollars (\$50.00)" and substitute therefore the following "Twenty-five Dollars (\$25.00)."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 132.

In the printed bill in section one and in line 22 after the word "claimant" strike out the semi-colon and substitute therefore a period.

In line 22, beginning with the word "provided" strike out that word and the comma and all words in line 23, 24, 25, 26, 27, 28 and 29.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 182.

And recommend that the same be indefinitely postponed.

HARVEY BRUSSEAU, Chairman,
Committee of the Whole.

Rep. Swanson moved the adoption of the report of the Committee of the Whole, which motion prevailed.

The House reverted to the Tenth Order of Business.

FIRST READING OF HOUSE BILLS

Representatives Fitch and Westby introduced:

House Bill No. 260. A Bill for an Act to Provide for the Better Protection of Life and Property Against Injury or Damage Resulting from the Operation of Steam Boilers and Engines or Stationary Internal Combustion Engines by Incompetent Engineers and Others and to Formulate Rules and Regulations for the Safe Design, Construction, Installation, Repair, Use and Operation of Steam Boilers and Pressure Vessels; to Provide for the Licensing of Engineers, and Appointment of a Chief Examiner, and Appointment of Deputy Examiners, Classifications of Engineers, Applications and Examinations for License, Revocation of License, Inspection of Steam Boilers and Pressure Vessels, Fees to be Charged for Inspection, Certificate of Inspection, Reports by Insurance Companies, Exemptions, Penalties, Repeal, and Appropriation.

Was read the first time and referred to the Comm. on State Affairs.

Representative Crockett introduced:

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Chiropractic License Renewals; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Bergesen, Myers and Drovdal introduced:

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insur-

ance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Insurance.

Representative Smart introduced:

House Bill No. 263. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and by Chapter 283 of the Laws of 1935; Repealing All Acts; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Rohde, Larson, Panko, Myers, Glas and Wolf of McIntosh introduced:

House Bill No. 264. A Bill for an Act Defining Upland Game Birds; Providing Daily Bag and Possession Limits; Providing for Open Seasons of Upland Game Birds; Providing Penalties and Repealing All Conflicting Acts.

Was read the first time and referred to the Comm. on Game and Fish.

Representatives Myers, Panko, Larson, Brusseau, McIntyre, Haugen, Rohde, Mollet, Braun of McLean, Heckman, Bymers, Belzer and Glas introduced:

House Bill No. 265. A Bill for an Act to License Certain Types of Coin-Operated Amusement Devices and Providing for the Division and Distribution of the Revenue Derived Therefrom.

Was read the first time and referred to the Comm. on Ways and Means.

Representatives Morland, Olson of Bowman, Myers, Crockett and Ireland introduced:

House Bill No. 266. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of This State, and to Provide a Market for the Gas and Oil Deposits in the State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling and Delivering to the State, County and School Districts of Gas and Oil, Upon Condition That the Seller or Carrier Purchase from Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers and Carriers to Make Reports of Its Sales and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof; Repealing All Acts in Conflict.

Was read the first time and referred to the Comm. on State Affairs.

Representatives Falconer and Fitch introduced:

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery Stock.

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

Representative Smart introduced:

House Bill No. 268. A Bill for an Act to Amend and Re-enact Sections 3314a5 and 3314a7, Supplement to the 1913 Compiled Laws, Providing That County Auditor Shall Reduce Levies Proportionately in Case Total Levy Exceeds Legal Limit, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

Was read the first time and referred to the Comm. on Counties.

Representatives Ireland, Lillehaugen, Sandness, Wambheim and Nystrom introduced:

HOUSE CONCURRENT RESOLUTION NO. 269

A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

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

That the following proposed amendment to Article 33 of the Constitution of the State of North Dakota is agreed to, and that the same be submitted to the qualified electors of the state for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota, as amended:

SECTION 1. AMENDMENT.) That Article 33 of the Constitution of North Dakota is hereby amended and re-enacted to read as follows:

The qualified electors of the state or of any county, or of any congressional, judicial or legislative district may petition for the recall of any elective congressional, state, county, judicial or legislative officer by filing a petition with the officer with whom the petition for nomination to such office in the primary election is filed, demanding the recall of such officer. Such petition shall be signed by at least thirty per cent of the qualified electors who voted at the preceding election for the office of governor in the state, county or district from which such office is to be recalled, and shall contain a statement of the grounds on which the removal or recall is sought, which statement is intended solely for the information of the electors. Any insufficiency of form or substance in such statement shall in no wise affect the validity of the election and proceeding held hereunder. The signatures to the petition need not all be appended to one paper, but the statement shall appear at the head of each separate paper or part of the petition, and shall be followed by the signature, legal residence, and date of signing of each petitioner written by the petition in ink or indelible pencil, and by the affidavit of the person in charge of the paper or part that the signatures have all been made in his presence by the persons whose names they purport to be, and are legal signatures to the best of his belief. The petition shall be filed within sixty days after the date of the earliest signature thereon, and the officer with whom such petition is filed shall call a special election to be held not less than forty nor more than forty-five days from the filing of such petition.

Upon the sample ballot there shall be printed, in not more than two hundred words, the reasons set forth in the recall

petition for demanding the recall of the officer, and upon the same ballot in not more than two hundred words the officer may justify his course in office.

There shall be printed on the recall ballot, as to every officer whose recall is to be voted on thereat, the following question: "Shall (individual name of person against whom the recall petition is filed) be recalled from the office of (title of the office)?" following which question shall be the words "Yes" and "No" on separate lines with a blank space at the right of each, in which the voter shall indicate by placing a cross (X) his vote for or against such recall. On such ballots, under each such question there shall also be printed the names of those persons who may be nominated by petition in the manner as provided by law in primary elections as candidates to succeed the person recalled, in case he shall be removed from office by such recall election, but no vote shall be counted for any candidate for such office unless the voter also voted on the question of the recall of the person sought to be recalled from such office. The name of the person against whom the petition is filed shall not appear on the ballot as a candidate for the office.

If a majority of those voting on the question of the recall of any incumbent from office shall vote "No" such incumbent shall continue in such office. If a majority shall vote "Yes" such incumbent shall thereupon be deemed removed from such office, upon the qualification of his successor. The canvassers shall canvass all votes for candidates for such office and declare the result in like manner as in a regular election. If the vote at any such recall election shall recall the officer, then the candidate who has received the highest number of votes for the office shall be declared elected for the remainder of the term. In case the person who received the highest number of votes shall fail to qualify within ten days after receiving the certificate of election, the office shall be deemed vacant and shall be filled according to law.

After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected. This article shall be self executing and all of its provisions shall be treated as mandatory. Laws may be enacted to facilitate its operation, but no law shall be enacted to hamper, restrict or impair the right of recall.

Introduced by Committee on State Affairs:

House Bill No. 270. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the Short Form of County Managership.

Were read the first time and referred to the Committee on State Affairs.

Introduced by Reps. Rohde, Larson, Panko, Myers and Wolf of McIntosh:

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section 6073 of the 1925 Supplement as Amended by Chapter 274, Session Laws of 1927, Chapter 140 of the Session Laws of 1933 and Chapter 159 of the Session Laws of 1935, Defining Usury; and Providing Penalties; Repeal.

Was read the first time and referred to the Committee on Ways and Means.

Introduced by Rep. Smart:

House Bill No. 272. A Bill for an Act to Amend and Re-enact Sections 3 and 5 of Chapter 2 of the 1939 Session Laws; Relating to Beekeepers' Licenses and License Fees, and Repealing All Acts in Conflict Herewith and Declaring an Emergency.

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

Introduced by Reps. Benno, Haugland and Smart:

House Bill No. 273. A Bill for an Act for the Licensing, Regulating and Inspecting of Rendering Plants or Establishments, and Providing Punishment for Violation Thereof; Declaring an Emergency.

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

Introduced by Reps. Nelson of Morton and Juhola:

House Bill No. 274. A Bill for an Act Fixing the Maximum Annual Compensation Which May Be Paid to Persons Holding Administrative or Supervisory Positions Under the State Welfare Board or Any State Agency Which Is Its Successor.

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

Introduced by Reps. Sellens and Falconer:

House Bill No. 275. A Bill for an Act to Amend and Re-enact Section 3664 of the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Police Officers; Providing for Accounting for Fees, and Penalties; and Repealing Acts in Conflict Herewith.

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

Introduced by Reps. Sellens and Falconer:

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 3531 of the Compiled Laws of the State of North Dakota for 1913, Relating to Fees of Constables; and Repealing Acts in Conflict Herewith.

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

Introduced by Reps. Swanson of Richland, Fitch and Crockett:

House Bill No. 277. A Bill for an Act to Establish a Marketing Bureau Within the Department of Agriculture and Labor of the State of North Dakota and Defining Its Functions.

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

Rep. Twichell moved that the House do now recess until 1:00 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

THIRTY-NINTH DAY AFTER RECESS AND
FORTIETH DAY

Bismarck, February 15, 1941.

The House re-assembled at 1:00 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Eighth Order of Business.

SIGNING OF BILLS

The Chief Clerk announced the Speaker was about to sign:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Concurrent Resolution "E". A Concurrent Resolu-

tion Urging the Enactment of the Wheat Income Certificate Bill and the Debt Adjustment Bill By Congress.

And the Speaker signed the same in the presence of the House.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Concurrent Resolution "L".

House Concurrent Resolution "K".

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 132.

House Bill No. 133.

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 211, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

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

Mr. Speaker: A minority of your Committee on Cities and Municipal Corporations to whom was referred House Concurrent Resolution No. 216, have had the same under consideration and recommend that the same do pass.

M. S. AKER

PETER MOE

RICHARD E. WOLF

REP. BINGENHEIMER

Mr. Speaker: A majority of your Committee on Cities and Municipal Corporations to whom was referred House Concurrent Resolution No. 216, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

Rep. Olson of Barnes moved that the report be adopted.

Rep. Bergesen moved a substitute motion that the report of the minority that House Concurrent Resolution No. 216 do pass, be substituted for the report of the majority, which motion prevailed.

Mr. Speaker: A majority of your Committee on Tax and Tax Laws to whom was referred House Bill No. 195, have had the same under consideration and recommend that the same be indefinitely postponed.

Representatives:

MORLAND
BENNO
ARNDT
BYMERS
KINDEM
NELSON of Cass
SAGEHORN
SHARPE
SWANSON

L. K. MORLAND, Chairman.

Rep. Swanson moved that the report be adopted.

Mr. Speaker: A minority of your Committee on Tax and Tax Laws to whom was referred House Bill No. 195, have had the same under consideration and recommend that the same do pass.

Representatives:

PETERSON of Bottineau
LEONAS MYERS
H. C. WILLIAMS
ARTHUR RYGG
GEO. SCHWARTZ

Rep. Crockett moved a substitute motion that the report of the minority recommending that House Bill No. 195 do pass be substituted for the report of the majority, which motion was lost on a standing vote.

Roll Call was demanded and granted.

ROLL CALL

The question being on the substitute motion of Rep. Crockett that the report of the minority be adopted recommending the passage of House Bill No. 195, the roll was called and there were ayes, 36; nays, 64; absent and not voting, 10; passed, 1.

Those voting in the affirmative were:

Anderson	Halvorson	Nelson, Morton
Belzer	Haugen	Nelson, Ramsey
Braun, McLean	Hogoboom	Ohnstad
Braun, Stark	Jennings	Olson, Bowman
Brusseau	Juhola	Panko
Crockett	Larson	Rohde
Devlin	Levin	Rygg
Erickson, Divide	Lillehaugen	Schwartz
Erickson, Williams	McIntee	Semerad
Falconer	McIntyre	Starck
Glas	Mollet	Welder
Haag	Myers	Wolf, Morton

Those voting in the negative were:

Aker	Gackle	Nystrom
Allen	Gainor	Olson, Barnes
Arneson	Gress	Peterson, Ransom
Arndt	Haugland	Sagehorn
Austad	Heckman	Sandness
Benno	Hofstrand	Saumur
Bergesen	Holm	Schmidt

Bjella	Ireland	Sellens
Black	Johnson, Cass	Severson
Blair	Johnson, Richland	Shure
Bolmeier	Kee	Singleton
Boulden	Kindem	Smart
Bubel	Langley	Stormon
Bymers	Lunde	Swanson
Coghlan	McInnes	Trydahl
Culver	Moe	Wambheim
Dalzell	Morland	Westby
Dittmer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Wolf, McIntosh
Fleck	Nicholsen	Mr. Speaker
Fuglestad		

Absent and not voting:

Beede	Drovdal	Peterson, Bottineau
Bingenheimer	Fraser	Sharpe
Carlson	Morrison	Tuff
Collette		

Passed:

Twichell

So the motion was declared lost.

Rep. Twichell was excused from voting for reasons of personal interest in the bill:

Explanation of vote:

Rep. Bymers: As I see this thing it disrupts very much the taxing ability of the local townships and school districts. For that reason I vote "no".

The question being on the motion of Rep. Swanson that House Bill No. 195 be indefinitely postponed, the motion prevailed.

Rep. Nelson of Cass moved that the vote by which House Bill No. 195 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 187, have had the same under consideration and recommend that the same do pass.

W. H. SHURE, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 35, have had the same under consideration and recommend that the same be indefinitely postponed.

WESLEY L. BOLMEIER, Chairman.

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

Rep. Bergesen moved that the vote by which House Bill No. 35 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Military Affairs to

whom was referred House Bill No. 180, have had the same under consideration and recommend that the same do pass.

H. G. SEVERSON, Chairman.

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

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 179, have had the same under consideration and recommend that the same do pass.

H. G. SEVERSON, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 212, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 115, have had the same under consideration and recommend that the same be amended as follows:

In section 4, line 11, strike out the word "ensured", and insert in lieu thereof the word "ensued".

In the title of the printed bill, after the word "include" insert the word "certain". In the second line of the title of the printed bill, change the word "subdivisions" to the word "counties."

In Section 1, of the printed bill, insert after the word "North Dakota" on line 2, the following: ", including the members of the Legislative Assembly", and after the word "and" in said line 2, strike out "all of the subdivisions thereof" and insert in lieu thereof the following: "all elective officials of the several counties of the state".

In Section 1, in line 4 of the printed bill, strike out the word "subdivisions" and insert the word "counties" in lieu thereof.

And when so amended, recommend the same do pass.

WESLEY L. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same do pass.

WESLEY L. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 87, have had the same under consideration and recommend that the same do pass.

WESLEY L. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 5, have had the

same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "H", have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Rep. Fitch moved that the House adopt Senate Concurrent Resolution "H", which motion prevailed and the Resolution was declared adopted.

And the Speaker appointed on the committee authorized by the adoption of Senate Concurrent Resolution "H", Reps. Beede and Trydahl.

Rep. Smart moved that the House confirm the appointment of Reps. Beede and Trydahl on such committee, which motion prevailed and the appointments were declared confirmed.

CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, February 14, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts.

Which the Senate has amended as follows:

In the title of the bill, after the word "Districts" strike out the period and insert in lieu thereof a comma and the words "and Declaring an Emergency."

On line 11 of the printed bill, after the word "the" and before the word "county" insert the word "State" and follow this by a comma.

At the end of the printed bill add subsection "A" and include the words "an emergency is hereby declared to exist and this act shall be in full force and effect from and after its passage and approval."

W. J. TROUT, Secretary.

Rep. Morland moved that the House refuse to concur in the Senate amendments to House Bill No. 120 and that the Speaker appoint a committee of three to act with a like committee from the Senate, which motion prevailed, and the Speaker appointed on that committee Reps. Shure, Myers and Smart.

FIRST READING OF HOUSE BILLS

The Committee on Appropriations introduced:

House Bill No. 278. A Bill for an Act to Amend and Re-

enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

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

The Committee on Temperance introduced:

House Bill No. 279. A Bill for an Act Prohibiting the Use of Intoxicating Liquors in Any Form by the State Highway Patrol Superintendent, His Assistants and All Members of the Division of State Highway Safety and Patrol.

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

Representatives Boulden, Crockett and Moe introduced:

House Bill No. 280. A Bill for an Act Providing for a Tax Upon the Gross Earnings of Railroad Companies and the Time of Payment Thereof, Defining Gross Earnings, Providing for Collection of Such Tax, and Manner of Contesting the Validity of This Act or any Part Thereof; Defining Railroad Companies, and Providing for Apportionment of Such Taxes and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Representative Bingenheimer introduced:

House Bill No. 281. A Bill for an Act to Amend and Re-enact Section 2003a1, Section 2003a2 and Section 2003a4 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Cutting of Weeds on Graded Public Highways.

Was read the first time and referred to the Committee on Highways and Bridges.

Representatives Aker, Fuglestad, Gackle and Wambheim introduced:

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

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

HOUSE CONCURRENT RESOLUTION No. 283

Introduced by Representative Fitch

Providing for the Amendment of Section 60 of Article 2 of the Constitution of the State of North Dakota Relating to the Time for the Introduction of Bills at the Legislative Assembly.

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

That the following proposed amendment to Section 60 of Article 2 of the Constitution of the State of North Dakota is agreed to and that the same be submitted to the qualified electors of the State of North Dakota for approval or rejection in accordance with provisions of Section 202 of the Constitution of the State of North Dakota, as amended:

SECTION 1. AMENDMENT.) That Section 60 of Article 2 of the Constitution of the State of North Dakota is hereby amended and re-enacted to read as follows:

Section 60. Except as hereinafter provided, every bill, of whatever nature, to be enacted by the legislature of the State of North Dakota shall be filed by the members-elect or the members holding over, with the Secretary of State not less than twenty-five days before the convening of any regular session of the legislative assembly. The Secretary of State shall transmit all bills so filed with him to the respective Houses of the Legislative Assembly upon their convening. The bills filed with the Secretary of State as aforesaid shall be public records and shall be made available to the members of the legislature and the public for their discussion and consideration. It is provided, however, that the legislature may enact measures introduced during the first twenty-five days of the session, providing permission to introduce each of such bills, is granted by a majority vote of the members of the branch of the legislature in which such measures are sought to be introduced. It is further provided that the legislature may enact measures introduced during the session, after the twenty-fifth day of the session, providing permission to introduce each of such bills, is granted by a three-fourths vote of the members of each branch of the legislature, taken on roll call.

Was read the first time and referred to the Committee on Ways and Means.

The Committee on Temperance introduced:

House Bill No. 284. A Bill for an Act to Provide for the Abatement of Places Where Intoxicating Liquors Are Sold and Where Persons Engaged in Such Retail Sale of Intoxicating Liquors Have Been Convicted as a Second Offense of Committing or Knowingly Permitting in Said Place of Business or in Connection Therewith Any Violation of Any State Law; and Providing Procedure and Penalties.

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

Representatives Levin and Holm introduced:

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 135 of the Session Laws of 1935, Relating to the Election of Precinct Committeemen, and to Repeal Section 3 of Chapter 135 of the Session Laws of 1935.

Was read the first time and referred to the Committee on Elections and Election Privileges.

Representatives Halvorson, Lillehaugen, Hofstrand and Schmidt introduced:

House Bill No. 286. A Bill for an Act Authorizing the Board of University and School Lands to Sell Lands Belonging to the Permanent School or Institutional Funds But Not a Part of the Federal Grant Lands, Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

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

Representatives Beede, Schwartz, Haugen, Anderson and Myers introduced:

House Bill No. 287. A Bill for an Act to Provide for the Raising of Public Revenues by Imposing a Tax Upon the Privilege of Engaging in Any Business, Trade, Profession, Occupation or Calling, to Be Measured by Gross Income, to Provide That This Tax Shall Be a Replacement Tax to the Extent Herein Specified, to Provide for the Ascertainment, Assessment and Collection of Said Tax, to Provide Certain Exemptions from the Tax, to Provide for the Administration Thereof, to Provide a Penalty for the Violation of the Terms of the Act, to Provide for the Disposition of Revenues, to Provide an Appropriation for the Administration of This Act, and Repealing Chapter 234 and 241 of the Session Laws of 1939.

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

Representatives Bergesen and Shure introduced:

House Bill No. 288. A Bill for an Act to Amend and Re-enact Subdivision "c" of Division 15 of Section 7 of Chapter 94, Session Laws of 1931; Section 14 of Chapter 94, Session Laws of 1931, as Amended by Chapter 101, Session Laws of 1939; and Section 23 of Chapter 94, Session Laws of 1931, Providing for Investments by Building and Loan Associations; Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, Banks, Eleemosynary, Educational, Public and Municipal Corporations and Public Officials; and Pertaining to Bonds of Directors, Officers, Agents and Employees.

Was read the first time and referred to the Committee on Banks and Banking.

The Committee on Military Affairs introduced:

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to the National Defense Act of June 3, 1916 as Amended by Later Acts of Congress, and Repealing Chapter 35 of the Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939.

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

The Committee on Military Affairs introduced:

House Bill No. 290. A Bill for an Act Authorizing the Organization of Non-profit Sharing Municipal Holding Associations to Erect, Operate, Equip, and Maintain Auditoriums and Armories Upon or in the Vicinity of Municipal Owned Property; Defining Their Powers, Limitations, and Restrictions; Defining and Limiting the Powers and Duties of the City Council or Commission Relating Thereto; Exempting the Property, Bonds and Other Evidence of Indebtedness of Such Associations from Taxation and Repealing All Acts or Parts

of Acts in Conflict Herewith, and Making the Provisions of This Act Applicable to Incorporated Villages and Townships and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

Representatives Shure, Morrison and Crockett introduced:

House Bill No. 291. A Bill for an Act Permitting Employers Subject to the Provisions of Chapter 162 of the 1919 Session Laws of the State of North Dakota, (North Dakota Workmen's Compensation Act) as the Same is Now Amended, at Their Option to Carry Private Insurance; Specifying the Terms and Conditions Under Which the Same May be Done; Providing for Action of the Workmen's Compensation Bureau Upon All Claims; Permitting Appeals from Certain Decisions of the Workmen's Compensation Bureau; Providing for Payment of Awards and Judgments Against Employers; Requiring Certain Reports by Insuring Companies; Providing Additional Methods of Securing Payment of Obligations Arising in Favor of Insured Employees and Their Dependents; Providing for Partial Support of the North Dakota Workmen's Compensation Bureau by Insuring Companies; Requiring Certain Bonds and Reports to Be Filed by Insuring Companies, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Representatives Stormon and Bergesen introduced:

House Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2186 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 241, Session Laws of 1929, and Chapter 279, Session Laws of 1931, Relating to Taxation. Repeal.

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

Representative Aker introduced:

House Bill No. 293. A Bill for an Act to Provide for the Sale of Malt Beverages and Spirituous Liquors for Cash and Providing Penalty for Violation Thereof.

Was read the first time and referred to the Committee on Ways and Means.

Representatives Haugland, Anderson and Hofstrand introduced:

House Bill No. 294. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders or Livestock Owners in Such Townships, Fixing Penalty for Violation.

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

Representatives Fuglestad and Lillehaugen, by request, introduced:

House Bill No. 295. A Bill for an Act Prohibiting the Sale, Gift or Consumption of Alcoholic Beverages in/at Cer-

tain Public Places, Declaring Violation Thereof a Misdemeanor and Repealing Conflicting Acts.

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

Representative Schwartz introduced:

House Bill No. 296. A Bill for an Act to Amend and Re-enact Section 2173 of the 1913 Compiled Laws of North Dakota Relating to Contracts for Collection of Delinquent Personal Property Taxes by the Sheriff; Repeal.

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

Representative Bergesen introduced:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 5631 of the 1913 Compiled Laws of North Dakota, Relating to Descent of Homestead Estate and Exemption; Repealing Section 5632 of the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

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

Representative Fleck introduced:

House Bill No. 298. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 186 of the Session Laws of North Dakota for 1939, Relating to Authorizing Investment of All Trust Funds by Legal Custodians.

Was read the first time and referred to the Committee on Ways and Means.

Representative Bergesen introduced:

House Bill No. 299. A Bill for an Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, Relating to the State Board of Architecture.

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

Representatives Hofstrand, Anderson, Dalzell and Stormon introduced:

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

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

Representative Sellens introduced:

House Bill No. 301. A Bill for an Act Relating to the State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of All Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions Upon Which Renewal of Licenses Shall Be Issued and Requirements Prerequisite to the Granting of Such Renewal Licenses; Providing for Penalties and Suspension of License for Failure to Reregister; Providing for Reinstatement After Suspension.

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

Representatives Johnson of Cass and Trydahl introduced: House Bill No. 302. A Bill for an Act Requiring That All Public Funds of the State Be Paid Into the General Fund of the State and Be Disbursed Only Upon Legislative Appropriation, Excepting Funds of the Bank of North Dakota, Monies Payable to the State Hail Insurance Fund, State Bonding Fund, State Fire and Tornado Fund, Workmen's Compensation Fund, Funds Under the Jurisdiction of the Board of University and School Lands, Funds of the State Mill and Elevator Association, Funds Required for the Payment of Interest and Principal of Bonds and Other Fixed Obligations of the State, Funds Paid to the Teachers Insurance and Retirement Fund, Monies Received Under the Retail Sales Tax Act, State Gasoline Tax Law, Monies Received from the Motor Vehicle License Fees, and Funds Allocated to the State by the Federal Government; Repealing All Laws Providing for Special Funds with the Exceptions Above Noted and Repealing All Laws or Parts of Laws in Conflict Herewith.

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

Representative Johnson of Cass introduced:

House Bill No. 303. A Bill for an Act Requiring Departmental Budgets and Biennial Reports by the State Highway Commissioner and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to House Bill No. 120 and the Speaker has appointed as a Conference Committee, Reps. Shure, Myers and Smart.

C. R. VERRY, Chief Clerk.

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

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

FORTIETH DAY

Bismarck, February 15, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment Speaker Symington presiding.

Prayer was offered by Rev. Wm. A. Lemke, Bismarck.

Roll Call disclosed all members present except Reps. Beede, Bingenheimer, Rohde and Severson.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-ninth day and recommends that the same be corrected as follows:

On page 425, in the roll call Peterson of Ransom is shown as voting "no" whereas he voted "aye".

In the same roll call change the roll call totals to read as follows: ayes, 65, nays, 43.

On page 416, line 13, strike out the figures "523" and insert in lieu thereof the figures "253".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 40, have had the same under consideration and recommend that the same be amended as follows:

On line 1 of the title, after the word "re-enact" strike out the following: "Section 1 of". On the third line of the title, after the comma, insert the words: "allocating the revenues therefrom".

Change Section 2 of original bill to read "Section 3" and insert a new section 2 as follows: "Section 2 Amendment.) Section 2 of Chapter 234 of the Session Laws of North Dakota for 1939 as amended be and the same is hereby amended and re-enacted to read as follows:

Section 25. ALLOCATION OF REVENUE.) All monies collected and received under this Act shall be paid into the State Treasury and shall be credited by the State Treasurer into a special fund to be known as "THE RETAIL SALES TAX FUND". Out of this fund the State Treasurer shall first provide for the payments of refunds allowed under this Act. That the net amount of monies remaining in said "RETAIL SALES TAX FUND" shall be and shall constitute a special trust fund to be used and disbursed solely for the following purposes:

1. That seven-twelfths (7/12ths) of said trust fund shall be used and disbursed only for payment of appropriations made pursuant to the State Equalization Fund Law. That the remaining five-twelfths (5/12ths) of said trust fund shall be used and disbursed only for the payment of appropriations made to the Public Welfare Fund for the purposes authorized by law.

2. That the State Treasurer and State Auditor are hereby authorized and directed to make monthly transfers of all the amounts available in said trust fund, in the proportions as herein provided to the Equalization Fund and to the State Public Welfare Funds."

And when so amended recommend the same do pass.

L. K. MORLAND, Chairman.

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

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for 1933 and Amending and Re-enacting Section 1004 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Subdivision (f) of Section 4609b8 of the Supplement to the Compiled Laws of North Dakota of 1913; Relating to Articles of Incorporation of Co-operative Marketing Associations.

Which the House has amended.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 68. A Bill for an Act Creating Pensions for Disabled or Retired City Employees, Other Than Policemen, Their Widows, and Children Under Sixteen Years of Age; and Widows of City Employees Who Die in the Service and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population of 10,000 or Over by the Last Official Census, Federal or State; and Providing for a Fund out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund, and Declaring an Emergency.

Senate Bill No. 53. A Bill for an Act Providing for a Lien in Favor of House-movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 259, Laws 1935; Chapter 218, Laws 1937 Relating to Meetings of Boards of Common School Districts, Provide for Notices of Same and Relating to Attendance Per Diem and Mileage of School Officers and to Duties and Compensation of Clerks of Such Districts.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 144 Laws of North Dakota for 1929 Relating to Hotels, Restaurants, Lodging Houses and Boarding Houses to Provide for Application for License and Payment of License Fees.

Senate Bill No. 98. A Bill for an Act to Provide for an Annual Audit of the Affairs of the North Dakota Mill and Elevator Association as of the 30th Day of June in Each Year, and Such Other Audits as May Be Deemed Necessary by the Industrial Commission, and Repealing Conflicting Portions of Prior Acts.

Senate Bill No. 48. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929 Creating the Office of Grain Storage Commissioner.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by

Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

House Bill No. 170. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

House Bill No. 191. A Bill for an Act to Provide a Limitation of Time Within Which Claims May Be Made or Proceedings Brought to Recover Monies in Personal Accounts of Inmates and Patients in State Charitable Institutions; and Providing the Transfer of Such Monies.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 74 and House Bill No. 55.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution "I". A Resolution Memorializing the U. S. Department of the Interior (Fish and Wild Life Service) to Enact More Suitable Hours for the Taking of Migratory Waterfowl During the Open Season as Provided for by the Fish and Wild Life Service.

Which the House has adopted.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 59.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.

House Bill No. 33. A Bill for an Act to Require the Filing of a Farm Lease Containing a Reservation of Title to Crop in the Lessor and Providing for a Waiver of Rights by the Lessor Upon Failure to File Such Lease.

House Bill No. 82. A Bill for an Act to Amend and Re-enact Section 3 (d) of Chapter 165 Laws of North Dakota

for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel; and Declaring an Emergency.

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 174. A Bill for an Act Prohibiting the Sale and Use on Automobiles, Trucks and Motorcycles in the State of North Dakota, Regroved Tires; Penalty and Declaring an Emergency.

House Bill No. 137. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Mailing Bureau in the Capitol Building, for the Use of State Officers, Departments or Agencies, and to Prescribe Rules and Regulations for the General Use and Management of the Same; and Establishing a Board of Administration Postage Revolving Fund; and Making an Appropriation for the Establishment, Maintenance and Operation of the Same.

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, and to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to Appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

House Bill No. 155. A Bill for an Act Making an Emergency Appropriation to the Livestock Sanitary Board to Pay Claims on Cattle Destroyed on Account of Bang's Disease up to July 1, 1941; and Declaring an Emergency.

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937 as Amended by Chapter 177 of the Session Laws of North Dakota for the Year 1939,

Relating to Pensions for Policemen and Dependents in Cities Now, or Hereafter, Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

House Bill No. 122. A Bill for an Act Making an Appropriation for Payment of an Emergency Expenditure by the North Dakota National Guard in Connection with the Organization of Two Extra Battalions of 155 m.m. by Order of the War Department and Declaring an Emergency.

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section 10993 of the Compiled Laws of North Dakota for 1913, Relating to the Right of the State to Appeal in Criminal Procedure.

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

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

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 15, 1941.

Mr. Speaker: I have the honor to transmit:

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

House Bill No. 100. A Bill for an Act Exempting Members

of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Concurrent Resolution "E". A Concurrent Resolution Urging the Enactment of the Wheat Income Certificate Bill and the Debt Adjustment Bill By Congress.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 15, 1941.

Mr. President: I have the honor to request the Senate to return to the House Senate Bill No. 96.

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 15, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 50. A Bill for an Act Assessing and Levying from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 15, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B". A Concurrent Resolution to Memorialize Congress to Abide by the President's Pledge Not to Involve the United States in Foreign Wars.

Which the Senate has adopted.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 15, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter

121 of the Laws of 1931, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Chapter 246 of the Session Laws of 1931, Relating to the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for Supervision Thereof and for Maintenance of Instruction by Tuition Fees.

Senate Bill No. 146. A Bill for an Act Authorizing City Councils of Cities in the State Having a Population 15,000 and Over to Provide Ordinances for the Regulating and Inspecting of Food Markets, Stores and Other Places of Business Where Food Intended for Human Consumption Is Sold at Retail and to Prohibit the Operation Thereof on Sundays, Legal Holidays Not Inconsistent with the Provisions of Any State Laws Relating to the Same Subject Matter; Declaring an Emergency.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 15, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County When Deemed to Be for the Best Interests of the County; and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 15, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MOTIONS AND RESOLUTIONS

Rep Welder moved that the House reconsider its action taken on House Bill No. 137.

Rep. Fitch moved a substitute motion that the motion of Rep. Welder for reconsideration of action taken on House Bill No. 137 be laid on the table, which motion prevailed.

Rep. Olson of Barnes moved that the House reconsider its action taken on House Bill No. 182.

Rep. Levin moved a substitute motion that the motion of Rep. Olson of Barnes for reconsideration of action taken on House Bill No. 182 be laid on the table, which motion prevailed.

Rep. Myers moved that the Chief Clerk be instructed to prepare and send a message of sympathy from this House to Mrs. Louis Endres and family of Fort Yates, N. D., expressing the sympathy of this House on the death of Mr. Louis Endres and appreciation for his services in the past to the State of North Dakota, and moved that the motion be adopted by a rising vote, which motion prevailed.

The Chief Clerk read House Resolution "R" as follows:

HOUSE RESOLUTION "R"

Introduced by Representative Blair

WHEREAS, The Congress of the United States has enacted into law the Agricultural Adjustment Act and through its interpretation and actual practice has attempted to grant equality to the farmers; and

WHEREAS, The operation of this law has resulted in conservation payments and parity adjustments, and further, that the Ever Normal Granary with federal loans to farmers has enabled them to hold their grain off the market; and

WHEREAS, We are burdened with the greatest surplus of grain commodities in our history, filling our warehouses to overflowing and in addition using up nearly all our available farm storage in this state; and

WHEREAS, the necessity for national defense makes it necessary for us to conserve materials ordinarily used for additional storage bins and even if available the additional cost of erection bids fair to become prohibitive; and

WHEREAS, long-time continued storage of grain renders it more vulnerable to the ravages of weather, insect infestation, and other destroying factors; and

WHEREAS, the present crop prospects for the season of 1941 are very encouraging:

NOW THEREFORE BE IT RESOLVED, as a measure of relief from a congested grain storage problem, that we the members of the Twenty-seventh Legislative Assembly of the State of North Dakota, acting in accord with the wishes of the Governor, petition and recommend to our farmer-owners as well as the Commodity Credit Corporation which may eventually become the owner of the stored grain in question, that they make every effort to ship out and store or sell enough grain to provide storage facilities for the coming new crop of at least average proportions, prior to June 30, 1941.

It is also the wish of this assembly that a copy of this resolution be sent to the President of the Commodity Credit Corporation, Washington, D. C., and to the Chairman of each county AAA Committee in the State of North Dakota.

Rep. Swanson moved that the House adopt House Resolution "R".

Rep. Rohde moved a substitute motion that House Resolu-

tion "R" be referred to committee, which motion prevailed and the Speaker referred House Resolution "R" to the Committee on State Affairs.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 140, have had the same under consideration and recommend that the same be amended as follows:

In the printed bill strike out everything after the words in the heading "A BILL". Following that substitute the following title and text:

"For an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency."

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

"Section 1. (BONDING OF DEPUTY COUNTY OFFICIALS). Any County Official may require his deputy or deputies to be bonded for the faithful performance of his duties, in an amount to be fixed by the Board of County Commissioners.

"Section 2. (Emergency). This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval."

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 199, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMON, Chairman.

Rep. Wambheim moved that the report be adopted.

Rep. Shure moved a substitute motion that House Bill No. 199 be re-referred to the Committee on Judiciary, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 203, have had the same under consideration and recommend that the same be amended as follows:

In the printed bill, in line 22, strike out the comma and the balance of line 22, and substitute therefor in line 22 the following "by the court".

In line 23 of the printed bill, strike out the following "court in this state and no more".

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

SECOND READING OF HOUSE BILLS

Rep. Sellens moved that action on House Bill No. 166 be deferred one legislative day, which motion prevailed.

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and Non-Resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of this Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 72; nays, 24; absent and not noting, 15.

Those voting in the affirmative were:

Allen	Fitzharris	Nelson, Steele
Arneson	Fleck	Nicholsen
Arndt	Fuglestad	Nystrom
Austad	Gackle	Peterson, Ransom
Belzer	Gainor	Rohde
Benno	Gress	Rygg
Bergesen	Haugland	Sagehorn
Bjella	Heckman	Sandness
Black	Hofstrand	Saumur
Blair	Holm	Sellens
Bolmeier	Ireland	Semerad
Boulden	Johnson, Cass	Severson
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Trydahl
Dalzell	Moe	Wambheim
Devlin	Morland	Westby
Dittmer	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Williams, Richland
Falconer	Nelson, Ramsey	Wolf, Morton
Fitch	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Aker	Hogoboom	Morrison
Anderson	Jennings	Myers
Braun, McLean	Johnson, Richland	Olson, Bowman
Erickson, Divide	Levin	Peterson, Bottineau
Glas	Lillehaugen	Schwartz
Haag	McIntee	Tuff
Halvorson	McIntyre	Welder
Haugen	Mollet	Wolf, McIntosh

Absent and not voting:

Beede	Drovdal	Panko
Bingenheimer	Fraser	Schmidt
Carlson	Juhola	Sharpe

Coghlan	Ohnstad	Swanson
Collette	Olson, Barnes	Twichell

So the bill passed and the title was agreed to.

Rep. Morland voted "aye" for the purpose of reconsideration.

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purposes, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; 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, 51; nays, 43; absent and not voting, 17.

Those voting in the affirmative were:

Aker	Fuglestad	Peterson, Ransom
Allen	Gainor	Sagehorn
Arneson	Glas	Sandness
Arndt	Haugland	Saumur
Austad	Hofstrand	Sellens
Benno	Holm	Severson
Bergesen	Ireland	Singleton
Bjella	Johnson, Richland	Smart
Black	Kee	Stormon
Boulden	Kindem	Swanson
Braun, Stark	Lunde	Trydahl
Crockett	McInnes	Twichell
Devlin	Nelson, Cass	Wambheim
Dittmer	Nelson, Morton	Westby
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Wolf, Morton
Fleck	Nicholsen	Mr. Speaker

Those voting in the negative were:

Anderson	Halvorson	Myers
Belzer	Haugen	Nelson, Ramsey
Blair	Heckman	Olson, Bowman
Braun, McLean	Hogoboom	Peterson, Bottineau
Brusseau	Jennings	Rohde
Bubel	Langley	Rygg
Bymers	Larson	Schwartz
Culver	Levin	Semerad
Dalzell	Lillehaugen	Shure
Erickson, Divide	McIntee	Starck
Erickson, Williams	Moe	Tuff
Falconer	Mollet	Welder
Gackle	Morland	Williams, Richland
Gress	Morrison	Wolf, McIntosh

Absent and not voting:

Beede	Drovdal	Ohnstad
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Bingenheimer	Fraser	Olson, Barnes
Bolmeier	Johnson, Cass	Panko
Carlson	Juhola	Schmidt
Coghlan	McIntyre	Sharpe
Collette	Nystrom	

So the bill was declared lost.

Rep. Shure voted "no" for the purpose of reconsideration.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Gainor	Nicholsen
Allen	Glas	Nystrom
Anderson	Gress	Olson, Bowman
Arneson	Haag	Panko
Arndt	Halvorson	Peterson, Bottineau
Austad	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schwartz
Bolmeier	Johnson, Richland	Sellens
Boulder	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Shure
Brusseau	Langley	Singleton
Bubel	Larson	Smart
Bymers	Levin	Starck
Crockett	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Trydahl
Devlin	McIntee	Tuff
Dittmer	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Myers	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fuglestad	Nelson, Ramsey	Mr. Speaker
Gackle	Nelson, Steele	

Absent and not voting:

Beede	Fraser	Ohnstad
Bingenheimer	Jennings	Olson, Barnes
Carlson	Johnson, Cass	Schmidt
Coghlan	McIntyre	Sharpe
Collette	Nelson, Sargent	Welder
Drovdal		

So the bill passed and the title was agreed to.

House Bill No. 133. A Bill for an Act to Provide for Appointment of Counsel Before Plea of Defendant Charged with First Degree Murder; Providing Payment for Services of Such Counsel.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Glas	Nicholsen
Allen	Gress	Nystrom
Anderson	Haag	Olson, Bowman
Arneson	Halvorson	Peterson, Bottineau
Arndt	Haugen	Peterson, Ransom
Austad	Haugland	Rohde
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schwartz
Blair	Jennings	Sellens
Bolmeier	Johnson, Richland	Semerad
Boulden	Juhola	Severson
Braun, McLean	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Crockett	Levin	Stormon
Culver	Lillehaugen	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Tuff
Erickson, Divide	McIntee	Twichell
Erickson, Williams	Moe	Wambheim
Falconer	Mollet	Westby
Fitch	Morrison	Williams, Richland
Fitzharris	Myers	Williams, Stutsman
Fuglestad	Nelson, Morton	Wolf, McIntosh
Gackle	Nelson, Sargent	Wolf, Morton
Gainor	Nelson, Steele	Mr. Speaker

Absent and not voting:

Beede	Drovdal	Nelson, Ramsey
Bingenheimer	Fleck	Ohnstad
Braun, Stark	Fraser	Olson, Barnes
Carlson	Johnson, Cass	Panko
Coghlan	McIntyre	Schmidt
Collette	Morland	Sharpe
Dittmer	Nelson, Cass	Welder

So the bill passed and the title was agreed to.

House Bill No. 132. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 175 of the Session Laws for the Year 1931, Relating to Garage Keeper's Storage Lien; Establishing Priority of Such Lien; and Providing for the Recording and Foreclosure of Said Liens.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 11; nays, 81; absent and not voting, 19.

Those voting in the affirmative were:

Anderson	Dalzell	Shure
Belzer	Erickson, Divide	Wolf, McIntosh
Braun, McLean	Fitch	Mr. Speaker
Culver	Haugen	

Those voting in the negative were:

Aker	Haugland	Nicholsen
Allen	Heckman	Nystrom
Arneson	Hofstrand	Olson, Bowman
Arndt	Hogoboom	Panko
Benno	Holm	Peterson, Bottineau
Bergesen	Ireland	Peterson, Ransom
Bjella	Jennings	Rohde
Black	Johnson, Cass	Rygg
Blair	Johnson, Richland	Sagehorn
Bolmeier	Juhola	Sandness
Boulden	Kee	Saumur
Braun, Stark	Kindem	Schwartz
Brusseau	Langley	Sellens
Bubel	Larson	Semerad
Bymers	Levin	Singleton
Crockett	Lillehaugen	Smart
Devlin	Lunde	Starck
Erickson, Williams	McInnes	Stormon
Falconer	McIntee	Swanson
Fitzharris	Moe	Trydahl
Fleck	Mollet	Tuff
Fuglestad	Morland	Twichell
Gackle	Morrison	Wambheim
Glas	Myers	Westby
Gress	Nelson, Morton	Williams, Richland
Haag	Nelson, Sargent	Williams, Stutsman
Halvorson	Nelson, Steele	Wolf, Morton

Absent and not voting:

Austad	Drovdal	Ohnstad
Beede	Fraser	Olson, Barnes
Bingenheimer	Gainor	Schmidt
Carlson	McIntyre	Severson
Coghlan	Nelson, Cass	Sharpe
Collette	Nelson, Ramsey	Welder
Dittmer		

So the bill was declared lost.

Rep. Aker voted "no" for the purpose of reconsideration.

SECOND READING OF SENATE BILLS

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3854 of the 1925 Supplement of the Compiled Laws of North Dakota and Allowing Villages to Elect Trustees at Large.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 92; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Glas	Nicholsen
Allen	Gress	Nystrom
Anderson	Haag	Olson, Bowman
Arneson	Halvorson	Panko
Arndt	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Sellens
Boulden	Johnson, Cass	Semerad
Braun, McLean	Juhola	Severson
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Crockett	Levin	Stormon
Dalzell	Lillehaugen	Swanson
Devlin	Lunde	Trydahl
Dittmer	McInnes	Tuff
Erickson, Divide	McIntee	Twichell
Erickson, Williams	Moe	Wambheim
Falconer	Mollet	Welder
Fitch	Morland	Williams, Richland
Fitzharris	Morrison	Williams, Stutsman
Fleck	Myers	Wolf, McIntosh
Fuglestad	Nelson, Morton	Wolf, Morton
Gackle	Nelson, Sargent	Mr. Speaker
Gainor	Nelson, Steele	

Absent and not voting:

Austad	Drovdal	Ohnstad
Beede	Fraser	Olson, Barnes
Bingenheimer	Johnson, Richland	Schmidt
Carlson	McIntyre	Schwartz
Coghlan	Nelson, Cass	Sharpe
Collette	Nelson, Ramsey	Westby
Culver		

So the bill passed and the title was agreed to.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 89 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The House reverted to the Twelfth Order of Business.

CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, February 15, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same

County When Deemed to Be for the Best Interests of the County; and Declaring an Emergency.

Which the Senate has amended as follows:

In the last line of the title, strike out the semi-colon and the language "and declaring an emergency" and insert a period after the word "county."

In Section 3, strike out all the language after the figure "three" and insert instead "This act shall become effective January 1, 1942."

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 89, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Bill No. 89 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 57; nays, 27; absent and not voting, 27.

Those voting in the affirmative were:

Aker	Glas	Myers
Allen	Halvorson	Nelson, Sargent
Arneson	Haugen	Nystrom
Arndt	Haugland	Olson, Bowman
Benno	Heckman	Peterson, Bottineau
Bergesen	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Bolmeier	Ireland	Sellens
Brusseau	Johnson, Cass	Severson
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Crockett	Larson	Smart
Culver	Lillehaugen	Swanson
Dalzell	Lunde	Tuff
Erickson, Williams	McIntee	Wambheim
Fitch	Mollet	Westby
Fleck	Morland	Williams, Stutsman
Gainor	Morrison	Mr. Speaker

Those voting in the negative were:

Anderson	Fitzharris	Nelson, Ramsey
Belzer	Gackle	Nicholsen
Blair	Haag	Peterson, Ransom
Boulden	Jennings	Starck
Braun, McLean	Johnson, Richland	Stormon
Devlin	Langley	Trydahl
Dittmer	Levin	Welder
Erickson, Divide	Moe	Williams, Richland
Falconer	Nelson, Morton	Wolf, Morton

Absent and not voting:

Austad	Fuglestad	Panko
Beede	Gress	Sandness
Bingenheimer	Juhola	Saumur
Braun, Stark	McInnes	Schmidt
Carlson	McIntyre	Schwartz
Coghlan	Nelson, Cass	Semerad
Collette	Nelson, Steele	Sharpe
Drovdal	Ohnstad	Twichell
Fraser	Olson, Barnes	Wolf, McIntosh

So the bill passed and the title was agreed to.

Rep. Mollet moved that the vote by which House Bill No. 89 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, February 15, 1941.

Mr. Speaker: I have the honor to return:

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

As requested by the House.

W. J. TROUT, Secretary.

GENERAL ORDERS

Rep. Wambheim moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Wambheim to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 171.

Strike out all words and figures after the word bill, and insert in lieu thereof, the following words and figures:

Section 1. All cities in this state, except in the event of an emergency, shall advertise for bids in a newspaper published in the city, once each week, for two successive weeks, or if no newspaper be published in the city, then the notice shall be posted in three public places within the city, before purchasing machinery, fuel, stationery, and all articles for the use of the city, when the amount to be paid for the same during any one year exceeds the sum of Five hundred dollars.

Section 2. No contract relating thereto shall be entered into by the city within ten days after the first publication or posting of said advertisement.

Section 3. The contract as provided for herein, shall be let to the lowest and best responsible bidder, with the right or privilege of rejecting any and all bids.

Section 4. The provisions of this act shall not apply to purchases used in the operation of a water works, light,

power, steam heating or gas plant, sewage disposal plant, incinerator, or any other public utility.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 186.

After the word "bands" in line 15 strike out comma and insert the word "or". In same line strike out last word "or".

In line 16 strike out word the "airports" and substitute the word "two" for the word "three".

In line 18 substitute semi-colon for period. Then add following words: "provided further, that in cities supporting bands, public libraries and airports a levy, in addition to the above 14 mills, but not to exceed three mills on the net taxable assessed valuation of property in such city may be made for these purposes".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 100.

In the third line of the heading after the word "members" add the following to the title: "Provided that stockholders or members shall have ninety (90) days after this act takes effect to enjoin or by other appropriate judicial process question the legality of the sale or authorization as herein provided."

In Section 3, line 22, strike out the word "sixty" and insert in lieu thereof the word "ninety".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

ALVA WAMBHEIM, Chm., Comm. of the Whole.

Rep. Swanson moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

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

Rep. Swanson moved that subsequent to First Reading of House Bills the House stand adjourned, which motion was lost.

Rep. Twichell moved a ruling that no bills could be introduced after recess today, which motion prevailed.

Rep. Crockett moved that the House stand recessed until 1:00 P. M., Monday, February 17th, subsequent to First Reading of House Bills, which motion prevailed.

FIRST READING OF HOUSE BILLS

Representative Bergesen introduced:

House Bill No. 304. A Bill for an Act Relating to the Eradication of the Weed Indian Hemp, and Providing for the Growth Thereof for Commercial Purposes Under License Issued by the Commissioner of Agriculture, with Penalties Provided.

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

Representative Falconer introduced:

House Bill No. 305. A Bill for an Act to Amend and Re-enact Section 548 A-1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 171, Session Laws of the State of North Dakota for the Year 1939, Relating to Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, etc.

Was read the first time and referred to the Committee on Ways and Means.

Representatives Collette, Saumur and Halvorson introduced:

House Bill No. 306. A Bill for an Act to Amend and Re-enact sub-section (1) of Section 2, sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, Relating to Electric Cooperative Corporations, Their Powers, Incorporation, Corporate Names, Amendment of By-laws and Articles of Incorporation, Quorum and Voting Requirements, Qualifications of Directors, Exemptions from Certain Statutory Requirements; and Providing for the Extension of Chapter 115 of the Session Laws of 1937 to Certain Foreign Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Representatives Myers, Schwartz, Haugen, Lillehaugen, Ohnstad and Halvorson introduced:

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3178 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain; Repeal; Declaring an Emergency; and Providing a Penalty.

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

Representatives Kindem, Hofstrand, Bymers, Myers, Aker, Fuglestad, Westby, Haugen, Holm and Langley introduced:

House Bill No. 308. A Bill for an Act Requiring All Persons Purchasing Intoxicating Liquor at Retail in This State to Procure a Permit and Forbidding Sale by Retailers to One Without a Permit; Fixing the Charge for Same and Providing Penalty for Non-compliance.

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

Representatives Aker and Johnson of Richland introduced:

House Bill No. 309. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 12 of Section 3511 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to and Clarifying the Fee for Chattel Mortgage Abstract; Repeal.

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

Representatives Myers, Ohnstad, Beede, Haugen and Levin introduced:

House Bill No. 310. A Bill for an Act to Provide for the Printing of Election Supplies, By the State Publication and Printing Commission, for the Awarding of Contracts Therefor, and the Method of Payment Thereof; and Repealing All Acts or Parts of Acts in Conflict Therewith.

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

Representative Moe introduced:

House Bill No. 311. A Bill for an Act to Amend and Re-enact Chapter 149 of the Session Laws of 1939 Relating to Reservation of Minerals, Gas and Oil Rights on Sale, Trade or Lease of State and County-Owned Land; and Declaring an Emergency.

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

Representative Belzer introduced:

House Bill No. 312. A Bill for an Act Prohibiting the Sale, Giving Away and Consumption of Intoxicating Liquors as a Beverage in Any Place or on Any Premise Within the State of North Dakota Where Gasoline, Oil, or Other Petroleum Products Are Sold at Retail, and Providing Penalty for Violation.

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

Representatives Twichell, Crockett and Coghlan introduced:

House Bill No. 313. A Bill for an Act Requiring the Payment of Motor Vehicle Fuel Tax Sold to Be Used in Airplanes and Aircraft; Licensing Dealers; Providing for the Disposition of Said Tax; Constituting the State Tax Commissioner the Aeronautics Commissioner with Power to Administer This Act; Providing for Methods of Distributing the Tax Collected, and Declaring an Emergency.

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

Representatives Aker and Johnson of Richland introduced:

House Bill No. 314. A Bill for an Act to Repeal Section 8970 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913.

Was read the first time and referred to the Committee on Ways and Means.

Representatives Aker and Johnson of Richland introduced:

House Bill No. 315. A Bill for an Act to Amend and Re-enact Chapter 220 of the Session Laws of 1935, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or Any of Its Subdivisions, While Upon Public Expense Account; Providing for a Penalty for Violation Thereof, and Declaring an Emergency. Repeal.

Was read the first time and referred to the Committee on Ways and Means.

HOUSE CONCURRENT RESOLUTION No. 316

Introduced by Reps. Twichell, Bergesen and Hofstrand
BE IT RESOLVED BY THE HOUSE OF REPRESENTA-

TIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THERIN:

That the following proposed amendment to Section 82 of the Constitution of the State of North Dakota, as amended, is agreed to and that the same be submitted to the qualified electors of the State of North Dakota for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota, as amended.

SECTION 1. AMENDMENT.) That Section 82 of the Constitution of the State of North Dakota, as amended, is hereby amended and re-enacted to read as follows:

SECTION 82. At the General Election held in 1942, and every four years thereafter, there shall be chosen by the electors of the State, a Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of Insurance, Attorney General and a Commissioner of Agriculture and Labor, who shall have attained the age of 25 years and shall have the qualifications of state electors, except the Governor and Lieutenant Governor, who shall have the qualifications prescribed in Section 73 of this Constitution; and at such election, and every two years thereafter, there shall be elected a Public Service Commissioner, who shall have the same qualifications as the Secretary of State. They shall severally hold their offices at the seat of government for the term of four years and until their successors are elected and duly qualified; but no person shall be eligible for the office of Treasurer for more than two consecutive terms, provided that each Public Service Commissioner shall hold office for a term of six years and until his successor is elected and duly qualified.

At the general election in 1944, and every four years thereafter, there shall be chosen by the qualified electors of the State, a Tax Commissioner, who shall have the same qualifications as the Secretary of State and who shall hold office for a term of four years and until his successor is elected and duly qualified. The Tax Commissioner shall be elected on a no-party ballot and shall be nominated and elected in the same manner as the Superintendent of Public Instruction. The Public Service Commissioner elected in 1940 who received the highest number of votes shall be deemed to be elected for a term of six years, and the Public Service Commissioner elected in 1940 who received the next highest number of votes shall be deemed to be elected for a term of four years.

The powers and duties conferred by law upon the Board of Railroad Commissioners are hereby transferred to the Public Service Commission.

The provisions of Sections 71, 72 and 74 of the Constitution of the State of North Dakota, insofar as they relate to the term of office and the time of the election of the Governor and Lieutenant Governor, shall be superceded by the provisions of this amendment.

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

Representatives Johnson of Cass and Trydahl introduced: House Bill No. 317. A Bill for an Act to Amend and Re-

enact Section 4929 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Fees and Charges to Be Paid by Insurance Companies Doing Business in This State, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

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

Representative Morrison by request introduced:

House Bill No. 318. A Bill for an Act to Declare a Tax on Turkeys Sold by Producers Within the State of North Dakota.

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

Representatives Crockett and Morrison introduced:

House Bill No. 319. A Bill for an Act to Amend and Re-enact Chapter 247 of the Session Laws of 1931, Providing for the Payment of Per Capita School Tax; Repealing Acts in Conflict and Declaring an Emergency.

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

HOUSE CONCURRENT RESOLUTION No. 320

Introduced by Representatives Hofstrand and Bergesen

Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota, as Amended, Relating to County Officers.

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

That the following proposed amendment to Section 173 of Article 10 of the Constitution of the State of North Dakota, as amended, is agreed to and that the same be submitted to the qualified electors of the State for approval or rejection in accordance with the provisions of Sections 202 of the Constitution of the State of North Dakota, as amended.

SECTION 1. (AMENDMENT) That Section 173 of Article 10 of the Constitution of the State of North Dakota, as amended, is hereby amended and re-enacted to read as follows:

Section 173. At the general election held in 1942, and every four years thereafter, there shall be elected in each organized county in the state, a register of deeds, county auditor, treasurer, sheriff, state's attorney, county judge, clerk of the district court, and a county superintendent of schools, who shall be electors in the county in which they are elected and who shall hold their office until their successors are elected and qualified; provided in counties having twenty thousand population, or less, the county judge shall also be the clerk of the district court. Provided further that counties having a population of eight thousand or less, the register of deeds shall also be clerk of the district court and county judge; that the change in the incumbency of the offices provided herein shall become effective on the first day of January following the official publication of the state or federal report of the census by the director thereof. The legislative assembly shall provide by law for such other county, town-

ship and district officers as may be deemed necessary, and shall prescribe the duties and compensation of all county, township and district officers. The sheriff and treasurer of any county shall not hold their respective offices for more than two terms in succession.

That the provisions of Section 150 of the Constitution of the State of North Dakota relating to the term of office of the county superintendent of schools shall be superceded by the provisions of this amendment, but this constitutional provision shall not apply to counties adopting one of the optional forms of county government provided for in section 170 of the constitution as amended.

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

Representatives Aker and Johnson of Richland introduced: House Bill No. 321. A Bill for an Act to Amend and Re-enact Section 25 of Chapter 97 of the Session Laws of North Dakota for 1933, as Amended by Chapter 123 of the Session Laws of North Dakota for 1935, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners; Repeal; Emergency.

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

Representatives Trydahl and Johnson of Richland introduced:

House Bill No. 322. A Bill for an Act Prohibiting Highway Patrolmen from Engaging in Political Activities; Regulating the Suspension, Demotion or Discharge of Highway Patrolmen; Providing for Hearings and Appeal; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Ways and Means.

Representatives Johnson, Crockett and Twichell introduced:

House Bill No. 323. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159, Session Laws of 1927, Relating to the Department of State Highways.

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

Representative Aker by request introduced:

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 6768a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Elevator Companies Making Written Applications to the Register of Deeds for an Abstract of Mortgages and Liens Upon Grains. Repeal.

Was read the first time and referred to the Committee on Warehouse and Grain Grading.

Representatives Crockett, Twichell, Larson, Brusseau and Panko introduced:

House Bill No. 325. A Bill for an Act to License and Regulate the Business of Making Small Loans and Providing the Maximum Interest Rates to Be Charged Thereon, Exempting Credit Unions and Providing a Penalty.

Was read the first time and referred to the Committee on Ways and Means.

Representative Bergesen introduced:

House Bill No. 326. A Bill for an Act to Amend and Re-enact Sections 10770 and 10396 of the Compiled Laws of North Dakota for 1913 Relating to Trial by Jury and Waiver of Trial by Jury in Criminal Cases.

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

And the House stood recessed until 1:00 P. M., Monday, February 17th.

C. R. VERRY, Chief Clerk.

FORTIETH DAY AFTER RECESS AND
FORTY-SECOND DAY

Bismarck, February 17, 1941.

The House re-assembled at 1:00 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 57.

House Concurrent Resolution "B".

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

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

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

House Bill No. 89.

House Bill No. 113.

House Bill No. 131.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

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

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

House Bill No. 171.

House Bill No. 186.

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution "L". A Concurrent Resolution Urging the Continuance of the Existing Embargo Applying to All Countries Where Foot-and-Mouth Disease Exists.

House Concurrent Resolution "K." Petitioning the Congress of the United States to Amend the Agricultural Adjustment Act.

Senate Bill No. 50. A Bill for an Act Assessing and Levying from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County When Deemed to Be for the Best Interests of the County.

And the Speaker signed the same in the presence of the House.

Rep. Brusseau requested that the House be on the Seventh Order of Business, which request was granted and Rep. Brusseau moved that the House reconsider its action taken on House Bill No. 167, which motion prevailed.

Rep. Shure moved that the House reconsider its action on House Bill No. 188, which motion prevailed.

Rep. Shure moved that House Bill No. 188 be placed on the calendar, which motion prevailed.

Rep. Fitch moved that the rules be suspended and House Bill No. 188 be placed on Second Reading and Final Passage, which motion prevailed.

Rep. Brusseau moved that action on House Bill No. 167 be deferred one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purpose, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 16; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Falconer	Nelson, Ramsey
Allen	Fitch	Nelson, Sargent
Anderson	Fitzharris	Nelson, Steele
Arneson	Fleck	Nicholsen
Arndt	Fuglestad	Nystrom
Austad	Gackle	Olson, Barnes
Beede	Gainor	Olson, Bowman
Belzer	Glas	Peterson, Bottineau
Benno	Gress	Peterson, Ransom
Bergesen	Haugen	Rygg
Bingenheimer	Haugland	Sagehorn
Bjella	Heckman	Sandness
Black	Hofstrand	Sellens
Blair	Hogoboom	Severson
Bolmeier	Holm	Sharpe
Boulden	Ireland	Shure
Braun, Stark	Jennings	Singleton
Brusseau	Johnson, Richland	Smart
Bymers	Juhola	Starck
Carlson	Kee	Stormon
Coghlan	Kindem	Swanson
Collette	Langley	Twichell
Crockett	Larson	Wambheim
Culver	Lillehaugen	Westby
Dalzell	Lunde	Williams, Richland
Devlin	McInnes	Williams, Stutsman
Drovdal	McIntee	Wolf, Morton
Erickson, Divide	Nelson, Cass	Mr. Speaker
Erickson, Williams		

Those voting in the negative were:

Braun, McLean	Mollet	Semerad
Bubel	Morland	Trydahl
Haag	Morrison	Tuff
Halvorson	Schmidt	Welder
Levin	Schwartz	Wolf, McIntosh
Moe		

Absent and not voting:

Myers	Nelson, Morton	Panko
Dittmer	Fraser	Rohde

Johnson, Cass Ohnstad Saumur
McIntyre

So the bill passed and the title was agreed to.

Rep. Shure moved that the vote by which House Bill No. 188 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Shure moved that House Concurrent Resolution No. 216 be taken off the calendar and re-referred to committee, which motion was lost.

Rep. Myers moved that the House reconsider its action taken on House Bill No. 194.

Rep. Fitch moved a substitute motion that the motion of Rep. Myers be laid on the table, which motion prevailed.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 255, have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 181, have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

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

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 246, have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Concurrent Resolution No. 214, have had the same under consideration and recommend that the same be returned to the floor of the House without recommendation.

L. K. MORLAND, Chairman.

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

Rep. Beede moved that House Concurrent Resolution No. 214 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 248, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred House Bill No. 197, have had the same under consideration and recommend that the same be amended as follows: On line 18 of the original bill, strike out the word "Five" and insert the word "One." In the parenthesis on the

same line after the dollar sign, strike out the number "5" and insert the number "1."

And when so amended recommend the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Warehouse and Grain Grading to whom was referred House Bill No. 208, have the same under consideration and recommend that the same be amended as follows:

In SECTION 4, Line 7, after the second word "sale," insert "in less than car lots or".

On line 10, after the word "name," insert "the net weight when packed".

On line 10, after the word "thereof," insert "each container shall be labeled to show the net weight when packed and."

On line 18, after the word "name," insert "the net weight when packed".

On line 19, after the word "thereof," insert "each container shall be labeled to show the net weight when packed and the lot".

On line 28, after the word "evidence" insert "followed by proof if demanded".

And when so amended recommend the same do pass.

D. S. BLAIR, Chairman.

Rep. Olson of Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 233, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. BOLMEIER, Chairman.

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

Rep. Morland moved that the vote by which House Bill No. 233 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 17, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same

County When Deemed to Be for the Best Interests of the County.

House Concurrent Resolution "B". A Concurrent Resolution to Memorialize Congress to Abide by the President's Pledge Not to Involve the United States in Foreign Wars.

House Concurrent Resolution "L". A Concurrent Resolution Urging the Continuance of the Existing Embargo Applying to All Countries Where Foot-and-Mouth Disease Exists.

House Concurrent Resolution "K." Petitioning the Congress of the United States to Amend the Agricultural Adjustment Act.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 17, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 50. A Bill for an Act Assessing and Levying from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 166. A Bill for an Act to Amend and Re-enact Sections 8247a1, 8247a2, 8247a3, 8247a4, 8247a5, 8247a10, 8247a16, 8247a17, 8247a47, 8247a57 and 8247a60 of the Supplement to the Compiled Laws of 1925 as Amended and Re-enacted by Sections 1, 2, 3, 5, 6, 11, 21, 22, 30, 35, and 37 of Chapter 253 of the Session Laws of North Dakota for 1939 Relating to Irrigation Districts, Their Functions, 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, 85; nays, 18; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Sargent
Allen	Gainor	Nelson, Steele
Anderson	Glas	Nystrom
Arneson	Gress	Nicholsen

Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Peterson, Bottineau
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rohde
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Blair	Ireland	Sandness
Braun, McLean	Jennings	Schmidt
Braun, Stark	Johnson, Richland	Schwartz
Brusseau	Juhola	Sellens
Bubel	Kindem	Semerad
Bymers	Langley	Sharpe
Coghlan	Larson	Singleton
Collette	Levin	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Devlin	McIntee	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fuglestad		

Those voting in the negative were:

Arndt	Holm	Shure
Bolmeier	Johnson, Cass	Swanson
Boulden	Kee	Trydahl
Carlson	Lillehaugen	Westby
Dalzell	Moe	Williams, Stutsman
Fitzharris	Severson	Mr. Speaker

Absent and not voting:

Benno	McIntyre	Panko
Dittmer	Myers	Saumur
Fraser	Ohnstad	

So the bill passed and the title was agreed to.

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

FORTY-SECOND DAY

Bismarck, February 17, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. N. E. Elsworth, Bismarck.

Roll Call disclosed all members present except Reps. Fraser, McIntyre and Myers.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fortieth day and finds the same correct.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A letter was received from the ABC Cleaners and Dyers of Fargo protesting the Unemployment Compensation Law, which the Speaker referred to the Committee on Judiciary.

A letter was received signed by thirty-three residents of Enderlin and a card from D. H. Axt of McClusky urging the Legislature to indefinitely postpone House Bill No. 165, which the Speaker referred to the Committee on Highways and Bridges.

The following message was received from Mrs. Ed Rieker and family:

"To the Members of the House, 27th Legislative Assembly:

"Your kindness and sympathy is more deeply appreciated than any word of thanks can ever express.

"Mrs. Rieker and family."

Rep. Morland moved that the communication from Mrs. Ed Rieker and family be printed in the Journal, which motion prevailed.

Rep. Fitch asked that the Committee on Public Welfare be granted an extension of time for the consideration of House Bills Nos. 157, 162 and 163, which request was granted.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 17, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 396b15 of the Compiled Laws, Supplement 1913-1925, as Amended by Session Laws of 1935, Chapter 162, Providing a Remedy for Under-paid Employees Working in Excess of Hour Provisions of Administrative Orders or the Hours Law for Females, and for Taking Assignments of Wage Claims.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 17, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Article 29, Section 2791 of the 1913 Compiled Laws.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 36. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 18. A Bill for an Act Providing an Ap-

propriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and as Amended by Chapter 254 of the Session Laws of 1937.

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation

Senate Bill No. 118. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 142 of the Session Laws of 1921, Chapter 222 of the Session Laws of 1925, and Chapter 286 of the Session Laws of 1935; Subsection "C" of Section 3 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 260 of the Session Laws of 1929 and Chapter 286 of the Session Laws of 1935; Paragraph "o" of Subsection "G" of Section 1 of Chapter 251 of the Session Laws of 1939; Section 15 of Chapter 162 of the Session Laws of 1919; Section 16 of Chapter 162 of the Session Laws of 1919; and Chapter 351 of the Session Laws of 1923, Being Section 396a29 of the 1925 Supplement.

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

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 17, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 129. A Bill for an Act to Repeal Chapter 119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 17, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and Non-Resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of this Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 133. A Bill for an Act to Provide for

Appointment of Counsel Before Plea of Defendant Charged with First Degree Murder; Providing Payment for Services of Such Counsel.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 17, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3854 of the 1925 Supplement of the Compiled Laws of North Dakota and Allowing Villages to Elect Trustees at Large.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 17, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. "H". For the Appointment of an Interim Legislative Committee on Code Revision; Prescribing the Duties and Compensation of the Committee.

Which the House has adopted unchanged.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 17, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 89.

C. R. VERRY, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for 1939.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 9; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Sargent
Allen	Gackle	Nelson, Steele
Anderson	Gainor	Nicholsen
Arneson	Glas	Nystrom
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Schmidt

Bolmeier	Ireland	Sellens
Braun, Stark	Jennings	Semerad
Brusseau	Johnson, Cass	Severson
Bubel	Johnson, Richland	Sharpe
Bymers	Juhola	Shure
Carlson	Kee	Singleton
Coghlan	Kindem	Smart
Collette	Langley	Starck
Crockett	Larson	Stormon
Culver	Levin	Swanson
Dalzell	Lillehaugen	Trydahl
Devlin	Lunde	Twichell
Dittmer	McInnes	Wambheim
Drovdal	McIntee	Westby
Erickson, Williams	Moe	Williams, Stutsman
Falconer	Morland	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker
Fleck	Nelson, Ramsey	

Those voting in the negative were:

Braun, McLean	Morrison	Tuff
Erickson, Divide	Rohde	Welder
Mollet	Schwartz	Williams, Richland

Absent and not voting:

Benno	McIntyre	Ohnstad
Boulden	Myers	Panko
Fraser		

So the bill passed and the title was agreed to.

House Concurrent Resolution No. 216. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Municipal Liquor Stores.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 65; nays, 39; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Hofstrand	Nystrom
Allen	Holm	Olson, Bowman
Arneson	Ireland	Rohde
Arndt	Johnson, Cass	Rygg
Austad	Johnson, Richland	Sagehorn
Bergesen	Juhola	Sandness
Blair	Kee	Saumur
Bolmeier	Kindem	Schmidt
Brusseau	Langley	Schwartz
Bymers	Levin	Severson
Carlson	Lillehaugen	Sharpe
Dalzell	Lunde	Singleton
Devlin	McInnes	Stormon
Dittmer	Moe	Swanson
Erickson, Divide	Mollet	Trydahl
Falconer	Morland	Tuff
Fitzharris	Morrison	Twichell
Fuglestad	Nelson, Cass	Wambheim
Gackle	Nelson, Ramsey	Westby

Gainor	Nelson, Sargent	Williams, Stutsman
Halvorson	Nelson, Steele	Mr. Speaker
Heckman	Nicholsen	

Those voting in the negative were:

Anderson	Drovdal	Nelson, Morton
Beede	Erickson, Williams	Olson, Barnes
Belzer	Fitch	Peterson, Bottineau
Bingenheimer	Fleck	Peterson, Ransom
Bjella	Glas	Sellens
Black	Gress	Semerad
Braun, McLean	Haag	Shure
Braun, Stark	Haugen	Smart
Bubel	Haugland	Starck
Coghlan	Hogoboom	Welder
Collette	Jennings	Williams, Richland
Crockett	Larson	Wolf, McIntosh
Culver	McIntee	Wolf, Morton

Absent and not voting:

Benno	McIntyre	Ohnstad
Boulden	Myers	Panko
Fraser		

So the bill passed and the title was agreed to.

Rep. Bergesen moved that the vote by which House Bill No. 216 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Langley: I wish to vote "aye" on HCR 216. As to my sentiments, I believe I am as much a dry as Mr. Holm just said he was. I believe that if municipalities are allowed to engage in the retail sale of liquor, it will mean a chance for better regulation of the liquor business, particularly in our villages where we cannot afford an all-time police protection. By having control of retail business there will not, I believe, be the inducement to sell for profit by the liquor dealer thereby increasing the amount of liquor consumed which often means consuming of more liquor by young boys and girls. Evidently, dances are sometimes promoted for the purpose of selling more liquor. The liquor law was put on our statutes so that the person who wanted to buy his liquor legally could do so, and I believe the municipalities can, in many cases, give a better service to all concerned.

Rep. Holm: I am a dry and as long as liquor is sold in the State either for public or private profit, I have to choose for the public. Therefore, I vote "aye".

Rep. Lillehaugen: I believe in the theory of taking the lesser of two evils. I vote "aye".

Rep. Williams of Richland: I am voting "no" on this bill because I believe whenever you compromise with the devils you are beaten before you start.

House Bill No. 187. A Bill for an Act Relating to Payment of the Costs of Sewer and Water Improvements in Cities and Villages Partly by Special Assessments and Partly by Service Charges, 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, 91; nays, 12; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Morton
Allen	Fuglestad	Nelson, Sargent
Arneson	Gackle	Nicholsen
Arndt	Gainor	Nystrom
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Bergesen	Halvorson	Peterson, Ransom
Bingenheimer	Haugen	Rygg
Bjella	Haugland	Sagehorn
Black	Heckman	Sandness
Blair	Hofstrand	Saumur
Bolmeier	Hogoboom	Sellens
Braun, Stark	Holm	Semerad
Brusseau	Ireland	Severson
Bubel	Jennings	Sharpe
Bymers	Johnson, Cass	Shure
Carlson	Johnson, Richland	Singleton
Coghian	Juhola	Smart
Collette	Kee	Starck
Crockett	Kindem	Stormon
Culver	Langley	Swanson
Dalzell	Larson	Trydahl
Devlin	Lillehaugen	Twichell
Dittmer	Lunde	Wambheim
Drovdal	McInnes	Westby
Erickson, Divide	McIntee	Williams, Richland
Erickson, Williams	Moe	Williams, Stutsman
Falconer	Morrison	Wolf, Morton
Fitch	Nelson, Cass	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Anderson	Nelson, Ramsey	Schwartz
Braun, McLean	Peterson, Bottineau	Tuff
Levin	Rohde	Welder
Mollet	Schmidt	Wolf, McIntosh

Absent and not voting:

Benno	McIntyre	Nelson, Steele
Boulden	Morland	Ohnstad
Fraser	Myers	

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

Mr. Shure moved that the vote by which House Bill No. 187 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 180. A Bill for an Act Relating to National and State Defense, Providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and Prescribing the Powers and Duties Thereof; 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, 60; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Glas	Sagehorn
Allen	Haugland	Saumur
Arneson	Johnson, Cass	Sellens
Arndt	Johnson, Richland	Severson
Austad	Juhola	Sharpe
Blair	Kee	Shure
Bolmeier	Langley	Singleton
Carlson	McInnes	Smart
Coghlan	Moe	Stormon
Collette	Nelson, Cass	Swanson
Dalzell	Nicholsen	Twichell
Fitch	Nystrom	Westby
Fitzharris	Olson, Barnes	Mr. Speaker
Gainor	Peterson, Ransom	

Those voting in the negative were:

Anderson	Gress	Nelson, Ramsey
Beede	Haag	Nelson, Steele
Belzer	Halvorson	Olson, Bowman
Bergesen	Haugen	Panko
Bingenheimer	Heckman	Peterson, Bottineau
Bjella	Hofstrand	Rohde
Black	Hogoboom	Rygg
Braun, McLean	Holm	Sandness
Braun, Stark	Ireland	Schmidt
Brusseau	Jennings	Schwartz
Bubel	Kindem	Semerad
Bymers	Larson	Starck
Culver	Levin	Trydahl
Devlin	Lillehaugen	Tuff
Dittmer	Lunde	Wambheim
Drovdal	McIntee	Welder
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Gackle	Nelson, Morton	Wolf, Morton

Absent and not voting:

Benno	Fraser	Myers
Boulden	Fuglestad	Nelson, Sargent
Crockett	McIntyre	Ohnstad
Fleck		

So the bill was declared lost.

Rep. Brusseau moved that the vote by which House Bill No. 180 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Bergesen: I vote "no" because I don't know who the next Governor is going to be.

Rep. Braun of McLean: I vote "no" on this bill because we are striving, a lot faster than necessary, toward war.

Rep. Falconer: I vote "no" on this bill because I am afraid it is one of those things that might prevent us from having another Governor in the State of North Dakota.

Rep. Haugen: I vote "no" because the Governor claims that he has too many commissions, councils and board meetings to attend and doesn't want to have any more to attend.

Rep. Moe: I vote "aye" for the reason that I want to keep people from being unemployed.

House Bill No. 179. A Bill for an Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 10; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Cass
Allen	Fleck	Nelson, Morton
Anderson	Fuglestad	Nelson, Ramsey
Arneson	Gackle	Nelson, Steele
Arndt	Gainor	Nicholsen
Austad	Glas	Nystrom
Beede	Gress	Olson, Barnes
Belzer	Haugen	Olson, Bowman
Benno	Haugland	Panko
Bergesen	Heckman	Peterson, Bottineau
Bingenheimer	Hofstrand	Peterson, Ransom
Bjella	Hogoboom	Rohde
Black	Holm	Rygg
Blair	Ireland	Sagehorn
Bolmeier	Jennings	Sandness
Braun, McLean	Johnson, Cass	Schwartz
Braun, Stark	Johnson, Richland	Sellens
Brusseau	Juhola	Semerad
Bymers	Kee	Severson
Carlson	Kindem	Sharpe
Coghlan	Langley	Singleton
Collette	Larson	Smart
Culver	Levin	Starck
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Swanson
Dittmer	McInnes	Tuff
Drovdal	McIntee	Westby
Erickson, Divide	Moe	Williams, Richland
Erickson, Williams	Mollet	Wolf, Morton
Falconer	Morland	Mr. Speaker
Fitch	Morrison	

Those voting in the negative were:

Haag	Trydahl	Welder
Halvorson	Twichell	Williams, Stutsman
Schmidt	Wambheim	Wolf, McIntosh
Shure		

Absent and not voting:

Boulden	Fraser	Nelson, Sargent
Bubel	McIntyre	Ohnstad
Crockett	Myers	Saumur

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

Rep. Fitch requested that the House return to the Seventh Order of Business, which request was granted and Rep. Fitch moved that House Bill No. 290 be re-referred to the Committee on Military Affairs, which motion prevailed.

House Bill No. 212. A Bill for an Act to Provide for Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal. Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Olson, Barnes
Arndt	Glas	Olson, Bowman
Austad	Gress	Panko
Beede	Haag	Peterson, Bottineau
Belzer	Halvorson	Peterson, Ransom
Benno	Haugen	Rohde
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Schmidt
Blair	Holm	Schwartz
Bolmeier	Ireland	Sellens
Braun, McLean	Jennings	Semerad
Braun, Stark	Johnson, Cass	Severson
Brusseau	Johnson, Richland	Sharpe
Bubel	Juhola	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langley	Starck
Collette	Larson	Stormon
Crockett	Levin	Swanson
Culver	Lillehaugen	Tuff
Dalzell	Lunde	Twichell
Devlin	McInnes	Wambheim
Dittmer	McIntee	Welder
Drovdal	Moe	Westby
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh

Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker
Absent and not voting:		
Boulden	Myers	Ohnstad
Fraser	Nelson, Sargent	Saumur
McIntyre	Nelson, Steele	Trydahl

So the bill passed and the title was agreed to.

Rep. Olson of Barnes moved that action on House Bill No. 171 be deferred one legislative day, which motion prevailed.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, Relating to Tax Limitations of Cities.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 60; nays, 42; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Falconer	Nelson, Ramsey
Allen	Fitzharris	Nystrom
Arneson	Fleck	Olson, Barnes
Arndt	Fuglestad	Panko
Austad	Gackle	Peterson, Ransom
Benno	Gainor	Rygg
Bergesen	Gress	Sagehorn
Bingenheimer	Halvorson	Sellens
Ejella	Haugland	Severson
Black	Hofstrand	Sharpe
Blair	Holm	Shure
Bolmeier	Ireland	Singleton
Bymers	Johnson, Cass	Smart
Carlson	Johnson, Richland	Stormon
Coghlan	Kee	Swanson
Collette	Kindem	Twichell
Crockett	Langley	Wambheim
Culver	Levin	Williams, Stutsman
Dalzell	McInnes	Wolf, Morton
Devlin	Nelson, Cass	Mr. Speaker

Those voting in the negative were:

Anderson	Haugen	Olson, Bowman
Beede	Heckman	Peterson, Bottineau
Belzer	Hogboom	Rohde
Braun, McLean	Jennings	Sandness
Braun, Stark	Larson	Saumur
Brusseau	Lillehaugen	Schmidt
Bubel	Lunde	Schwartz
Dittmer	McIntee	Semerad
Drovdal	Moe	Starck
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morland	Welder

Fitch	Morrison	Westby
Glas	Nelson, Morton	Williams, Richland
Haag	Nicholsen	Wolf, McIntosh

Absent and not voting:

Boulden	McIntyre	Nelson, Steele
Fraser	Myers	Ohnstad
Juhola	Nelson, Sargent	Trydahl

So the bill passed and the title was agreed to.

Rep. Fitch voted "no" for the purpose of reconsideration.

Rep. Shure moved that the vote by which House Bill No. 186 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Mollet: The word "airport" was stricken out of this bill. Therefore I vote "no".

FIRST READING OF SENATE BILLS

Senate Bill No. 18. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and as Amended by Chapter 254 of the Session Laws of 1937.

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

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

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

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

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

Senate Bill No. 36. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

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

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Article 29, Section 2791 of the 1913 Compiled Laws.

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

Senate Bill No. 118. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 142 of the Session Laws of 1921, Chapter 222 of the Session Laws of 1925, and Chapter 286 of the Session Laws of 1935; Subsection "C" of Section 3 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 260 of the Session Laws of 1929 and Chapter 286 of the Session Laws of 1935; Paragraph "o" of Subsection

"G" of Section 1 of Chapter 251 of the Session Laws of 1939; Section 15 of Chapter 162 of the Session Laws of 1919; Section 16 of Chapter 162 of the Session Laws of 1919; and Chapter 351 of the Session Laws of 1923, Being Section 396a29 of the 1925 Supplement.

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

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

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

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 17, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

Was delivered to the Governor for his approval at the hour of 3:07 o'clock P. M., February 17, 1941.

REP. WAMBHEIM, Chairman.

SECOND READING OF SENATE BILLS

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931, Chapter 286, Session Laws of 1935, and Chapter 251, Session Laws of 1939.

Was 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, 53; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Fuglestad	Olson, Bowman
Allen	Gackle	Peterson, Ransom
Austad	Gainor	Sagehorn
Benno	Haugland	Sellens
Bjella	Ireland	Sharpe
Black	Johnson, Richland	Shure
Blair	Kee	Singleton
Bolmeier	Langley	Smart

Carlson	Lillehaugen	Trydahl
Coghlan	Lunde	Twichell
Culver	Moe	Wambheim
Dalzell	Morland	Westby
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nicholsen	Mr. Speaker
Fleck	Olson, Barnes	

Those voting in the negative were:

Anderson	Glas	Nelson, Ramsey
Arneson	Gress	Nystrom
Arndt	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Saumur
Braun, McLean	Hogoboom	Schmidt
Braun, Stark	Holm	Schwartz
Brusseau	Jennings	Semerad
Bubel	Juhola	Starck
Bymers	Kindem	Swanson
Crockett	Larson	Tuff
Devlin	McInnes	Welder
Dittmer	McIntee	Williams, Richland
Drovdal	Mollet	Wolf, McIntosh
Erickson, Williams	Morrison	Wolf, Morton
Falconer	Nelson, Morton	

Absent and not voting:

Boulden	Levin	Ohnstad
Collette	McIntyre	Sandness
Erickson, Divide	Myers	Severson
Fraser	Nelson, Sargent	Stormon
Johnson, Cass	Nelson, Steele	

So the bill was declared lost.

Rep. Bergesen changed his vote from "aye" to "no" for the purpose of reconsideration.

Senate Bill No. 87. A Bill for an Act to Provide for Payments from the North Dakota Workmen's Compensation Fund in Certain Cases Where No Actual Dependency Is Shown and Providing on Option in Certain Cases.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 4; absent and not voting, 13.

Those voting in the affirmative were:

Allen	Gainor	Nystrom
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Saumur

Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Braun, McLean	Johnson, Richland	Semerad
Braun, Stark	Juhola	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Collette	Levin	Starck
Crockett	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McIntee	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Welder
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fuglestad	Nicholsen	Mr. Speaker

Gackle

Those voting in the negative were:

Aker	Coghlan	Schmidt
Arndt		

Absent and not voting:

Boulden	McInnes	Nelson, Steele
Erickson, Divide	McIntyre	Ohnstad
Fleck	Myers	Wambheim
Fraser	Nelson, Sargent	Westby
Johnson, Cass		

So the bill passed and the title was agreed to.

Rep. Shure moved that Senate Bill No. 100 be re-referred to the Committee on Corporations Other Than Municipal, which motion prevailed.

Rep. Belzer moved that the House do now recess for a fifteen-minute period, which motion prevailed.

Pursuant to recess taken the Speaker called the House to order and the House resumed the Second Reading of Senate Bills.

Senate Concurrent Resolution No. 5 was read the second time.

Rep. Beede moved that Senate Concurrent Resolution No. 5 be re-referred to the Committee on Judiciary, which motion prevailed.

Rep. Bergesen requested that the House be on the Seventh Order of Business, which request was granted and Rep. Bergesen moved that the House reconsider its action taken on Senate Bill No. 88, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 88 be placed on Second Reading and Final Passage at this time, which motion prevailed.

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of

1931, Chapter 286, Session Laws of 1935, and Chapter 251, Session Laws of 1939.

Was 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, 53; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Austad	Haugland	Peterson, Ransom
Benno	Hofstrand	Sagehorn
Bergesen	Johnson, Richland	Sellens
Bjella	Kindem	Severson
Black	Langley	Sharpe
Bolmeier	Lunde	Singleton
Carlson	McInnes	Smart
Coghlan	McIntee	Stormon
Collette	Morland	Wambheim
Dalzell	Nelson, Cass	Westby
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Steele	Mr. Speaker
Fleck	Nicholsen	

Those voting in the negative were:

Anderson	Gress	Nelson, Morton
Arndt	Haag	Peterson, Bottineau
Beede	Halvorson	Rohde
Belzer	Haugen	Rygg
Bingenheimer	Heckman	Sandness
Blair	Hogoboom	Saumur
Braun, McLean	Holm	Schmidt
Braun, Stark	Ireland	Schwartz
Brusseau	Jennings	Semerad
Bubel	Johnson, Cass	Shure
Bymers	Juhola	Starck
Culver	Kee	Swanson
Devlin	Larson	Trydahl
Dittmer	Levin	Tuff
Drovdal	Lillehaugen	Williams, Richland
Erickson, Williams	Moe	Wolf, McIntosh
Falconer	Mollet	Wolf, Morton
Glas	Morrison	

Absent and not voting:

Boulden	McIntyre	Panko
Crockett	Myers	Twichell
Erickson, Divide	Nelson, Sargent	Welder
Fraser	Ohnstad	

So the bill was declared lost.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 88 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

GENERAL ORDERS

Rep. Fuglestad moved that the House resolve itself into a committee of the whole for the consideration of general

orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fuglestad to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration House Bill No. 115.

In section 4, line 11, strike out the word "ensured", and insert in lieu thereof the word "ensued".

In the title of the printed bill, after the word "include" insert the word "certain". In the second line of the title of the printed bill, change the word "subdivisions" to the word "counties".

In Section 1, of the printed bill, insert after the word "North Dakota" on line 2, the following: ", including the members of the Legislative Assembly", and after the word "and" in said line 2, strike out "all of the subdivisions thereof" and insert in lieu thereof the following: "all elective officials of the several counties of the state".

In Section 1, in line 4 of the printed bill, strike out the word "subdivisions" and insert the word "counties" in lieu thereof.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 140.

In the printed bill strike out everything after the words in the heading "A BILL". Following that substitute the following title and text:

"For an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency."

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

"Section 1. (BONDING OF DEPUTY COUNTY OFFICIALS). Any County Official may require his deputy or deputies to be bonded for the faithful performance of his duties, in an amount to be fixed by the Board of County Commissioners.

"Section 2. (Emergency). This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 203.

In the printed bill, in line 22, strike out the comma and the balance of line 22, and substitute therefor in line 22 the following "by the court".

In line 23 of the printed bill, strike out the following "court in this state and no more".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 40.

On line 1 of the title, after the word "re-enact" strike out the following: "Section 1 of". On the third line of the title after the comma, insert the words: "allocating the revenues therefrom".

Change Section 2 of original bill to read "Section 3" and insert a new section 2 as follows: "Section 2 Amendment.) Section 2 of Chapter 234 of the Session Laws of North Dakota for 1939 as amended be and the same is hereby amended and re-enacted to read as follows:

Section 25. ALLOCATION OF REVENUE.) All monies collected and received under this Act shall be paid into the State Treasury and shall be credited by the State Treasurer into a special fund to be known as "THE RETAIL SALES TAX FUND". Out of this fund the State Treasurer shall first provide for the payments of refunds allowed under this Act. That the net amount of monies remaining in said "RETAIL SALES TAX FUND" shall be and shall constitute a special trust fund to be used and disbursed solely for the following purposes:

1. That seven-twelfths (7/12ths) of said trust fund shall be used and disbursed only for payment of appropriations made pursuant to the State Equalization Fund Law. That the remaining five-twelfths (5/12ths) of said trust fund shall be used and disbursed only for the payment of appropriations made to the Public Welfare Fund for the purposes authorized by law.

2. That the State Treasurer and State Auditor are hereby authorized and directed to make monthly transfers of all the amounts available in said trust fund, in the proportions as herein provided to the Equalization Fund and to the State Public Welfare Funds."

And recommend the adoption of the Standing Committee amendments.

Rep. Beede offered the following amendment to Senate Bill No. 40 and requested that when this Committee do arise that action on Senate Bill No. 40 be deferred until General Orders tomorrow.

TAX IMPOSED.

There is hereby imposed beginning the first day of July, 1941, and ending June 30, 1943, a tax of three (3%) per cent upon the gross receipts from all sales of cars (new), radios (new), jewelry, mixed drinks, containing alcoholic beverages, cosmetics, all sales of theater, dance tickets, and admissions to places of amusement and athletic events, and on all sales of foods sold in restaurants and public eating places for consumption thereon, except as otherwise provided in this Act; and a tax of two (2%) per cent upon the gross receipts from all sales of all other tangible personal property consisting of goods, wares or merchandise sold at retail in the State of North Dakota to consumers or users, except as otherwise provided in this act, and specifically exempting from the provisions of this Act (a) the gross receipts from sales of fresh sweet milk raw or processed fruits and vegetables, butter, eggs, unsweetened bread in loaf form and flour, sold for consumption off the premises, (b) the gross receipts from sales of new machinery used for farming operations, (c) the gross receipts from sales of gasoline used for agricultural

purposes; and a tax of two (2%) per cent upon the gross receipts from the sales, furnishing or service of steam, gas, electricity, water and communication service, including the gross receipts from such sales by any municipal corporation furnishing steam, gas, electricity, water and communication services to the public in its full proprietary capacity, except as otherwise provided in this act when sold at retail in the State of North Dakota, to consumers or users.

The tax herein levied shall be computed and collected as hereinafter provided.

Rep. Swanson moved the adoption of the report of the Committee of the Whole, which motion prevailed.

BJORN FUGLESTAD, Chm., Comm. of the Whole.

The House reverted to the Fifth Order of Business.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 222, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 267, have had the same under consideration and recommend that the same do pass.

ALEX DALZELL, Chairman.

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

Rep. Rohde moved that the House go into Joint Session with the Senate tomorrow at 3:30 P. M., for Memorial Services in honor of the deceased Rep. Ed. Rieker, which motion prevailed.

Rep. Rohde moved that the House do now recess until 1:45 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FORTY-SECOND DAY AFTER RECESS
AND FORTY-THIRD DAY

Bismarck, February 18, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 129.

And find the same correctly enrolled.

ALVA WAMBHEIM, Chairman.

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

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

House Bill No. 115,

House Bill No. 140,

House Bill No. 203.

And find the same correctly engrossed.

REP. WAMBHEIM, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 262, have had the same under consideration and recommend that the same do pass.

REP. BOLMEIER, Chairman.

Rep. Erickson of Divide moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Levin moved that House Bill No. 205 be withdrawn, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 282, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 50, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

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

Rep. Morland moved that the vote by which House Bill No. 50 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 2, have had the same under consideration and recommend that the same be amended as follows:

Strike out line 11 and all of the lines to and including line 36. Renumber the lines and insert the following:

11	Clerkhire: Deputy	\$ 2,000.00
12	Stenographers	2,000.00
13	Stenographer & Clerkhire	1,000.00
14	Fieldmen:	
15	8 (Licensed) Bloodtesting Agents	\$4,000.00
16	8 (Licensed) Selecting Agents	3,000.00
17	6 (Licensed) Turkey Branding Agents	2,000.00
18	20 (Licensed) Dressed-turkey Graders	5,000.00
19		14,000.00
20	Postage	1,260.00
21	Supplies	1,000.00
22	Furniture & Fixtures	1,000.00
23	Miscellaneous	1,750.00
24	Travel	3,000.00
25	Compensation & Expenses of Board Members	1,300.00
26	Tags, Bands and Antigen	1,000.00
27	Bureau of Agricultural Economics	400.00
28	Emergency Fund	5,000.00
29	Expense Incurred in Promoting Poultry Shows	450.00
30	Total	\$40,000.00

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 111, have had the same under consideration and recommend that the same be amended as follows:

Line 16, strike out the figures "\$2,250.00", and insert in lieu thereof the figures "\$2,500.00".

Line 34, strike out the figures "\$29,000.00", and insert in lieu thereof the figures "\$28,000.00".

Line 36, strike out the figures "\$110,000.00", and insert in lieu thereof the figures "\$109,500.00".

Line 41, strike out the figures "\$17,000.00", and insert in lieu thereof the figures "\$17,500.00".

Line 42, strike out the figures "\$10,000.00", and insert in lieu thereof the figures "\$11,000.00".

Line 43, strike out the figures "\$31,000.00", and insert in lieu thereof the figures "\$30,750.00".

Strike out Lines 56 and 57.

And when so amended recommend the same do pass.

TARGIE TRYDALL, Chairman.

Rep. Johnson of Cass moved that the report be adopted.

Mr. Speaker: A majority of your committee on Appropriations to whom was referred House Bill No. 103, have had the same under consideration and recommend that the same be indefinitely postponed.

VERNON M. JOHNSON
RICHARD E. WOLF
HARRY CARLSON
J. H. HECKMAN
JOHN McINTYRE
E. D. CULVER
MORRIS LARSON
W. R. SINGLETON
TARGIE TRYDAHL
H. G. SEVERSON

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Richland moved that the report be adopted.

Mr. Speaker: A minority of your Committee on Appropriations to whom was referred House Bill No. 103, have had the same under consideration and recommend that the same do pass.

A. C. JOHNSON
REP. KEE
ED. HAAG
F. T. SCHMIDT

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved a substitute motion that the report of the minority be substituted for the report of the majority, which motion prevailed and House Bill No. 103 was placed on the calendar.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 201, have had the same under consideration and recommend that the same be amended as follows:

In section 1, line 31, after the word "vicious" add "or of breeding age".

And when so amended recommend the same do pass.

NELSON OF CASS, Chairman.

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

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 224, have had the same under consideration and recommend that the same be amended as follows:

In section 19, of line 31, after the word "where" insert "an individual or".

In line 33, after the words "under" insert "his or".

At the end of line 34, insert the words "individuals or".

In section 25, line 96, after the word "during" insert the word "the", and after the word "preceding" insert the word "twelve".

In section 29, after line 141, add the following "horses and mules shall bear a tag attached to mane or tail."

Strike out all of section 23.

Insert a new section as follows:

"Section 23. Every livestock sales ring shall be maintained in a sanitary condition and on and after October 1, 1941 that portion thereof which is used for the handling of hogs, including all hog pens, alleys and sales ring, shall be equipped with concrete floors at least three inches thick, and these floors must be cleaned and disinfected after each sale or in case of continuous sale not less than once weekly, or as often as may be prescribed by the North Dakota Livestock Sanitary Board."

And when so amended recommend the same do pass.

NELSON OF CASS, Chairman.

Rep. Haugland moved that the report be adopted.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 242, have had the same under consideration and recommend that the same be amended as follows:

In section 1, line 22, after the word "All" correct the spelling of the word "monies".

In section 1, line 22, leave out the period after the word "fund" and insert a comma, then add the following: "after deducting enough money for administration expenses."

And when so amended recommend the same do pass.

BJORN FUGLESTAD, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 177, have had the same under consideration and recommend that the same do pass.

REP. DALZELL, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 272, have had the same under consideration and recommend that the same do pass.

REP. DALZELL, Chairman.

Rep. Olson of Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 56, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 123, have had the same under

consideration and recommend that the same be amended as follows:

Add the following sentence to Section 1. "This act shall not apply to any lands redeemed by the former record owner thereof within one year after the taking effect hereof."

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 144, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 200, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted.

Rep. Ireland moved a substitute motion that House Bill No. 200 be placed on the calender, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 204, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Johnson of Richland moved that the report be adopted.

Rep. Lillehaugen moved a substitute motion that House Bill No. 204 be placed in General Orders for amendment.

Roll Call on Rep. Lillehaugen's motion was demanded and granted.

ROLL CALL

The question being on the substitute motion of Rep. Lillehaugen that House Bill No. 204 be placed in General Orders for amendment, the roll was called and there were ayes, 41; nays, 66; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Heckman	Rohde
Bingenheimer	Jennings	Rygg
Braun, McLean	Juhola	Schmidt
Brusseau	Larson	Schwartz
Bubel	Levin	Semerad
Crockett	Lillehaugen	Starck
Drovdal	McIntee	Tuff
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Williams, Richland
Falconer	Morrison	Wolf, McIntosh
Glas	Nelson, Morton	Wolf, Morton
Haag	Ohnstad	

Those voting in the negative were:

Aker	Fleck	Nelson, Steele
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Allen	Fuglestad	Nicholsen
Arneson	Gackle	Nystrom
Arndt	Gainor	Olson, Barnes
Austad	Gress	Olson, Bowman
Bergesen	Haugland	Peterson, Ransom
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Sellens
Boulden	Johnson, Cass	Severson
Braun, Stark	Johnson, Richland	Sharpe
Bymers	Kee	Shure
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Collette	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	Moe	Trydahl
Devlin	Morland	Twichell
Dittmer	Nelson, Cass	Wambheim
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Mr. Speaker
Absent and not voting:		
Benno	Myers	Westby
Fraser		

So the motion was declared lost.

The question being on the motion of Rep. Johnson of Richland that House Bill No. 204 be indefinitely postponed, the motion prevailed.

Rep. Boulden moved that the vote by which House Bill No. 204 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 215, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 217, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted.

Rep. Morland moved a substitute motion that House Bill No. 217 be placed on the calendar, which motion was lost.

The question being on the motion of Rep. Crockett that House Bill No. 217 be indefinitely postponed, the motion prevailed.

Rep. Crockett moved that the vote by which House Bill No. 217 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 223, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 231, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 232, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Concurrent Resolution 234, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Rep. Saumur moved that the vote by which House Bill No. 234 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 257, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Anderson moved that the report be adopted.

Rep. Starck moved a substitute motion that House Bill No. 257 be placed on the calendar, which motion was lost.

The question being on the motion of Rep. Anderson that House Bill No. 257 be indefinitely postponed, the motion prevailed.

Rep. Dalzell moved that the vote by which House Bill No. 257 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 260, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Rep. Dalzell moved that the vote by which House Bill No. 260 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 269, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted.

Rep. Wambheim moved a substitute motion that House Bill No. 269 be placed on the calendar, which motion was lost.

The question being on the motion of Rep. Crockett that House Bill No. 269 be indefinitely postponed, the motion prevailed.

Rep. Rohde moved that the vote by which House Bill No. 269 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 157, have had the same under consideration and recommend that the same be amended as follows:

In Section 5, line 10, after the word "hearings" strike out the word "and" and insert in lieu thereof a ",", and after the word "directing" insert the following: "and improving". In line 12, after the word "Commission" insert the following "and secure its approval". In line 15 strike out the following: "designations and appointments of orthopedic surgeons, medical supervisor,".

In Section 6. In line 3, after the word "advice" insert ", approval". On the same line after the word "commission" insert a ".". After the period on line 3 strike out the following: "and the State Agency is hereby authorized in addition to the powers and duties authorized by Chapter 221, Laws of 1935, to pay the actual and necessary expenses incurred by the Commission or any member thereof in carrying out the purposes of this act.". In line 9 after the word "Commission" strike out the comma and the word "however". In line 10, after the word "services" strike out the following: "and the actual expense incurred by the members of the commission shall not exceed three hundred dollars (\$300.00) in any one year."

In Section 7, line 3, after the word "advice" insert "and approval". On line 11, after the letter "(c)" strike out the word "Take" and insert the following: "With approval of the Commission to take".

In Section 8, line 16, after the word "agency" insert the following: "failing to make such report,".

In Section 9, line 13, strike out the comma and insert "as provided in Section 5 of this Act."

And when so amended recommend the same do pass.

REP. HAUGLAND, Chairman.

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

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 294, have had the same under consideration and recommend that the same be amended as follows:

In last line of title of the Bill strike out "Fixing Penalty for Violation" and add "and Providing for the Compulsory Bang's Testing of Townships in Counties in Which Seventy-

five Per Cent of the Townships are Completely Bang's Tested."

And when so amended recommend the same do pass.

REP. NELSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 318, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. DALZELL, Chairman.

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

Rep. Dalzell moved that the vote by which House Bill No. 318 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 290, have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman.

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

Mr. Speaker: Your Committee on Military Affairs to whom was referred House Bill No. 289, have had the same under consideration and recommend that the same do pass.

REP. SEVERSON, Chairman.

Rep. Nelson of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 296, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

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

Rep. Swanson moved that the vote by which House Bill No. 296 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 309, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 220, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 265, have had the same under consideration and recommend that the same be amended as follows:

In Section 4, line 4, after the word "of" strike out the word and figure "twenty-five (\$25.00)" and insert in lieu thereof the word and figure "ten (\$10.00)".

In Section 8, line 2, after the word "of" strike out the word "three" and insert in lieu thereof the word "one".

In Section 8, line 3, change figures "\$3,000.00" to "\$1,000.00".

And when so amended recommend the same do pass.

K. A. FITCH, Chairman.

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

Rep. Morrison requested that the House be on the Seventh Order of Business, which request was granted and Rep. Morrison made the following report:

Mr. Speaker: Your committee selected to attend the funeral of the late Representative Edward Rieker, has returned and wish to make the following report:

We left Bismarck at 10:30 a. m., Sunday, February 16th. Attended funeral services at the farm home south of Tappen and then escorted the body to the Community Hall where the services were held. The service was conducted by Rev. Fisher of Napoleon. The service was attended by a large group of neighbors and friends from all the surrounding territory. The body was laid to rest in the Tappen Cemetery.

Your committee feel that they did all in their power to convey to the family of the deceased that this House of Representatives feel grieved that they have lost a father and brother.

Mr. Speaker, your committee wishes to be discharged.

Rep. Morland moved that the report be printed in the Journal and that the Committee appointed to make arrangements for the funeral of Rep. Rieker be now discharged, which motion prevailed.

Rep. Morland moved that the matter of traveling expenses of this committee on the funeral of Rep. Rieker be referred to the Comm. on Mileage and Per Diem, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 96 be referred to the Comm. on Ways and Means, which motion prevailed.

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

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

FORTY-THIRD DAY

Bismarck, February 18, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. N. E. Elsworth, Bismarck.

Roll Call disclosed all members present except Reps. Myers and Panko.

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

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

On pages 485 and 486, in the roll call on House Concurrent Resolution No. 216, Rep. Tuff is shown as voting "no" whereas he voted "aye".

On pages 485 change the roll call totals on House Concurrent Resolution No. 216 to read "ayes, 66; nays, 39."

On page 499, strike out the last paragraph and show Rep. Rohde's motion as follows:

Rep. Rohde moved that the House go into Joint Session with the Senate tomorrow at 3:30 P. M. for Memorial Services in honor of the deceased Rep. Ed. Rieker, which motion prevailed.

Rep. Rohde moved that the House do now recess until 1:45 P. M., tomorrow, which motion prevailed and the House stood recessed.

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A letter was received signed by thirteen residents of Denhoff, N. D., and McClusky, N. D., urging legislation regulating sale of liquor and road houses, which the Speaker referred to the State Affairs Committee.

A card was received from Otto Willis of Hebron, protesting against increasing any license fees and gasoline tax and requesting that salaries of state and federal employees be drastically reduced, which the Speaker referred to Highway and Bridges Committee.

A petition was received opposing the trucking bill permitting heavier loads or larger or longer vehicles, which the Speaker referred to the Committee on Highways and Bridges.

A communication was received favoring House Bill No. 139 relative to the Workmen's Compensation Bureau, which the Speaker referred to the Committee on Ways and Means.

A petition was received from the Attorney General's Office referring to the Case of Crandall vs. the Bureau, 53 N. D. 636, and petitioning the Legislature to amend the Workmen's Compensation Law, which the Speaker referred to the Comm. on Judiciary.

A communication was received from U. S. Senator Langer of North Dakota:

The Chief Clerk read a communication from Senator William Langer, North Dakota United States Senator in Congress.

Rep. Rohde moved that Senator Langer's letter be printed in the Journal, which motion prevailed.

UNITED STATES SENATE
Committee on the Judiciary

February 12, 1941.

Mr. C. R. Verry,
Chief Clerk of the House,
State Legislative Assembly,
Bismarck, North Dakota.

Dear Mr. Verry:

I have the honor to acknowledge receipt of House Resolution "H" in support of the action taken by the AAA County Committeemen representing 53 counties of the State of North Dakota who went on record as being unanimously in favor of an Amendment to the AAA docket for North Dakota for 1941, providing that flax, when sown as a nurse crop for sweet clover, such acreage shall be classified as neutral, or non-soil depleting as was the case in 1940, and urging the help of your Congressional delegation in interpreting this need of the North Dakota farmer to the Federal Administrators of the Agricultural Adjustment Act to the end that this regulation so inimical to the interests of North Dakota, may be amended.

I have read the Memorial with great interest and especially appreciate the House's taking a definite stand on this subject. As you know, I have all ready done considerable work on this and you may be assured that I will continue to do everything I possibly can to get this through.

With all good wishes for a successful and constructive session of the State Legislative Assembly, I am

Very truly yours,

WILLIAM LANGER.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 129. A Bill for an Act to Repeal Chapter 119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

And the Speaker signed the same in the presence of the House.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 18, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purposes, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; Emergency.

House Bill No. 166. A Bill for an Act to Amend and Re-

enact Sections 8247a1, 8247a2, 8247a3, 8247a4, 8247a5, 8247a10, 8247a16, 8247a17, 8247a47, 8247a57 and 8247a60 of the Supplement to the Compiled Laws of 1925 as Amended and Re-enacted by Sections 1, 2, 3, 5, 6, 11, 21, 22, 30, 35, and 37 of Chapter 253 of the Session Laws of North Dakota for 1939 Relating to Irrigation Districts, Their Functions, Powers and Duties.

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for 1939.

House Concurrent Resolution No. 216. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Municipal Liquor Stores.

House Bill No. 187. A Bill for an Act Relating to Payment of the Costs of Sewer and Water Improvements in Cities and Villages Partly by Special Assessments and Partly by Service Charges, and Declaring an Emergency.

House Bill No. 179. A Bill for an Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

House Bill No. 212. A Bill for an Act to Provide for Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, Relating to Tax Limitations of Cities.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 18, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of

1931, Chapter 286, Session Laws of 1935, and Chapter 251, Session Laws of 1939.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 18, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 87. A Bill for an Act to Provide for Payments from the North Dakota Workmen's Compensation Fund in Certain Cases Where No Actual Dependency Is Shown and Providing on Option in Certain Cases.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 18, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County When Deemed to Be for the Best Interests of the County.

House Bill No. 131. A Bill for an Act Authorizing the

Use of Photography in the Making of Permanent County Records.

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 18, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "E". A Concurrent Resolution Urging the Enactment of the Wheat Income Certificate Bill and the Debt Adjustment Bill By Congress.

House Concurrent Resolution "L". A Concurrent Resolution Urging the Continuance of the Existing Embargo Applying to All Countries Where Foot-and-mouth Disease Exists.

House Concurrent Resolution "B". A Concurrent Resolution to Memorialize Congress to Abide by the President's Pledge Not to Involve the United States in Foreign Wars.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 18, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "I". A Resolution Memorializing the U. S. Department of the Interior (Fish and Wild Life Service) to Enact More Suitable Hours for the Taking of Migratory Waterfowl During the Open Season as Provided for by the Fish and Wild Life Service.

Senate Bill No. 48. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929 creating the Office of Grain Storage Commissioner.

Senate Bill No. 53. A Bill for an Act Providing for a Lien in Favor of House-movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 259, Laws 1935; Chapter 218, Laws 1937 Relating to Meetings of Boards of Common School Districts, Provide for Notices of Same and Relating to Attendance Per Diem and Mileage of School Officers and to Duties and Compensation of Clerks of Such Districts.

Senate Bill No. 98. A Bill for an Act to Provide for an Annual Audit of the Affairs of the North Dakota Mill and Elevator Association as of the 30th Day of June in Each Year, and Such Other Audits as May Be Deemed Necessary by the Industrial Commission, and Repealing Conflicting Portions of Prior Acts.

Senate Bill No. 68. A Bill for an Act Creating Pensions for Disabled or Retired City Employees, Other Than Policemen, Their Widows, and Children Under Sixteen Years of Age; and Widows of City Employees Who Die in the Service and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population of 10,000 or Over by the Last Official Census, Federal or State; and Providing

for a Fund out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund, and Declaring an Emergency.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 144 Laws of North Dakota for 1929 Relating to Hotels, Restaurants, Lodging Houses and Boarding Houses to Provide for Application for License and Payment of License Fees.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for 1933 and Amending and Re-enacting Section 1004 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Subdivision (f) of Section 4609b8 of the Supplement to the Compiled Laws of North Dakota of 1913; Relating to Articles of Incorporation of Co-operative Marketing Associations.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 18, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "K" for the reason that all copies have not been signed by the Speaker of the House and the Chief Clerk.

Also Senate Bill No. 50 which has not been signed by the Chief Clerk.

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House of Representatives,
February 18, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 129. A Bill for an Act to Repeal Chapter 119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

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

C. R. VERRY, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 171. A Bill for an Act to Provide for the Manner of Purchasing Material and Contracting Therefor by Cities of All Classes in This State; Penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 73; absent and not voting, 7.

Those voting in the affirmative were:

Allen	Collette	Gress
Arndt	Crockett	Hofstrand

Austad	Dalzell	Ireland
Benno	Devlin	Johnson, Cass
Bergesen	Erickson, Williams	Johnson, Richland
Bjella	Falconer	Kindem
Black	Fitch	Nelson, Cass
Boulden	Fitzharris	Nelson, Sargent
Brusseau	Fleck	Ohnstad
Carlson	Gainor	Shure

Those voting in the negative were:

Anderson	Jennings	Rygg
Arneson	Juhola	Sagehorn
Beede	Kee	Sandness
Belzer	Langley	Saumur
Bingenheimer	Larson	Schmidt
Blair	Levin	Semerad
Bolmeier	Lillehaugen	Severson
Braun, McLean	Lunde	Sharpe
Braun, Stark	McIntee	Singleton
Bubel	McIntyre	Smart
Bymers	Moe	Starck
Coghlan	Mollet	Stormon
Culver	Morland	Swanson
Dittmer	Morrison	Trydahl
Drovdal	Nelson, Morton	Tuff
Fraser	Nelson, Ramsey	Twichell
Fuglestad	Nelson, Steele	Wambheim
Gackle	Nicholsen	Welder
Glas	Nystrom	Westby
Haag	Olson, Barnes	Williams, Richland
Halvorson	Olson, Bowman	Williams, Stutsman
Haugen	Panko	Wolf, McIntosh
Haugland	Peterson, Bottineau	Wolf, Morton
Heckman	Peterson, Ransom	Mr. Speaker
Holm	Rohde	

Absent and not voting:

Aker	McInnes	Schwartz
Erickson, Divide	Myers	Sellens
Hogoboom		

So the bill was declared lost.

Rep. Twichell voted "no" for the purpose of reconsideration.

House Bill No. 167. A Bill for an Act to Amend and Re-enact Sections 11, 21 and 22 of Chapter 256 of the Session Laws of North Dakota for the Year 1939 Relating to the Powers and Duties of the State Water Conservation Commission, Relating to State Water Conservation Commission Bonds 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, 94; nays, 7; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gainor	Nystrom

Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Richland	Schmidt
Braun, McLean	Juhola	Schwartz
Brusseau	Kee	Sellens
Bubel	Kindem	Semerad
Bymers	Langley	Severson
Carlson	Larson	Sharpe
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McIntee	Stormon
Dalzell	McIntyre	Tuff
Devlin	Mollet	Wambheim
Drovdal	Morland	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck		

Those voting in the negative were:

Dittmer	Swanson	Twichell
Moe	Trydahl	Mr. Speaker
Shure		

Absent and not voting:

Boulden	Hogoboom	Morrison
Braun, Stark	Johnson, Cass	Myers
Erickson, Divide	McInnes	Welder
Gackle		

So the bill passed and the title was agreed to.

Rep. Rhode moved that the vote by which House Bill No. 167 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 255 was read the second time.

Rep. Haugen asked unanimous consent to amend House Bill No. 255, which consent was granted.

Rep. Haugen moved that House Bill No. 255 be amended as follows:

On page 2, line 10, add an apostrophe and the letter "s" to the word "county" and strike out the article "a".

Which motion prevailed.

Rep. Trydahl on unanimous consent of the House moved that House Bill No. 255 be further amended as follows:

On page 3, line 38 of the printed bill, strike out the word "is" and insert in lieu thereof the word "as".

Which motion prevailed.

Rep. Haugen moved that the rules be suspended and that

House Bill No. 255 be considered properly engrossed, and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 1456 of the Supplement of 1925 as Amended by Chapter 202, Laws 1929, Relative to Maintenance of County Agricultural and Training Schools and the Tuition to Be Charged by Them. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 21; absent and not voting, 7.

Those voting in the affirmative were:

Arneson	Haugen	Olson, Bowman
Arndt	Haugland	Panko
Austad	Heckman	Peterson, Bottineau
Beede	Hofstrand	Peterson, Ransom
Belzer	Holm	Rohde
Benno	Ireland	Rygg
Bergesen	Jennings	Sagehorn
Bingenheimer	Johnson, Richland	Sandness
Bjella	Juhola	Saumur
Black	Kindem	Schmidt
Braun, McLean	Langley	Schwartz
Brusseau	Larson	Sellens
Bubel	Levin	Semerad
Bymers	Lillehaugen	Sharpe
Carlson	Lunde	Shure
Coghlan	McInnes	Singleton
Collette	McIntee	Smart
Culver	McIntyre	Starck
Dalzell	Mollet	Swanson
Devlin	Morland	Trydahl
Falconer	Nelson, Morton	Wambheim
Fitzharris	Nelson, Ramsey	Welder
Fleck	Nelson, Sargent	Westby
Fraser	Nelson, Steele	Williams, Richland
Gackle	Nicholsen	Williams, Stutsman
Gainor	Nystrom	Wolf, Morton
Glas	Ohnstad	Mr. Speaker
Halvorson	Olson, Barnes	

Those voting in the negative were:

Aker	Dittmer	Kee
Allen	Drovdal	Moe
Anderson	Erickson, Williams	Morrison
Blair	Fitch	Severson
Bolmeier	Fuglestad	Tuff
Boulden	Gress	Twichell
Crockett	Haag	Wolf, McIntosh

Absent and not voting:

Braun, Stark	Johnson, Cass	Nelson, Cass
Erickson, Divide	Myers	Stormon
Hogboom		

So the bill passed and the title was agreed to.

Rep. Lillehaugen moved that the vote by which House Bill

No. 255 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 181. A Bill for an Act to Provide for the Method and Time for Renewing Contracts of Teachers, Principals and Superintendents in the Public Schools and Institutions of Higher Education in the State of North Dakota. Repeal.

Was 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, 74; absent and not voting, 8.

Those voting in the affirmative were:

Allen	Johnson, Richland	Sandness
Arneson	Kee	Sharpe
Arndt	Kindem	Shure
Austad	Langley	Singleton
Bergesen	Lillehaugen	Swanson
Bjella	Nelson, Ramsey	Trydahl
Erickson, Williams	Nelson, Steele	Welder
Fitch	Nystrom	Westby
Fitzharris	Ohnstad	Williams, Stutsman
Holm	Sagehorn	

Those voting in the negative were:

Aker	Gackle	Nelson, Morton
Anderson	Gainor	Nelson, Sargent
Beede	Glas	Nicholsen
Belzer	Gress	Olson, Barnes
Bingenheimer	Haag	Olson, Bowman
Black	Halvorson	Panko
Blair	Haugen	Peterson, Bottineau
Bolmeier	Haugland	Peterson, Ransom
Boulden	Heckman	Rohde
Braun, McLean	Hofstrand	Rygg
Brusseau	Hogoboom	Saumur
Bubel	Ireland	Schmidt
Bymers	Jennings	Schwartz
Carlson	Juhola	Sellens
Collette	Larson	Semerad
Crockett	Levin	Severson
Culver	Lunde	Starck
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Williams, Richland
Falconer	Mollet	Wolf, McIntosh
Fleck	Morland	Wolf, Morton
Fraser	Morrison	Mr. Speaker
Fuglestad	Nelson, Cass	

Absent and not voting:

Benno	Erickson, Divide	Smart
Braun, Stark	Johnson, Cass	Stormon
Coghlan	Myers	

So the bill was declared lost.

Rep. Rhode moved that the vote by which House Bill No. 181 was lost be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High School Tuition" from \$1,100,000.00 as Therein Provided to \$1,200,000.00, 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, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gainor	Nelson, Sargent
Allen	Glas	Nicholsen
Anderson	Gress	Nystrom
Arneson	Haag	Ohnstad
Arndt	Halvorson	Olson, Barnes
Austad	Haugen	Olson, Bowman
Beede	Haugland	Panko
Belzer	Heckman	Peterson, Bottineau
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rohde
Bingenheimer	Holm	Rygg
Bjella	Ireland	Sagehorn
Black	Jennings	Saumur
Blair	Johnson, Cass	Schmidt
Bolmeier	Johnson, Richland	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Starck
Collette	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Trydahl
Devlin	McIntee	Tuff
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Welder
Erickson, Williams	Mollet	Westby
Falconer	Morland	Williams, Richland
Fitch	Morrison	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker
Gackle		

Absent and not voting:

Braun, Stark	Fuglestad	Schwartz
Coghlan	Myers	Smart
Crockett	Nelson, Steele	Twichell
Erickson, Divide	Sandness	

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

House Concurrent Resolution No. 214. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 11 of the Constitution of the State of North Dakota as Amended by Articles 20 and 29 of the Amendments Thereto, Relating to the Levying of Taxes Upon Property in 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, 60; nays, 42; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Ramsey
Anderson	Glas	Nelson, Sargent
Beede	Gress	Nystrom
Belzer	Haag	Ohnstad
Bergesen	Halvorson	Olson, Barnes
Bingenheimer	Haugen	Olson, Bowman
Bjella	Haugland	Panko
Black	Heckman	Rohde
Braun, McLean	Ireland	Rygg
Brusseau	Jennings	Sandness
Bubel	Johnson, Richland	Schmidt
Bymers	Kindem	Schwartz
Carlson	Larson	Semerad
Crockett	Levin	Severson
Culver	Lillehaugen	Starck
Dalzell	McIntee	Tuff
Devlin	McIntyre	Welder
Drovdal	Mollet	Williams, Richland
Erickson, Williams	Morland	Wolf, McIntosh
Falconer	Morrison	Wolf, Morton

Those voting in the negative were:

Allen	Fuglestad	Saumur
Arneson	Gackle	Sellens
Arndt	Gainor	Sharpe
Austad	Hogoboom	Shure
Benno	Holm	Singleton
Blair	Kee	Smart
Bolmeier	Langley	Stormon
Boulden	Lunde	Swanson
Coghlan	McInnes	Trydahl
Collette	Moe	Twichell
Dittmer	Nelson, Cass	Wambheim
Fitch	Nelson, Steele	Westby
Fitzharris	Nicholsen	Williams, Stutsman
Fleck	Peterson, Ransom	Mr. Speaker

Absent and not voting:

Braun, Stark	Johnson, Cass	Nelson, Morton
Erickson, Divide	Juhola	Peterson, Bottineau
Hofstrand	Myers	Sagehorn

So the resolution passed and the title was agreed to.

Rep. Williams of Richland moved that the vote by which House Concurrent Resolution No. 214 was passed be recon-

sidered, and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County When Deemed to Be for the Best Interests of the County.

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

Were delivered to the Governor for his approval at the hour of 3:40 o'clock P. M., Feb. 18, 1941.

REP. ALVA WAMBHEIM, Chairman.

Rep. Rohde moved that the House do now recess for Joint Memorial Session and that the Speaker appoint a committee of three to notify the Senate that the House is now ready to receive them in joint session, which motion prevailed and

the Speaker appointed on that committee Reps. Rohde, Braun of McLean and Carlson.

Lieutenant Governor Oscar Hagen called the Joint Session to order.

JOINT MEMORIAL SERVICE

For Edward Rieker, Deceased

February 18th, 3:30 o'clock P. M.

Lieutenant Governor Oscar Hagen.....	Presiding Prayer.....	Rev. Wm. A. Lemke, Chaplain
Vocal Selection.....	King's Men Quartette	
Sermon.....	Rev. Wm. A. Lemke	
Obituary.....	Earl D. Symington, Speaker	
Eulogy.....	Representative Morrison	
Eulogy.....	Senator Adam	
Vocal Selection.....	King's Men Quartette	
Benediction.....	Rev. Wm. A. Lemke	

SERMON

By Rev. Wm. A. Lemke

Members of this legislative body have an appointment to keep day by day as long as this body is in session in this place. On Friday of last week, Representative Rieker could no longer meet the appointment that was his to keep here in this chamber because he had gone to meet another appointment that had been made for him. He had gone to meet that appointment that is outlined for every man in the Sacred Scriptures in the Epistle to the Hebrews, where we find these words written: "It is appointed unto man once to die."

The draped chair is eloquent in its own testimony that the Representative who occupied that chair has gone to meet his last appointment. I presume that all of you men feel that same way and have the feelings that are common to all men upon such occasions when we see a chair that is draped and come the next day looking upon that chair — there enters into our own minds the thought "Suppose that it had been me—suppose the call had come to me." For some day as we journey along through life hour by hour, day by day and month by month, we approach our own hour of appointment. "It is appointed unto man once to die" but after that the record goes on to say "after that the judgment." I think it is fitting that we pause in this way to commemorate the passing of our colleague here in this chamber. It is well for us to be reminded again and again that in the midst of life we are in death and that to each one of us where we live and where we move and where we have our being the last call may come.

None of us are so busy but that we must answer that call. I should like to have you think with me for just a few moments upon some of the implications that seize upon our minds at such an occasion. The honored Representative, whose memorial services we are now holding, was a member of our church, the Evangelical church, south of Tappen. I did not meet him personally, however, until this session and did not come to know him intimately; therefore I am unable to speak in a personal way regarding his own life, nor will that be necessary — your program has provision for those personal references. But I will confine myself, in the few moments that I am taking in this service, to that field of truth that such

an occasion calls for — words of comfort, consolation, inspiration and perhaps, admonition.

In the words that we have selected for our basic thinking from the Epistles to the Hebrews, "It is appointed to each man once to die but after that the judgment." I should like to lay a passing significance on the two words "after that". Imbedded beneath the surface of these two words "after that", there is much that ought to stir our hearts, both in preparation for that period and also to stimulate our lives to greater activity while we are still here. For too many of us forget that when we draw our last breath, there is still an "after that". Many of us forget that essentially we are spirit, dwelling it is true in tabernacles of flesh but spirit, nevertheless. Spirit beings that as far as their existence is concerned shall never terminate for such is the declaration of the Word.

It is well for us to pause from time to time to remember that when God breathed into us the breath of life as stated in the opening passage of the first book of the Scriptures that man became a never-dying soul. Consider then the folly of the extreme attention that is often given to the affairs of this world and the affairs that occupy this life—too many times to the exclusion of attention and provision for, the life to come. If we lived here only, and if, as some seem to think, when we are dead we are dead and that is the end of it, then it might be the conclusion of logic and reason that we could live as we pleased without any attention to any life beyond death. Such is not the testimony of the Divine Record. The Divine Record, as it applies to the life of every man brings to our attention again and again these two words "after that".

The Lord Jesus Christ gave to us a word picture one day of a man who was too much occupied with this life and not sufficiently occupied with his relationship to the God who had both created him and the world in which he lived. He was a man with whom the affairs of life had gone well. He had not concerned his mind as to his relationship with God, nor had he concerned his mind with his relationship with his fellow men — how he might benefit them — how he might lift them to higher powers—he was concerned only with himself and in his own mind he said "This I will do. I will pull down my barns so I can build greater barns to store my produce and I will say to my soul 'Eat, drink and be merry'." He didn't say "Tomorrow we will die", but he might as well have added that because tomorrow he was dead. For that night He who holds the breath of all souls in His hand, said "This night thy soul shall be required of thee".

The application drawn to each one of our personal lives was made by that Master Teacher, the Lord Jesus Christ Himself when He said "So is everyone that lays up treasures for himself and is not rich toward God". One sees at once, then, that it is in the divine purpose of every man's life that he should be concerned about his relationship to God, which brings to him as well a concern about his relationship to his fellow men. For I believe it is the combined testimony of the Divine Word that no man can have a correct relationship with God and a concern for the things of God without at the

same time having a correct relationship with his fellow men and a concern about the welfare of his fellow men. When this characterizes a person who is called a Christian there comes to him a transforming view of this experience that is called "Death". It is referred to in the Old Testament Scriptures as the "King of Terrors". In the New Testament Scriptures after the resurrection of the Lord Jesus Christ, the Apostle Paul explains that the sting of death has been removed by the ministry of the Lord Jesus Christ. It is the position of every Christian that he may be enabled to say in the words of the Apostle Paul "For me to live is Christ and to die is gain."

Now I suggest to you this afternoon that this is a powerful statement by this greatest of intellects that Christendom has ever produced — for him to come to the position where he declares "to die is gain. Much better for me," he declares, "to leave this world — to be absent from the body and to be present with the Lord". Such is the Christian's view of death.

May I share here with you a poem that I believe fits in so very well. It is entitled "Beyond".

BEYOND

If to die is to rise in power from the husk of the
earth-sown wheat;
If to die is to rise in glory from the dust of the
incomplete;
If death fills the hand with fresh cunning, and fits
it with perfect tool,
And grants to the mind full power from the tasks of
its greatest school;
If death gives new breath to the runner and wings
to the imprisoned soul,
To mount with a song of the morning toward the
limitless reach of its goal;
If to die is to throb with the urges of life that
eternal abides,
And to thrill with the inflowing currents of infinite
love's great tides;
If to die is to see with clear vision all mysteries
revealed,
All beauty to sense unfolded, and the essence of joy
unsealed,
If death is the end to all sorrow and crying and
anxious care;
If death gives fulness for longing, and the answer
to every prayer;
If to die is to greet all the martyrs and prophets
and sages of old,
And to walk again by still waters with the flock of
our own little fold;
If to die is to join in hosannas to a risen and
reigning Lord,
And to feast with Him at His table on the bread
and wine of His board;
If to die is to enter a city and be hailed as a child
of its King,—
O grave, where soundeth thy triumph? O death,
where hideth thy sting?

"It is appointed unto every man once to die and after that the judgment." The call comes to us in the purpose of God, in the mind of God, and in the time of God. No man knows either the day nor the hour—no man knows the method by which he shall go nor are any of us able to penetrate behind the veil to discover the Divine Reason why.

I think many of us appreciate that truth, as we relate it to our own loved ones that have left us from time to time in various ways. None of us have been able to penetrate behind the veil to discover the mystery of the Divine Will. Why?

We do not need to discover—we can trust. We can rest our confidence in the hands that were nailed to the Cross for our sins and transgressions and made it possible for each one of us, as we believe, to enter that place that those hands have prepared.

My closing thought is this—this service should direct our thinking to greater preparation for that time. Not that I want to suggest that we should be thinking about the world to come and that our minds should be occupied always with the contemplation of the future state. But I mean that in our daily business, in the attention of the things that are brought to us from day to day and week to week, we will give our best so that when the summons comes to us, there may be no regrets and there may be no unfinished business.

IN MEMORY OF REPRESENTATIVE ED. RIEKER
35TH LEGISLATIVE DISTRICT, COMPRISING
KIDDER AND SHERIDAN COUNTIES

By

REP. HAROLD MORRISON, FEB. 18, 1941

Representative Ed. Rieker was born in Bresslau, Russia, August 10, 1891, and was married on February 17, 1910, to Miss Kathryn Lippert. He immigrated to the United States May 18, 1911, arriving in Philadelphia, May 30, 1911, bringing with him his bride and a willingness to become a good citizen of his adopted country and try to succeed by honesty and hard work.

Mr. Rieker made his declaration to become a citizen at Steele, North Dakota, March 17, 1920, and received his final naturalization papers and full citizenship before Judge Fred Jansonius at Steele, North Dakota, April 16, 1923.

After first coming to America, Mr. Rieker first settled in South Dakota, later moving to Kidder County, North Dakota, purchasing an unimproved farm six miles south of Tappen, which farm he improved with buildings and moved into in the Spring of 1913. Mr. Rieker was a successful farmer, and added to his holdings by raising livestock and grain farming.

Knowing the value of education, he was instrumental in having a school established in his part of Valley Township and became one of its Directors and President of the Board, and held the position of School Clerk at the time of his demise.

Mr. Rieker was also one of the first in his part of Kidder County (which is settled largely by German immigrants and their children) to help organize the Valley German Evangelical Church, sixteen miles South of Tappen, and in the past two years helped to promote and build a church of the same faith in Tappen.

Mr. Rieker was also a member of the Township Board of Valley Township and a member and active political worker in Kidder County for the Nonpartisan League. No doubt his ailment was greatly aggravated by the insinuations of pro-Hitler hurled at him during the campaign. This charge caused him a lot of worry and sleepless nights, and at no opportunity did he miss a chance to proclaim his loyalty to Uncle Sam, even to the extent of saying: "I have five sons registered in the draft, all willing and ready to go, and if Uncle Sam needs me I'll go too." His splendid vote in Kidder and Sheridan Counties is a good indication of the high esteem his many friends had of him.

Mr. Rieker was buried at Tappen, Sunday, February 16th, at 2 o'clock P. M. No church being large enough to hold the expected public, the village hall was used for the services, and even this hall did not begin to hold the friends, who had gathered to pay to this immigrant boy and friend their last respects. It was without any doubt the largest funeral ever held in Tappen.

February 18, 1941.

EULOGY IN MEMORY OF REP. EDWARD RIEKER

By

Senator John J. Adam

Life is but a going forth . . . Death is a returning home.

Today, as we gather to pay a last and final tribute to our departed co-legislator and friend, the Honorable Edward Rieker of the thirty-fifth legislative district, a strange feeling comes over me. Only two short years ago, I was occupying that same chair which today is left vacant by the passing of my beloved friend and co-worker.

North Dakota has lost a true and loyal citizen and an honorable Legislator. A faithful wife and mother, together with eight children, have lost a kind and loving husband and father. All who knew him as "Ed" have lost a real friend and neighbor.

Although removed bodily from our midst, let us all hope that his memory will live on with his bereaved family and with each one of us gathered here this afternoon.

Our friend has gone to his everlasting home. Only the dust has been returned to the earth. His kindly soul, his manly spirit, have returned unto God Who gave it. His earthly tasks are now completed. His eternal services just begun.

To Edward Rieker my last words shall be:

"GODSPEED AND FAREWELL!"

Rep. Falconer read the following Joint Memorial Resolution No. 1:

JOINT MEMORIAL RESOLUTION NO. 1

Introduced by Representative McIntyre

WHEREAS, Divine Providence has called from our midst the Honorable Edward Rieker, Representative from the 35th Legislative District; and

WHEREAS, During his brief term of service in this Assembly, we had come to know him as a public spirited

citizen, a splendid example of integrity, loyalty and conscientious endeavor; and

WHEREAS, In his passing, the Legislative Assembly of the State of North Dakota has lost a true friend, one who spared no efforts in behalf of the State, his community and his fellowmen

THEREFORE, BE IT RESOLVED, By the House of Representatives and Senate that we do hereby express our heartfelt appreciation of the loyalty and service of our departed distinguished citizen and legislative member, Edward Rieker; that we therefore express the keen sorrow we feel because of his passing; and

BE IT FURTHER RESOLVED, By the House of Representatives and Senate of the State of North Dakota of the Twenty-seventh Legislative Assembly assembled in Joint Session that upon the dissolution of the Joint Session and reconvening of both houses, that they immediately adjourn for this legislative day out of respect for our deceased member and co-worker, Edward Rieker, and to express to his family and relatives our sincere sympathy.

BE IT ALSO RESERVED, That the Secretary of State be, and he is hereby, directed to forward to the widow of our departed friend a properly enrolled copy of this Joint Resolution.

Representative Falconer moved the adoption of the resolution, which was adopted by a rising vote.

Rep. Morland moved that the Joint Assembly be now dissolved, which motion prevailed.

The Speaker called the House to order pursuant to the dissolution of the Joint Session.

Rep. Crockett rose for a point of personal privilege and protested the further continuation of business in the House during this Legislative day in conformity with Joint Resolution No. 1 adopted during the Joint Memorial Session, and moved that the House do now adjourn, which motion was lost.

Pursuant to five-minute recess taken, the House was called to order by the Speaker and business was resumed under the Eleventh Order of Business.

Rep. Swanson moved that we rescind the motion made in Joint Session covering that portion of the Resolution No. 1 wherein we stood adjourned, and that in lieu thereof we stand recessed for five minutes in honor of the memory of our deceased colleague Ed. Rieker, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

Was read the second time.

Rep. Johnson of Richland moved that House Bill No. 248 be re-referred to the Comm. on Tax and Tax Laws, which motion was lost.

ROLL CALL

The question being on the final passage of House Bill No. 248, the roll was called and there were ayes, 100; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Gress	Ohnstad
Allen	Haag	Olson, Barnes
Anderson	Halvorson	Olson, Bowman
Arneson	Haugen	Panko
Arndt	Haugland	Peterson, Bottineau
Austad	Heckman	Peterson, Ransom
Beede	Hofstrand	Rohde
Belzer	Hogoboom	Rygg
Benno	Holm	Sagehorn
Bingenheimer	Ireland	Sandness
Bjella	Jennings	Saumur
Black	Johnson, Cass	Schmidt
Blair	Juhola	Schwartz
Bolmeier	Kee	Sellens
Braun, McLean	Kindem	Semerad
Brusseau	Langley	Severson
Bubel	Larson	Sharpe
Bymers	Levin	Shure
Carlson	Lillehaugen	Singleton
Coghlan	Lunde	Smart
Collette	McInnes	Starck
Crockett	McIntee	Stormon
Culver	McIntyre	Swanson
Dalzell	Moe	Trydahl
Devlin	Mollet	Tuff
Dittmer	Morland	Twichell
Drovdal	Morrison	Wambheim
Erickson, Williams	Nelson, Cass	Welder
Falconer	Nelson, Morton	Williams, Richland
Fraser	Nelson, Ramsey	Williams, Stutsman
Fuglestad	Nelson, Steeley	Wolf, McIntosh
Gackle	Nicholsen	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Glas		

Those voting in the negative were:

Boulden	Fitzharris	Johnson, Richland
Fitch	Fleck	Westby

Absent and not voting:

Bergesen	Erickson, Divide	Nelson, Sargent
Braun, Stark	Myers	

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

Rep. Olson of Bowman moved that the vote by which House Bill No. 248 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 115. A Bill for an Act to Include Certain Elective Officials of the State and of the Counties Thereof Under the Terms of the Workmen's Compensation Act, and to Amend and Re-enact Section 4 of Chapter 286, Session Laws of 1935 (Being Section 10-1 of Chapter 162 of the Session Laws of 1919, as amended) Relating to Disbursement of Workmen's Compensation Fund; Declaring an Emergency; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 59; nays, 45; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fitch	Mollet
Allen	Fraser	Morrison
Anderson	Glas	Nelson, Morton
Austad	Gress	Nelson, Ramsey
Beede	Halvorson	Ohnstad
Belzer	Haugen	Olson, Barnes
Bingenheimer	Haugland	Olson, Bowman
Bolmeier	Heckman	Panko
Braun, McLean	Hofstrand	Peterson, Bottineau
Brusseau	Ireland	Rohde
Bubel	Jennings	Rygg
Bymers	Juhola	Sagehorn
Carlson	Kee	Sandness
Collette	Kindem	Schwartz
Crockett	Langley	Semerad
Culver	Larson	Starck
Dalzell	Levin	Tuff
Drovdal	Lillehaugen	Williams, Richland
Erickson, Williams	McIntee	Wolf, Morton
Falconer	McIntyre	

Those voting in the negative were:

Arneson	Hogoboom	Sellens
Arndt	Holm	Severson
Benno	Johnson, Cass	Sharpe
Bjella	Johnson, Richland	Shure
Black	Lunde	Singleton
Blair	McInnes	Smart
Boulden	Moe	Stormon
Coghlan	Morland	Swanson
Dittmer	Nelson, Cass	Trydahl
Fitzharris	Nelson, Steele	Twichell
Fleck	Nicholsen	Wambheim
Fuglestad	Nystrom	Westby
Gackle	Peterson, Ransom	Williams, Stutsman
Gainor	Saumur	Wolf, McIntosh
Haag	Schmidt	Mr. Speaker

Absent and not voting:

Bergesen	Erickson, Divide	Nelson, Sargent
Braun, Stark	Myers	Welder
Devlin		

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

Rep. Williams of Richland moved that the vote by which House Bill No. 115 was passed be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

House Bill No. 140. A Bill for an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Glas	Nystrom
Allen	Gress	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Bottineau
Beede	Heckman	Peterson, Ransom
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Saumur
Blair	Johnson, Cass	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Boulden	Juhola	Sellens
Braun, McLean	Kee	Semerad
Brusseau	Kindem	Sharpe
Carlson	Langley	Shure
Coghlan	Larson	Singleton
Collette	Levin	Smart
Crockett	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Swanson
Dittmer	McIntee	Trydahl
Drovdal	McIntyre	Tuff
Erickson, Williams	Moe	Twichell
Falconer	Mollet	Wambheim
Fitch	Morland	Welder
Fitzharris	Morrison	Westby
Fleck	Nelson, Cass	Williams, Richland
Fraser	Nelson, Morton	Williams, Stutsman
Fuglestad	Nelson, Ramsey	Wolf, McIntosh
Gackle	Nelson, Steele	Wolf, Morton
Gainor	Nicholsen	Mr. Speaker

Those voting in the negative were:

Bubel Bymers

Absent and not voting:

Bergesen	Erickson, Divide	Nelson, Sargent
Braun, Stark	Myers	Severson
Devlin		

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

Rep. Fitch moved that the vote by which House Bill No. 140 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 10; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Ransom
Beede	Heckman	Peterson, Bottineau
Belzer	Hofstrand	Rygg
Benno	Hogoboom	Sagehorn
Bingenheimer	Holm	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Schmidt
Blair	Johnson, Cass	Schwartz
Bolmeier	Johnson, Richland	Sellens
Brusseau	Juhola	Semerad
Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Levin	Starck
Culver	Lillehaugen	Stormon
Dalzell	Lunde	Swanson
Devlin	McInnes	Trydahl
Dittmer	McIntee	Twichell
Drovdal	McIntyre	Wambheim
Erickson, Williams	Moe	Welder
Falconer	Morland	Westby
Fitch	Morrison	Williams, Richland
Fitzharris	Nelson, Cass	Williams, Stutsman
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker
Gackle	Nicholsen	
Those voting in the negative were:		
Boulden	Gress	Rohde
Braun, McLean	Mollet	Tuff
Crockett	Nelson, Steele	Wolf, McIntosh
Fuglestad		

Absent and not voting:

Bergesen	Erickson, Divide	Nelson, Sargent
Braun, Stark	Myers	Severson

So the bill passed and the title was agreed to.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 176 of the Session Laws of 1931, and as Amended by Chapter 146 of the Session Laws of 1933, Providing for a Lien for Repairs Made on Automobiles, Trucks, Engines, Threshing Machines, Combines, Tractors, Power-driven Farm Equipment and Well Machines. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 13; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Rohde
Belzer	Haugland	Rygg
Benno	Heckman	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Holm	Schmidt
Black	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kindem	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Tuff
Crockett	McIntee	Twichell
Culver	McIntyre	Wambheim
Dalzell	Moe	Welder
Devlin	Morland	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Steele	Wolf, Morton
Fleck	Nicholsen	Mr. Speaker
Fraser		

Those voting in the negative were:

Blair	Johnson, Richland	Peterson, Ransom
Dittmer	Kee	Saumur
Fitch	Mollet	Shure
Fuglestad	Nelson, Morton	Swanson
Hogboom		

Absent and not voting:

Bergesen	Johnson, Cass	Nelson, Sargent
Braun, Stark	Myers	Trydahl
Erickson, Divide		

So the bill passed and the title was agreed to.

Rep. Aker moved that the vote by which House Bill No. 222 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery stock.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Morton
Allen	Gackle	Nelson, Ramsey
Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rohde
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz
Boulden	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Brusseau	Johnson, Richland	Sharpe
Bubel	Juhola	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langley	Starck
Collette	Larson	Stormon
Culver	Levin	Trydahl
Dalzell	Lillehaugen	Tuff
Devlin	Lunde	Twichell
Dittmer	McInnes	Wambheim
Drovdal	McIntee	Welder
Erickson, Williams	McIntyre	Westby
Falconer	Mollet	Williams, Stutsman
Fitch	Morland	Wolf, McIntosh
Fitzharris	Morrison	Wolf, Morton
Fleck	Nelson, Cass	Mr. Speaker
Fraser		

Those voting in the negative were:

Nicholsen	Saumur	Swanson
Sandness	Severson	Williams, Richland

Absent and not voting:

Bergesen	Erickson, Divide	Nelson, Sargent
Braun, Stark	Moe	Nelson, Steele
Crockett	Myers	

So the bill passed and the title was agreed to.

Rep. Belzer moved that the vote by which House Bill No. 267 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 18, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "N". In regard to Third House Session and Dance in Capitol Corridors.

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

W. J. TROUT, Secretary.

Rep. Shure moved that the House do now recess until 12:30 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FORTY-THIRD DAY AFTER RECESS AND
FORTY-FOURTH DAY

Bismarck, February 19, 1941.

The House re-assembled at 1:45 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

The Committee on Enrollment and Engrossment made the following report:

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

Joint Memorial Resolution No. 1.

And find the same correctly enrolled.

REP. WAMBHEIM, Chairman.

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

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Joint Memorial Resolution No. 1.

Senate Bill No. 98. A Bill for an Act to Provide for an Annual Audit of the Affairs of the North Dakota Mill and Elevator Association as of the 30th Day of June in Each Year, and Such Other Audits as May Be Deemed Necessary by the Industrial Commission, and Repealing Conflicting Portions of Prior Acts.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 259, Laws 1935; Chapter 218, Laws 1937 Relating to Meetings of Boards of Common School Districts, Provide for Notices of Same and Relating to Attendance Per Diem and Mileage of School Officers and to Duties and Compensation of Clerks of Such Districts.

Senate Bill No. 53. A Bill for an Act Providing for a Lien in Favor of House-movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Senate Bill No. 48. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929 Creating the Office of Grain Storage Commissioner.

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Subdivision (f) of Section 4609b8 of the Supplement

to the Compiled Laws of North Dakota of 1913; Relating to Articles of Incorporation of Co-operative Marketing Associations.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for 1933 and Amending and Re-enacting Section 1004 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 144 Laws of North Dakota for 1929 Relating to Hotels, Restaurants, Lodging Houses and Boarding Houses to Provide for Application for License and Payment of License Fees.

Senate Bill No. 68. A Bill for an Act Creating Pensions for Disabled or Retired City Employees, Other Than Policemen, Their Widows, and Children Under Sixteen Years of Age; and Widows of City Employees Who Die in the Service and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population of 10,000 or Over by the Last Official Census, Federal or State; and Providing for a Fund out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The House reverted to the Fifth Order of Business.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 96, have had the same under consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 30, have had the same under consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Richland moved that the report be adopted.

Rep. Fitch moved a substitute motion that House Bill No. 30 do pass, which motion was lost.

The question being on the motion of Rep. Johnson of Richland that House Bill No. 30 be indefinitely postponed, the motion prevailed.

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

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 20, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out the figures "\$34,319.00" and insert in lieu thereof the figures "\$50,199.00."

Line 10, strike out the words and figures "Foreman and Ass't Inspectors \$9,240.00" and insert in lieu thereof "2 Foremen . . . \$6,480.00".

Add line 10-a, "3 Inspectors, \$9,000.00".

Line 16, strike out the figures "\$600.00," and insert in lieu thereof the figures "\$400.00."

Line 17, strike out the figures "\$9,000.00," and insert in lieu thereof the figures "\$14,000.00."

Line 19, after the word "Equip." add the words "Available upon passage and approval"; strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$3,940.00."

Line 21, after the word "Mtce." add the words "Available upon passage and approval"; strike out the figures "\$3,250.00," and insert in lieu thereof the figures "\$5,150."

Line 22, strike out the figures "\$34,319.00," and insert in lieu thereof the figures "\$50,199.00."

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 19, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out the figures "\$68,382.00," and insert in lieu thereof the figures "\$65,110.00."

Line 12, strike out the figures "\$18,622.00," and insert in lieu thereof the figures "\$17,000.00."

Line 13, strike out the figures "\$900.00," and insert in lieu thereof the figures "\$500.00."

Line 15, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$750.00."

Line 16, strike out the figures "\$2,000.00," and insert in lieu thereof the figures "\$1,500.00."

Line 17, strike out the figures "\$1,500.00," and insert in lieu thereof the figures "\$1,200.00."

Line 19, strike out the figures "\$1,200.00," and insert in lieu thereof the figures "\$1,000.00."

Line 20, strike out the figures "\$68,382.00" and insert in lieu thereof the figures "\$65,110.00."

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 18, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out the figures "\$11,770.00," and insert in lieu thereof the figures "\$11,220.00."

Line 11, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$800.00."

Line 13, strike out the figures "\$1,350.00," and insert in lieu thereof the figures "\$1,000.00."

Line 14, strike out the figures "\$11,770.00," and insert in lieu thereof the figures "\$11,220.00."

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 17, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out the figures "\$3,600.00," and insert in lieu thereof the figures "\$2,500.00."

Line 8, strike out the figures "\$3,600.00," and insert in lieu thereof the figures "\$2,500.00."

Line 9, strike out the figures "\$3,600.00," and insert in lieu thereof the figures "\$2,500.00."

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Carlson moved that the report be adopted.

Rep. Crockett moved a substitute motion that House Bill No. 17 be indefinitely postponed, which motion was lost.

The question being on the motion of Rep. Carlson that the report of the committee be adopted, the motion prevailed.

Mr. Speaker: Your Committee on Corporations, to whom was referred House Bill No. 168, have had the same under consideration and recommend that the same do pass.

REP. IRELAND, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 15, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out the figures "\$39,275.00," and insert in lieu thereof the figures "\$37,275.00."

Line 8, strike out the figures "\$10,000.00," and insert in lieu thereof the figures "\$9,000.00."

Line 9, strike out the figures "\$500.00," and insert in lieu thereof the figures "\$400.00."

Line 10, strike out the figures "\$500.00," and insert in lieu thereof the figures "\$250.00."

Line 11, strike out the figures "\$500.00," and insert in lieu thereof the figures "\$350.00."

Line 12, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$500.00."

Line 17, strike out the figures "\$39,275.00," and insert in lieu thereof the figures "\$37,275.00."

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Elections and Election Privileges, to whom was referred House Bill No. 285, have

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

GEO. H. SAUMUR, Chairman.

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

Mr. Speaker: Your Committee on Elections and Election Privileges, to whom was referred House Bill No. 253, have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. H. SAUMUR, Chairman.

Rep. Arndt moved that the report be adopted.

Rep. Falconer moved a substitute motion that House Bill No. 253 do pass, which motion was lost.

The question being on the motion of Rep. Arndt that House Bill No. 253 be indefinitely postponed, the motion prevailed.

Rep. Gackle moved that the vote by which House Bill No. 253 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Elections and Election Privileges, to whom was referred House Bill No. 244, have had the same under consideration and recommend that the same do pass.

GEO. H. SAUMUR, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 268, have had the same under consideration and recommend that the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred Concurrent Resolution No. 320, have had the same under consideration and recommend that the same be amended as follows:

On page 2, in line 9, strike out the word "twenty" and insert in lieu thereof the word "fifteen."

And when so amended recommend the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 226, have had the same under consideration and recommend that the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 259, have had the same under consideration and recommend that the same be indefinitely postponed.

P. K. HOLM, Chairman.

Rep. Haugen moved that the report be adopted.

Rep. Bergesen moved a substitute motion that House Bill No. 259 do pass, which motion prevailed.

Mr. Speaker: Your Committee on Counties to whom was referred House Bill No. 276, have had the same under consideration and recommend that the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 206, have had the same under consideration and recommend that the same be amended as follows:

In Section 3. (A), line 23, after the word "exceeding" strike out the word "six" and insert in lieu thereof the word "three".

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 302, have had the same under consideration and recommend that the same be amended as follows:

In Section 3, line 7, after the word "chiropractors," insert the following words "poultry improvement board,".

Also in the same section, at the end of line 8, strike out the "period" and add the following words "operating without legislative appropriation."

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 274, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted.

Rep. Beede moved a substitute motion that House Bill No. 274 be placed in General Orders for amendment, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 299, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 270, have had the same under consideration and recommend that the same be re-referred to the Standing Committee on Counties.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom

was referred House Resolution "R", have had the same under consideration and recommend that the same be adopted.

L. L. TWICHELL, Chairman.

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

Rep. Westby moved that the House adopt House Resolution "R".

Rep. Morland moved a substitute motion that House Resolution "R" be indefinitely postponed, which motion prevailed.

Rep. Bubel moved that the vote by which House Resolution "R" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell moved that action on the report of the Committee on House Bill No. 202 be deferred until Monday, February 24th, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 303, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 278, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 277, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 314, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 236, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMON, Chairman.

Rep. McInnes moved that the report be adopted.

Rep. Beede moved a substitute motion that House Bill No. 236 do pass, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 152, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 11, strike out the word and figures "March 1, 1942" and insert in lieu thereof "October 1, 1941."

In Sec. 2, line 14, page 4, strike out figures "1939" and insert in lieu thereof "1940".

In Section 4, line 11, after the word "shall" strike out the rest of the line and in line 12, strike out the entire line and insert in lieu thereof "have the right to discharge the interest in full upon his obligation under any existing contract by paying interest at 4% from April 1st, 1941".

And when so amended return the same to the House without recommendation.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 213, have had the same under consideration and recommend that the same be amended as follows:

In the Title in line 11 of the bill after the word "right" add the following "to possession during the extended period, and limiting the right."

In line 78 of the bill, after the numerals "1943," add the word "no".

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Concurrent Resolution No. 29, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title, after the word "Dakota" insert a comma. Also in the same line after the word "amend" insert a comma and strike out the following words "by Articles 41 and 48 of the amendments thereof,".

In line three of the Resolution after the word "Dakota" insert a comma and in the same line after the word "amend" insert a comma and strike out the following words "by Article 41 and Article 48 of the amendments thereof,".

In Section 1, line 3, after the word "amended" insert a comma and strike out the following words "by Article 41 and Article 48 of the amendments thereof,".

In Section 173, line 1, before the words "general election" strike out the word "first". Also in the same line after the word "held" strike out the following words "after the adoption of this amendment" and insert in lieu thereof the word and figures "in 1942". Also in line 6 of the same section, after the word "court" insert the following words "and a county superintendent of schools,".

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred House Bill No. 116, have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the word "BILL" in the heading and substitute therefore the following:

To Amend House Bill No. 116 by Striking out Everything which follows the words "A Bill" and inserting the following in lieu thereof.

For an Act Authorizing the Seizure and Confiscation of Vehicles or other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property which is the Subject Matter of Any Felony; Providing for a proceeding to release such property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds arising from Sale; Declaring an Emergency.

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

1 SECTION 1. Peace Officer may seize any VEHICLE

1a USED IN COMMISSION OF FELONY.) Any

2 peace officer of this State may seize any vehicle or other

2a means of trans-

3 portation used in the commission of a felony, in the

3a furtherance of the com-

4 mission of a felony, in the escape from the scene of the

4a commission of a

5 felony, or in the transportation of property which is the

5a subject matter of

6 any felony, and may arrest any person in charge thereof,

6a and proceed against

7 any person arrested under the provisions of this act in

7a any court having com-

8 petent jurisdiction.

1 SECTION 2. RETURN OF CAR TO CLAIMANT.) If

1a the committing magistrate on

2 preliminary hearing shall find that the person owning

2a such vehicle is inno-

3 cent of all connection with the commission of the felony,

3a the vehicle shall

4 be returned to such owner. If claim to the vehicle is made

4a by a person other

5 than the one in the possession of whom it was found, and

5a the officer is in

6 doubt relative to such claim, the vehicle or conveyance

6a taken by an officer

7 under the provisions of this act shall be returned to such

7a claimant thereof

8 upon the execution by him of a bond in an amount equal

8a to the value of the

9 property, to be approved by said officer and conditioned

9a for the return of

10 said property to the officer on the day of the trial to

10a abide the judgement

11 of the court.

1 SECTION 3. COURT TO ORDER FORFEITURE OF

1a VEHICLE.) The District Court,

2 upon conviction of the person arrested, or upon his plea

2a of guilty, or upon

3 the failure of the officer after one month of effort, to

3a locate or arrest the

4 person who used such vehicle or other means of convey-
4a ance in connection with
5 the commission of the felony, shall order the vehicle or
5a other means of con-
6 veyance so confiscated to be forfeited.

1 SECTION 4. SUMMONS ON FORFEITURE; CON-
1a TENTS AND SERVICE). The District

2 Court shall require the state's attorney of the county in
2a which the felony
3 was committed to cause a summons to be issued out of
3a the District Court
4 against all persons having any right, title or interest in
4a the property
5 seized. Such summons shall particularly describe the
5a property and state
6 that the same is held for forfeiture and sale under the
6a provisions of this
7 act and that in default of answer or claim filed within
7a thirty days after
8 the service of such summons, the court will enter its
8a order forfeiting such
9 property to the State of North Dakota. Such summons
9a shall be served in the
10 manner provided for the service of summons in a civil
10a action. When the name
11 of the owner of such property can be ascertained, such
11a summons shall be
12 served upon him personally or by registered mail.

1 SECTION 5. PROCEDURE AFTER SERVICE OF
1a SUMMONS; SALE ON DEFAULT.) If no

2 answer shall be filed or claim made within the time
2a allowed by this act, the
3 District Court shall enter its order forfeiting such prop-
3a erty to the State
4 of North Dakota, and requiring the sale of same in the
4a manner provided for
5 the sale of personal property on execution.

1 SECTION 6. RETURN OF PROPERTY AFTER HEAR-
1a ING; SALE TO SATISFY LIEN.) If

2 an answer is filed or claim made, the District Court shall
2a proceed to hear
3 and determine the claim according to law. If at such
3a hearing any claimant
4 shall prove to the satisfaction of the Court that he is the
4a owner of such
5 property or has a valid and bona fide lien thereon duly
5a filed or recorded
6 prior to the time such vehicle was seized and that he had
6a no knowledge of the
7 use of such vehicle or conveyance for such unlawful
7a purpose, the Court shall
8 order such property to be surrendered to him, if the owner.
8a If the claimant
9 is a lien holder, the lien shall be foreclosed and the prop-
9a erty sold, and the
10 proceeds from such sale shall be applied in payment of
10a the costs of such
11 sale and the satisfaction of the lien or liens. The balance
11a of such sum

12 shall be deposited as hereinafter provided.

1 SECTION 7. ORDER OF SALE AFTER HEARING.)

1a If the claimant or claimants

2 shall fail to sustain their claims, the District Court shall

2a enter its order

3 for the forfeiture and sale of the property as hereinbefore

3a provided in case

4 of default.

1 SECTION 8. DISPOSITION OF PROCEEDS OF

1a SALE.) After deducting the costs

2 and expenses of a proceeding for sale under this act, the

2a balance of all

3 money received under the provisions of this act shall be

3a be paid to the trea-

4 surer of the county wherein the felony was committed,

4a for the benefit of the

5 state school fund.

1 SECTION 9. EMERGENCY.) This act is hereby de-

1a clared to be an emergency

2 measure and shall be in full force and effect from and

2a after its passage and

3 approval.

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was re-referred House Bill No. 199, have had the same under consideration and recommend that the same be amended as follows:

In the title, in line 4, strike out all after the word "owner" and place a period following the word "owner".

In line 4, Section 1, strike out the word "crime" and substitute in lieu thereof the word "misdemeanor".

In line 4, Section 1, strike out the words "therefore by".

Strike out all of lines 5 and 6 in Section 1.

In line 4, Section 1, following the word "punished" insert the following "by fine not to exceed five hundred dollars, (\$500.00), or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment in the discretion of the court".

Strike out lines 7, 8, 9, 10, 11, in Section 1.

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred House Bill No. 281, have had the same under consideration and recommend that the same do pass.

A. C. JOHNSON, Chairman.

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

Mr. Speaker: Your Committee on Corporations, to whom was referred Senate Bill No. 46, have had the same

under consideration and recommend that the same do pass.

WM. IRELAND, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 143, have had the same under consideration and recommend that the same be amended as follows:

In line 32, page 3, after the comma following the word "lands" add the following "and final decrees of distribution".

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 131, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 132, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 133, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 134, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 135, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 136, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 142, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

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

REP. NELSON OF CASS, Chairman.

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

Mr. Speaker: Your Committee on Livestock to whom was referred Senate Bill No. 66, have had the same under consideration and recommend that the same do pass.

REP. NELSON OF CASS, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 137, have had the same under consideration and recommend that the same be amended as follows:

In original bill in Sec. 1, line 17, strike word "is" and insert in lieu thereof the word "it".

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 140, have had the same under consideration and recommend that the same be amended as follows:

In original bill, Sec. 5, line 44, strike period at end of line and add "and amendments thereto".

In Sec. 8, line 65 of original bill, strike out the period at end of the line and add "and amendments thereto".

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 45, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

Rep. Nelson of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 130, have had the same under consideration and recommend that the same be amended as follows:

In the title, in line 4, after the words "section 13" add "of Chapter 1".

In line 102, of Sec. 8 of printed bill, after the words "section 13" add "of Chapter 1".

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 107, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 108, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 105, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 104, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 103, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 123, have had the same under consideration and recommend that the same be amended as follows:

In line 12, of Section 1, of the bill, strike out the word "petitioner".

Strike all of line 13.

In line 14 strike out all of line preceding the comma.

At end of line 12 add: "petition should be granted".

Renumber lines accordingly.

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was re-referred House Bill No. 238, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 256, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 241, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 263, have had the same under consideration and recommend that the same do pass.

REP. K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 261, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 96, have had the same under consideration and recommend that the same be amended as follows:

In the Second line of the title after the word "thereof" insert a period and strike out the following "and authorizing a tax levy for the maintenance of youth activities."

Strike out all of Section 1 and insert in lieu thereof the following:

"Section 1. The establishment of a Community Youth Council in each city, village, or township, is hereby authorized. Such a Council may be initiated by the mayor of any city, by the president of the city commission, by the chairman of the Board of Trustees of any village, or by the chairman of the Board of Supervisors of a township, or by the superintendent or principal of the schools of the community. The officer so initiating the Council shall appoint as additional members thereof representatives of the local government, the churches, the American Legion, and of all service or women's clubs or welfare organizations in the community. All members of the Council shall serve without compensation."

Strike out all of Section 3 and insert in lieu thereof the following:

"SECTION 3.) The initiating officer shall call the Council into being on petition of any organization or of five residents of the community or on his own motion. The Council shall organize by the selection of a chairman and a secretary and adoption of such rules and regulations for future meetings and activities as it may deem desirable for the purpose of carrying out the objects of this Act. Three members shall be sufficient to organize the Council and shall constitute a quorum."

And when so amended recommend the same do pass.

K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Judiciary to whom was re-referred Senate Concurrent Resolution No. 5, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMON, Chairman.

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

Rep. Beede moved that the vote by which Senate Concurrent Resolution No. 5 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Braun of McLean moved that the absent members be excused, which motion prevailed.

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

FORTY-FOURTH DAY

Bismarck, February 19, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. N. E. Ellsworth, Bismarck.

Roll Call disclosed all members present except Reps. Larson and Myers.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-third day and recommends that the same be corrected as follows:

On page 529, after line 29 insert the following: "Rep. Crockett rose for a point of personal privilege and protested the further continuation of business in the House during this Legislative day in conformity with Joint Resolution No. 1 adopted during the Joint Memorial Session, and moved that the House do now adjourn, which motion was lost."

On page 529, before the line "Second Reading of House Bills" insert the following:

"Pursuant to five-minute recess taken, the House was called to order by the Speaker and business was resumed under the Eleventh Order of Business.

On page 520, in the roll call Rep. Lillehaugen is shown as voting "no" whereas he voted "aye".

On page 520, change the roll call totals on House Bill No. 181 to read as follows: "ayes, 29; nays, 74;".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

Rep. Johnson of Richland moved that action on House Bill No. 220 be deferred one legislative day, which motion prevailed.

Rep. Bolmeier asked that the Comm. on Insurance be granted an extension of time to consider House Bill No. 178, which request was granted.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 19, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 150. A Bill for an Act Providing for the Change of Place of Trial of Civil and Criminal Actions Triable to a Jury in Counties Where Jury Terms Have Not Been Held for a Period of One Year, and Providing the Necessary Procedure Therefor, in Addition to That Now Provided by Law for the Change of Place of Trial of Criminal and Civil Actions.

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Section 7408 of the 1913 Compiled Laws of North Dakota, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Section 7411 of the 1913 Compiled Laws of North Dakota, Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Senate Bill No. 141. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, by Chapter 168 of the Session Laws for 1935, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Senate Bill No. 189. A Bill for an Act Making an Appropriation to Pay for a Portion of the Cost of Constructing a New Highway Approach to the Great Northern Railway Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Declaring an Emergency.

Senate Bill No. 169. A Bill for an Act Providing for the Destruction of Certain Bonds, Coupons, Warrants and Other Evidences of Debt of Cities and Villages, Providing the Procedure to Be Adopted and Used Before Destruction and the Time During Which Such Documents Must Be Kept Before Destruction Thereof.

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 as Amended by Chapter 170 of the Session Laws of 1937 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Concurrent Resolution "L". A Concurrent Resolution Specifying the Number of Copies of the Report of the Code Revision Commission to Be Prepared for Submission to the Twenty-eighth Legislative Assembly.

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

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, February 19, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 40 of Chapter 148 of the Session Laws of 1931 as Amended by Section 2 of Chapter 144, Laws of 1935, Relating to Game Reserves and Refuges.

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Procuring Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment Thereof.

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the Expenditure of Money by Contract for Road Improvements and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, February 19, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies

in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 19, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 98. A Bill for an Act to Provide for an Annual Audit of the Affairs of the North Dakota Mill and Elevator Association as of the 30th Day of June in Each Year, and Such Other Audits as May Be Deemed Necessary by the Industrial Commission, and Repealing Conflicting Portions of Prior Acts.

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 259, Laws 1935; Chapter 218, Laws 1937 Relating to Meetings of Boards of Common School Districts, Provide for Notices of Same and Relating to Attendance Per Diem and Mileage of School Officers and to Duties and Compensation of Clerks of Such Districts.

Senate Concurrent Resolution "I". A Resolution Memorializing the U. S. Department of the Interior (Fish and Wild Life Service) to Enact More Suitable Hours for the Taking of Migratory Waterfowl During the Open Season as Provided for by the Fish and Wild Life Service.

Senate Bill No. 53. A Bill for an Act Providing for a Lien in Favor of House-movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Senate Bill No. 48. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929 Creating the Office of Grain Storage Commissioner.

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Subdivision (f) of Section 4609b8 of the Supplement to the Compiled Laws of North Dakota of 1913; Relating to Articles of Incorporation of Co-operative Marketing Associations.

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for 1933 and Amending and Re-enacting Section 1004 of the Compiled Laws of North Dakota for 1913.

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 144 Laws of North Dakota for 1929 Relating to Hotels, Restaurants, Lodging Houses and Boarding Houses to Provide for Application for License and Payment of License Fees.

Senate Bill No. 68. A Bill for an Act Creating Pensions for Disabled or Retired City Employees, Other Than Policemen, Their Widows, and Children Under Sixteen Years of Age; and Widows of City Employees Who Die in the Service and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population of 10,000 or Over by the Last Official Census, Federal or State; and Providing for a Fund out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund, and Declaring an Emergency.

Senate Bill No. 50. A Bill for an Act Assessing and Levying from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 19, 1941.

Mr. President: I have the honor to transmit:
Joint Memorial Resolution "I".

House Concurrent Resolution "K". Petitioning the Congress of the United States to Amend the Agricultural Adjustment Act.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 19, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 167. A Bill for an Act to Amend and Re-enact Sections 11, 21 and 22 of Chapter 256 of the Session Laws of North Dakota for the Year 1939 Relating to the Powers and Duties of the State Water Conservation Commission, Relating to State Water Conservation Commission Bonds and Declaring an Emergency.

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 1456 of the Supplement of 1925 as Amended by Chapter 202, Laws 1929, Relative to Maintenance of County Agricultural and Training Schools and the Tuition to Be Charged by Them. Repeal.

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High School Tuition" from \$1,100,000.00 as Therein Provided to \$1,200,000.00, and Declaring an Emergency.

House Concurrent Resolution No. 214. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 11 of the Constitution of the State of North Dakota

as Amended by Articles 20 and 29 of the Amendments Thereto, Relating to the Levying of Taxes Upon Property in the State of North Dakota.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

House Bill No. 115. A Bill for an Act to Include Certain Elective Officials of the State and of the Counties Thereof Under the Terms of the Workmen's Compensation Act, and to Amend and Re-enact Section 4 of Chapter 286, Session Laws of 1935 (Being Section 10-1 of Chapter 162 of the Session Laws of 1919, as amended) Relating to Disbursement of Workmen's Compensation Fund; Declaring an Emergency; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 140. A Bill for an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency.

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 176 of the Session Laws of 1931, and as Amended by Chapter 146 of the Session Laws of 1933, Providing for a Lien for Repairs Made on Automobiles, Trucks, Engines, Threshing Machines, Combines, Tractors, Power-driven Farm Equipment and Well Machines. Repeal.

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery stock.

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

C. R. VERRY, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 3; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes

Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rygg
Benno	Heckman	Sagehorn
Bergesen	Hofstrand	Sandness
Bingenheimer	Hogoboom	Saumur
Bjella	Holm	Schmidt
Black	Ireland	Schwartz
Blair	Jennings	Sellens
Bolmeier	Johnson, Cass	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Levin	Stormon
Crockett	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Twichell
Dittmer	McIntee	Wambheim
Drovdal	McIntyre	Welder
Erickson, Williams	Moe	Westby
Falconer	Morland	Williams, Richland
Fitch	Morrison	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker
Fuglestad	Nelson, Sargent	

Those voting in the negative were:

Bubel	Rohde	Tuff
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Absent and not voting:

Boulden	Juhola	Nelson, Steele
Brusseau	Mollet	Peterson, Bottineau
Devlin	Myers	Starck
Erickson, Divide		

So the bill passed and the title was agreed to.

Rep. Drovdal moved that the vote by which House Bill No. 262 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 282 was read the second time.

Rep. Beede asked the unanimous consent of the House to amend House Bill No. 282, which consent was granted.

Rep. Beede moved that House Bill No. 282 be amended as follows: On page 2, line 18, strike out the word and figures "fifteen (15)" and insert in lieu thereof the word and figures "ten (10)".

Which motion prevailed.

Rep. Beede moved that the rules be suspended and that House Bill No. 282 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 15; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Steele
Allen	Gainor	Nicholsen
Arneson	Glas	Nystrom
Arndt	Gress	Ohnstad
Austad	Halvorson	Olson, Barnes
Beede	Haugen	Olson, Bowman
Belzer	Haugland	Panko
Benno	Heckman	Peterson, Bottineau
Bergesen	Hofstrand	Peterson, Ransom
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Kee	Sellens
Brusseau	Kindem	Semerad
Bymers	Langley	Severson
Carlson	Larson	Sharpe
Coghlan	Lillehaugen	Shure
Culver	Lunde	Singleton
Dalzell	McInnes	Smart
Dittmer	McIntyre	Stormon
Drovdal	Moe	Swanson
Erickson, Williams	Morland	Trydahl
Fitch	Morrison	Wambheim
Fitzharris	Nelson, Cass	Westby
Fleck	Nelson, Ramsey	Williams, Richland
Fraser	Nelson, Sargent	Williams, Stutsman
Fuglestad		

Those voting in the negative were:

Anderson	Levin	Twichell
Bubel	McIntee	Welder
Collette	Nelson, Morton	Wolf, McIntosh
Crockett	Rohde	Wolf, Morton
Haag	Tuff	Mr. Speaker

Absent and not voting:

Boulden	Falconer	Myers
Devlin	Juhola	Starck
Erickson, Divide	Mollet	

So the bill passed and the title was agreed to.

Rep. Moe moved that the vote by which House Bill No. 282 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 103. A Bill for an Act Appropriating the Sum of \$27,845.92 to the Northern Improvement Company Out of Any Funds in the State Treasury Available to the State Highway Department for the Construction, Reconstruction and Maintenance of Public Roads, Including Necessary Expenses of Labor, Equipment and Other Costs and Expenses Allowed by Statute and Required for Such

Construction, Reconstruction and Maintenance, 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, 45; nays, 59; absent and not voting, 7.

Those voting in the affirmative were:

Allen	Drovdal	Olson, Barnes
Anderson	Erickson, Williams	Panko
Arneson	Fitzharris	Peterson, Bottineau
Arndt	Fleck	Peterson, Ransom
Austad	Gackle	Schmidt
Belzer	Glas	Schwartz
Benno	Haag	Sellens
Black	Haugland	Semerad
Blair	Hogoboom	Shure
Boulden	Jennings	Smart
Braun, McLean	Johnson, Cass	Starck
Bubel	Juhola	Twichell
Carlson	Kee	Welder
Coghlan	Langley	Williams, Stutsman
Crockett	Nelson, Morton	Wolf, McIntosh

Those voting in the negative were:

Aker	Heckman	Nystrom
Bergesen	Hofstrand	Ohnstad
Bingenheimer	Holm	Olson, Bowman
Bjella	Ireland	Rohde
Bolmeier	Johnson, Richland	Rygg
Braun, Stark	Kindem	Sagehorn
Brusseau	Larson	Sandness
Bymers	Levin	Saumur
Collette	Lillehaugen	Severson
Culver	Lunde	Sharpe
Dalzell	McInnes	Singleton
Dittmer	McIntee	Stormon
Falconer	McIntyre	Swanson
Fitch	Moe	Trydahl
Fraser	Morland	Tuff
Fuglestad	Morrison	Wambheim
Gainor	Nelson, Ramsey	Williams, Richland
Gress	Nelson, Sargent	Wolf, Morton
Halvorson	Nelson, Steele	Mr. Speaker
Haugen	Nicholsen	

Absent and not voting:

Beede	Mollet	Nelson, Cass
Devlin	Myers	Westby
Erickson, Divide		

So the bill was declared lost.

Rep. Fitch voted "no" for the purpose of reconsideration. House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 3; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Fraser	Ohnstad
Allen	Fuglestad	Olson, Barnes
Anderson	Gainor	Olson, Bowman
Arneson	Glas	Panko
Arndt	Gress	Peterson, Ransom
Austad	Haag	Rohde
Beede	Halvorson	Rygg
Belzer	Haugen	Sagehorn
Benno	Haugland	Sandness
Bergesen	Hofstrand	Saumur
Bingenheimer	Holm	Schmidt
Bjella	Ireland	Schwartz
Black	Jennings	Sellens
Blair	Juhola	Semerad
Bolmeier	Kee	Severson
Braun, McLean	Kindem	Sharpe
Braun, Stark	Langley	Shure
Brusseau	Levin	Smart
Bubel	Lillehaugen	Starck
Bymers	Lunde	Swanson
Carlson	McInnes	Tuff
Coghlan	McIntee	Twichell
Culver	Moe	Wambheim
Dalzell	Morland	Welder
Dittmer	Morrison	Westby
Drovdal	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, McIntosh
Falconer	Nelson, Ramsey	Wolf, Morton
Fitch	Nystrom	Mr. Speaker

Those voting in the negative were:

Boulden	Crockett	Williams, Richland
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Absent and not voting:

Collette	Johnson, Cass	Nelson, Steele
Devlin	Johnson, Richland	Nicholsen
Erickson, Divide	Larson	Peterson, Bottineau
Fleck	McIntyre	Singleton
Gackle	Mollet	Stormon
Heckman	Myers	Trydahl
Hogoboom	Nelson, Sargent	

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

House Bill No. 272. A Bill for an Act to Amend and Re-enact Sections 3 and 5 of Chapter 2 of the 1939 Session Laws; Relating to Beekeepers' Licenses and License Fees, and Repealing All Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 84; nays, 1; absent and not voting, 26.

Those voting in the affirmative were:

Allen	Fleck	Olson, Barnes
Anderson	Fraser	Olson, Bowman
Arneson	Gainor	Panko
Arndt	Glas	Peterson, Bottineau
Austad	Gress	Peterson, Ransom
Beede	Halvorson	Rohde
Belzer	Haugen	Rygg
Bergesen	Haugland	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Hogoboom	Saumur
Black	Holm	Schwartz
Blair	Ireland	Sellens
Bolmeier	Jennings	Semerad
Boulden	Juhola	Severson
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Shure
Brusseau	Langley	Smart
Bubel	Levin	Starck
Carlson	Lillehaugen	Swanson
Coghlan	Lunde	Tuff
Crockett	McInnes	Twichell
Dalzell	Morland	Wambheim
Dittmer	Morrison	Welder
Drovdal	Nelson, Cass	Westby
Erickson, Williams	Nelson, Morton	Williams, Richland
Falconer	Nicholsen	Williams, Stutsman
Fitch	Nystrom	Wolf, McIntosh
Fitzharris	Ohnstad	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Aker	Haag	Nelson, Ramsey
Benno	Heckman	Nelson, Sargent
Bymers	Johnson, Cass	Nelson, Steele
Collette	Johnson, Richland	Schmidt
Culver	Larson	Singleton
Devlin	McIntee	Stormon
Erickson, Divide	McIntyre	Trydahl
Fuglestad	Mollet	Wolf, Morton
Gackle	Myers	

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

Rep. Morland moved that the House do now recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken and the House proceeded on the Fifteenth Order of Business.

GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 197.

On line 18 of the original bill, strike out the word "Five" and insert the word "One." In the parenthesis on the same line after the dollar sign, strike out the number "5" and insert the number "1."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 208.

In SECTION 4, Line 7, after the second word "sale," insert "in less than car lots or".

On line 10, after the word "name," insert "the net weight when packed".

On line 10, after the word "thereof," insert "each container shall be labeled to show the net weight when packed and."

On line 18, after the word "name," insert "the net weight when packed".

On line 19, after the word "thereof," insert "each container shall be labeled to show the net weight when packed and the lot".

On line 28, after the word "evidence" insert "followed by proof if demanded".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 2.

Strike out line 11 and all of the lines to and including line 36. Renumber the lines and insert the following:

11	Clerkhire: Deputy	\$ 2,000.00
12	Stenographers	2,000.00
13	Stenographer & Clerkhire	1,000.00
14	Fieldmen:	
15	8 (Licensed) Bloodtesting Agents	\$4,000.00
16	8 (Licensed) Selecting Agents	3,000.00
17	6 (Licensed) Turkey Branding Agents	2,000.00
18	20 (Licensed) Dressed-turkey Graders.. ..	5,000.00
19		14,000.00
20	Postage	1,260.00
21	Supplies	1,000.00
22	Furniture & Fixtures	1,000.00
23	Miscellaneous	1,750.00
24	Travel	3,000.00
25	Compensation & Expenses of Board Members ..	1,300.00
26	Tags, Bands and Antigen	1,000.00
27	Bureau of Agricultural Economics	400.00
28	Emergency Fund	5,000.00
29	Expense Incurred in Promoting Poultry Shows	450.00
30	Total	\$40,000.00

And recommend the adoption of the Standing Committee amendments.

And recommended the adoption of the further amendment:
Sec. 1, line 3, strike out the figures "\$60,000.00" and insert in lieu thereof the figures "\$40,000.00".

And when so amended recommend the same do pass.
House Bill No. 111.

Line 16, strike out the figures "\$2,250.00", and insert in lieu thereof the figures "\$2,500.00".

Line 34, strike out the figures "\$29,000.00", and insert in lieu thereof the figures "\$28,000.00".

Line 36, strike out the figures "\$110,000.00", and insert in lieu thereof the figures "\$109,500.00".

Line 41, strike out the figures "\$17,000.00", and insert in lieu thereof the figures "\$17,500.00".

Line 42, strike out the figures "\$10,000.00", and insert in lieu thereof the figures "\$11,000.00".

Line 43, strike out the figures "\$31,000.00", and insert in lieu thereof the figures "\$30,750.00".

Strike out Lines 56 and 57.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 201.

Strike out the Standing Committee amendment and recommend the adoption of the following amendment:

In line 31, after the word "bull" insert the words "of breeding age".

And when so amended recommend the same do pass.

House Bill No. 224.

In section 19, of line 31, after the word "where" insert "an individual or".

In line 33, after the words "under" insert "his or".

At the end of line 34, insert the words "individuals or".

In section 25, line 96, after the word "during" insert the word "the", and after the word "preceding" insert the word "twelve".

In section 29, after line 141, add the following "horses and mules shall bear a tag attached to mane or tail."

Strike out all of section 23.

Insert a new section as follows:

"Section 23. Every livestock sales ring shall be maintained in a sanitary condition and on and after October 1, 1941 that portion thereof which is used for the handling of hogs, including all hog pens, alleys and sales ring, shall be equipped with concrete floors at least three inches thick, and these floors must be cleaned and disinfected after each sale or in case of continuous sale not less than once weekly, or as often as may be prescribed by the North Dakota Livestock Sanitary Board."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 242.

In section 1, line 22, after the word "All" correct the spelling of the word "monies".

In section 1, line 22, leave out the period after the word "fund" and insert a comma, then add the following: after deducting enough money for administration expenses."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 123.

Add the following sentence to Section 1. "This act shall not apply to any lands redeemed by the former record owner thereof within one year after the taking effect hereof."

And recommend the adoption of the Standing Committee amendments.

And the following amendment to the Standing Committee amendment:

In the Standing Committee amendment added to the end of Section 1, in line 3 thereof, after the word "after" strike out the words "the taking effect thereof", and insert the words "the date the county issues title thereof".

And when so amended recommend the same do pass.

House Bill No. 157.

And recommend the same be re-referred to Committee for correction of the Standing Committee amendments.

House Bill No. 294.

In last line of title of the Bill strike out "Fixing Penalty for Violation" and add "and Providing for the Compulsory Bang's Testing of Townships in Counties in Which Seventy-five Per Cent of the Townships are Completely Bang's Tested."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend that the same do pass.

House Bill No. 265.

In Section 4, line 4, after the word "of" strike out the word and figure "twenty-five (\$25.00)" and insert in lieu thereof the word and figure ("§10.00)".

In Section 8, line 2, after the word "of" strike out the word "three" and insert in lieu thereof the word "one".

And recommend the adoption of the Standing Committee amendments.

Senate Bill No. 40.

And recommended that action on Senate Bill No. 40 be deferred one legislative day.

And when so amended recommend that the same do pass.

K. A. FITCH, Chm., Comm. of the Whole.

Rep. Fitch moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was adopted.

The House reverted to the Eleventh Order of Business.

SECOND READING OF HOUSE BILLS

House Bill No. 144. A Bill for an Act Enabling Cities, Villages, Townships, Counties, or School Districts, to Acquire Property for Recreational Purposes, to Expend Funds for

Recreational Purposes and to Establish and Maintain Recreational Programs; 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, 32; nays, 53; absent and not voting, 26.

Those voting in the affirmative were:

Aker	Fuglestad	Panko
Allen	Gainor	Peterson, Ransom
Arneson	Glas	Sagehorn
Arndt	Haugland	Saumur
Austad	Ireland	Sellens
Benno	Langley	Sharpe
Bjella	Nelson, Cass	Smart
Black	Nelson, Ramsey	Swanson
Bolmeier	Nicholsen	Westby
Coghlan	Nystrom	Williams, Richland
Erickson, Williams	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Anderson	Fitzharris	Morrison
Beede	Fraser	Nelson, Morton
Belzer	Gress	Ohnstad
Bergesen	Halvorson	Olson, Bowman
Bingenheimer	Haugen	Peterson, Bottineau
Blair	Hofstrand	Rohde
Boulden	Hogoboom	Rygg
Braun, McLean	Holm	Sandness
Braun, Stark	Jennings	Schwartz
Brusseau	Juhola	Semerad
Bubel	Kindem	Shure
Bymers	Levin	Starck
Crockett	Lillehaugen	Tuff
Dalzell	Lunde	Twichell
Dittmer	McInnes	Wambheim
Drovdal	Moe	Williams, Stutsmap
Falconer	Morland	Wolf, McIntosh
Fitch		

Absent and not voting:

Carlson	Johnson, Cass	Nelson, Steele
Collette	Johnson, Richland	Schmidt
Culver	Kee	Severson
Devlin	Larson	Singleton
Erickson, Divide	McIntee	Stormon
Fleck	McIntyre	Trydahl
Gackle	Mollet	Welder
Haag	Myers	Wolf, Morton
Heckman	Nelson, Sargent	

So the bill was declared lost.

Rep. Fitch voted "no" for the purpose of reconsideration.

House Bill No. 215. A Bill for an Act Authorizing the Governor and the Secretary of State, Acting in the Name of, and on Behalf of, the State of North Dakota, to Transfer and Convey, Without Consideration, Certain Lands in Rolette County, Now Held by and in the Name of the State of North Dakota in Trust for the Use and Benefit of the International

Peace Garden, Inc., a New York Corporation, to the United States of America For Use as a Customs Port of Entry to the United States From the Dominion of Canada, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 0; absent and not voting, 24.

Those voting in the affirmative were:

Aker	Fitzharris	Nystrom
Allen	Fraser	Ohnstad
Anderson	Fuglestad	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Glas	Panko
Austad	Gress	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rohde
Benno	Haugland	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schwartz
Blair	Jennings	Sellens
Bolmeier	Juhola	Semerad
Boulden	Kindem	Sharpe
Braun, McLean	Langley	Shure
Braun, Stark	Levin	Smart
Brusseau	Lillehaugen	Starck
Bubel	Lunde	Swanson
Bymers	McInnes	Tuff
Coghlan	Moe	Twichell
Crockett	Morland	Wambheim
Dalzell	Morrison	Welder
Dittmer	Nelson, Cass	Westby
Drovdal	Nelson, Morton	Williams, Richland
Erickson, Williams	Nelson, Ramsey	Williams, Stutsman
Falconer	Nelson, Steele	Wolf, McIntosh
Fitch	Nicholsen	Mr. Speaker

Absent and not voting:

Carlson	Heckman	Myers
Collette	Johnson, Cass	Nelson, Sargent
Culver	Johnson, Richland	Schmidt
Devlin	Kee	Severson
Erickson, Divide	Larson	Singleton
Fleck	McIntee	Stormon
Gackle	McIntyre	Trydahl
Haag	Mollet	Wolf, Morton

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

House Bill No. 223. A Bill for an Act Authorizing and Directing County Auditors to Destroy Certain Old, No Longer of Use, and Obsolete Books, Blanks, Forms, and Records of Their Offices and Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 68; nays, 16; absent and not voting, 27.

Those voting in the affirmative were:

Aker	Erickson, Williams	Nelson, Cass
Allen	Falconer	Nelson, Steele
Anderson	Fitzharris	Nicholsen
Arneson	Fuglestad	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Belzer	Gress	Olson, Bowman
Benno	Halvorson	Panko
Bergesen	Haugen	Peterson, Ransom
Bjella	Haugland	Rygg
Black	Hofstrand	Saumur
Blair	Hogoboom	Schwartz
Bolmeier	Holm	Sellens
Boulden	Ireland	Sharpe
Braun, McLean	Jennings	Smart
Braun, Stark	Juhola	Swanson
Brusseau	Kindem	Tuff
Bymers	Langley	Twichell
Coghlan	Lillehaugen	Wambheim
Crockett	Lunde	Westby
Dalzell	McInnes	Williams, Stutsman
Dittmer	Moe	Mr. Speaker
Drovdal	Morland	

Those voting in the negative were:

Beede	Nelson, Morton	Semerad
Bingenheimer	Nelson, Ramsey	Starck
Bubel	Peterson, Bottineau	Welder
Fraser	Rohde	Williams, Richland
Levin	Sagehorn	Wolf, McIntosh
Morrison		

Absent and not voting:

Carlson	Heckman	Nelson, Sargent
Collette	Johnson, Cass	Sandness
Culver	Johnson, Richland	Schmidt
Devlin	Kee	Severson
Erickson, Divide	Larson	Shure
Fitch	McIntee	Singleton
Fleck	McIntyre	Stormon
Gackle	Mollet	Trydahl
Haag	Myers	Wolf, Morton

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

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 195 of the Session Laws of 1929 Relating to the Opening of Bids, Award of Contract, and Bond Required for Public Buildings.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 42; absent and not voting, 8; passed, 1.

Those voting in the affirmative were:

Allen	Fuglestad	Olson, Barnes
Arneson	Gackle	Peterson, Ransom
Arndt	Gainor	Sagehorn
Austad	Haugland	Sandness
Belzer	Heckman	Schmidt
Benno	Hofstrand	Sellens
Bergesen	Holm	Severson
Bjella	Johnson, Richland	Sharpe
Black	Kee	Shure
Blair	Kindem	Singleton
Bolmeier	Langley	Smart
Boulden	Levin	Stormon
Bubel	Lunde	Swanson
Bymers	McInnes	Trydahl
Carlson	Moe	Twichell
Coghlan	Nelson, Cass	Wambheim
Collette	Nelson, Morton	Westby
Dalzell	Nelson, Ramsey	Williams, Stutsman
Falconer	Nelson, Steele	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker

Those voting in the negative were:

Aker	Gress	Ohnstad
Anderson	Haag	Olson, Bowman
Beede	Halvorson	Panko
Bingenheimer	Haugen	Peterson, Bottineau
Braun, McLean	Hogoboom	Rohde
Braun, Stark	Ireland	Rygg
Brusseau	Jennings	Saumur
Crockett	Juhola	Schwartz
Culver	Larson	Semerad
Dittmer	Lillehaugen	Starck
Drovdal	McIntee	Tuff
Erickson, Williams	McIntyre	Welder
Fraser	Morland	Williams, Richland
Glas	Morrison	Wolf, McIntosh

Absent and not voting:

Devlin	Fleck	Nelson, Sargent
Erickson, Divide	Mollet	Nystrom
Fitch	Myers	

Passed:

Johnson, Cass

So the bill passed and the title was agreed to.

Rep. Saumur changed his vote from "aye" to "no" for the purpose of reconsideration.

House Bill No. 232. A Bill for an Act to Amend and Re-enact Sections 5, 6 and 8 of Chapter 110 of the Session Laws of 1937 Relating to the Classifying and Fixing of the License Fee of Public Contractors and the Award of Contracts to Licensed Contractors.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 52; nays, 48; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen	Gainor	Peterson, Ransom
Arneson	Gress	Sagehorn
Arndt	Halvorson	Sandness
Austad	Hogoboom	Sellens
Benno	Johnson, Cass	Severson
Bergesen	Johnson, Richland	Shure
Bjella	Kee	Singleton
Black	Langley	Stormon
Blair	Lunde	Swanson
Bolmeier	McInnes	Trydahl
Boulden	Nelson, Cass	Twichell
Carlson	Nelson, Morton	Wambheim
Coghlan	Nelson, Ramsey	Westby
Collette	Nelson, Steele	Williams, Stutsman
Dalzell	Nicholsen	Wolf, Morton
Fitzharris	Nystrom	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Anderson	Haag	Morrison
Beede	Haugen	Ohnstad
Belzer	Haugland	Olson, Bowman
Bingenheimer	Heckman	Panko
Braun, McLean	Hofstrand	Peterson, Bottineau
Braun, Stark	Holm	Rohde
Brusseau	Ireland	Rygg
Bubel	Jennings	Saumur
Bymers	Juhola	Schmidt
Crockett	Kindem	Schwartz
Culver	Larson	Semerad
Dittmer	Levin	Sharpe
Drovdal	Lillehaugen	Starck
Erickson, Williams	McIntee	Tuff
Falconer	McIntyre	Welder
Fraser	Moe	Wolf, McIntosh

Absent and not voting:

Devlin	Glas	Nelson, Sargent
Erickson, Divide	Mollet	Smart
Fitch	Morland	Williams, Richland
Fleck	Myers	

So the bill was declared lost.

Rep. Saumur voted "no" for the purpose of reconsideration.

Rep. Twichell moved that Rep. Johnson of Cass be given unanimous permission to vote on House Bill No. 232 regardless of his personal interest in the bill, which motion prevailed.

House Bill No. 290 was read the second time.

Rep. Boulden moved that House Bill No. 290 be indefinitely postponed, which motion prevailed.

Rep. Johnson of Cass moved that the vote by which House Bill No. 290 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to the National Defense Act of June 3, 1916, as Amended by Later Acts of Congress, and Repealing Chapter 35 of the

Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rohde
Benno	Hofstrand	Rygg
Bergesen	Hogboom	Sagehorn
Bingenheimer	Holm	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Schmidt
Blair	Johnson, Cass	Schwartz
Bolmeier	Johnson, Richland	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fraser	Nelson, Ramsey	Wolf, McIntosh
Fuglestad	Nelson, Steele	Wolf, Morton
Gackle	Nicholsen	Mr. Speaker

Absent and not voting:

Crockett	Fitch	Myers
Devlin	Fleck	Nelson, Sargent
Erickson, Divide	Mollet	Tuff

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 289 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 309. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 12 of Section 3511 of the Compiled Laws of the State of North Dakota for the Year 1913, Re-

lating to and Clarifying the Fee for Chattel Mortgage Abstract; Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 77; nays, 23; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Haag	Ohnstad
Arneson	Halvorson	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Austad	Heckman	Peterson, Bottineau
Belzer	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rygg
Black	Ireland	Sagehorn
Blair	Johnson, Cass	Sandness
Bolmeier	Johnson, Richland	Saumur
Boulden	Juhola	Severson
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Morland	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fuglestad	Nelson, Ramsey	

Those voting in the negative were:

Beede	Haugen	Sellens
Bingenheimer	Jennings	Semerad
Braun, McLean	Larson	Starck
Bubel	McIntee	Welder
Falconer	Morrison	Wolf, McIntosh
Fraser	Panko	Wolf, Morton
Glas	Schmidt	Mr. Speaker
Gress	Schwartz	

Absent and not voting:

Benno	Fitch	Nelson, Sargent
Crockett	Fleck	Nelson, Steele
Devlin	Mollet	Tuff
Erickson, Divide	Myers	

So the bill passed and the title was agreed to.

House Bill No. 200. A Bill for an Act to Provide for the Levying of Dues or Assessments Upon Members in Non-Stock Corporations, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 97; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Gress	Olson, Barnes
Allen	Haag	Olson, Bowman
Anderson	Halvorson	Panko
Arneson	Haugen	Peterson, Bottineau
Arndt	Haugland	Peterson, Ransom
Austad	Heckman	Rohde
Beede	Hofstrand	Rygg
Belzer	Hogoboom	Sagehorn
Bergesen	Holm	Sandness
Bingenheimer	Ireland	Saumur
Bjella	Jennings	Schmidt
Black	Johnson, Richland	Schwartz
Blair	Juhola	Sellens
Bolmeier	Kee	Semerad
Boulden	Kindem	Severson
Braun, Stark	Langley	Sharpe
Brusseau	Larson	Shure
Bubel	Levin	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Collette	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Moe	Twichell
Dittmer	Morland	Wambheim
Drovdal	Morrison	Welder
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fraser	Nicholsen	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gackle	Ohnstad	Mr. Sneaker
Glas		

Those voting in the negative were:

Braun, McLean		
Absent and not voting:		
Benno	Fleck	Myers
Crockett	Gainor	Nelson, Sargent
Devlin	Johnson, Cass	Nelson, Steele
Erickson, Divide	Mollet	Tuff
Fitch		

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

Rep. Aker moved that the vote by which House Bill No. 200 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Blair moved that House Bill No. 209 be withdrawn, which motion prevailed.

Rep. Carlson moved that subsequent to First Reading of House and Senate Bills the House stand recessed until 12:30 P. M., tomorrow, which motion prevailed.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Delayed Bills to whom

was referred House Bill No. 327, House Bill No. 328, House Bill No. 329, House Bill No. 330, have had the same under consideration and recommend that the same be introduced.

K. L. BOULDEN, Chairman.

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

FIRST READING OF HOUSE BILLS

The Committee on Delayed Bills introduced:

House Bill No. 327. A Bill for an Act Requiring the Filing of Monthly Reports of Expenditures and Balances, Collections and Disposal of Same, with the Governor, by the Head of Each State Department, Officer, Board or Commission in Charge of Any Educational, Charitable, Penal or Other Institution or Undertaking Supported Wholly or in Part by Appropriation by Legislative Action; and Also the Filing of Complete Financial Statement for the Eighteen Month Period and, Also the Biennial Period; Requiring the Governor to Make Monthly Compilations; Requiring the State Budget Board to File Financial Statements of Income and Expenditures; Providing for Penalty and Repealing All Acts in Conflict Herewith.

Representatives Johnson of Richland, Johnson of Cass and Trydahl—approved by Delayed Bills Committee—introduced:

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 200b12 and Section 200b14 of the 1925 Supplement to the Compiled Laws of North Dakota; Providing for the Cancellation of Liability of the State Bonding Fund for Acts of Employees and Furnishing of Other Bonds; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Were read the first time and referred to the Comm. on State Affairs.

The Delayed Bills Committee introduced:

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

The Delayed Bills Committee introduced:

House Bill No. 330. A Bill for an Act to Amend Section 189b29 of Chapter 137, Session Laws of 1933 Providing for the Abatement of Hail Indemnity Tax; Correction of Records and Reduction from the Surplus; Declaring an Emergency.

Were read the first time and referred to the Comm. on Tax and Tax Laws.

FIRST READING OF SENATE BILLS

Senate Bill No. 108. A Bill for an Act to Prescribe Uniform Rules of Practice for Administrative Agencies; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

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

Senate Bill No. 150. A Bill for an Act Providing for the Change of Place of Trial of Civil and Criminal Actions Triable to a Jury in Counties Where Jury Terms Have Not Been Held for a Period of One Year, and Providing the Necessary Procedure Therefor, in Addition to That Now

Provided by Law for the Change of Place of Trial of Criminal and Civil Actions.

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Section 7408 of the 1913 Compiled Laws of North Dakota, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Section 7411 of the 1913 Compiled Laws of North Dakota, Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Senate Bill No. 141. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, by Chapter 168 of the Session Laws for 1935, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Were read the first time and referred to the Comm. on Judiciary.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Senate Bill No. 189. A Bill for an Act Making an Appropriation to Pay for a Portion of the Cost of Constructing a New Highway Approach to the Great Northern Railway Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Declaring an Emergency.

Were read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 169. A Bill for an Act Providing for the Destruction of Certain Bonds, Coupons, Warrants and Other Evidences of Debt of Cities and Villages, Providing the Procedure to Be Adopted and Used Before Destruction and the Time During Which Such Documents Must Be Kept Before Destruction Thereof.

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 as Amended by Chapter 170 of the Session Laws of 1937 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Were read the first time and referred to the Comm. on Corporations Other Than Municipal.

Senate Concurrent Resolution "L". A Concurrent Resolution Specifying the Number of Copies of the Report of the Code Revision Commission to Be Prepared for Submission to the Twenty-eighth Legislative Assembly.

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

And the House stood recessed until 12:30 P. M., tomorrow.
C. R. VERRY, Chief Clerk.

FORTY-FOURTH DAY AFTER RECESS
AND FORTY-FIFTH DAY

Bismarck, February 20, 1941.

The House re-assembled at 12:30 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 245, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish, to whom was referred House Bill No. 230, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. BENNO, Chairman.

Rep. McIntyre moved that the report be adopted.

Rep. Starck moved a substitute motion that House Bill No. 230 do pass, which motion was lost.

The question being on the motion of Rep. McIntyre that House Bill No. 230 be indefinitely postponed, the motion prevailed.

Rep. Swanson moved that the vote by which House Bill No. 230 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 237, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish, to whom was referred House Bill No. 264, have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. BENNO, Chairman.

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

Rep. Dalzell moved that the vote by which House Bill No. 264 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Public Health, to whom was referred House Bill No. 301, have had the same under consideration and recommend that the same do pass.

C. T. OLSON, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 184, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 6, after the word "owned" insert the following "By the State of North Dakota for the benefit and use of".

In Section 1, line 7, strike out the word "by".

And when so amended recommend the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 310, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Lunde moved that the report be adopted.

Rep. Beede moved a substitute motion that House Bill No. 310 do pass, which motion was lost.

The question being on the motion of Rep. Lunde that House Bill No. 310 be indefinitely postponed, which motion prevailed.

Rep. Wambheim moved that the vote by which House Bill No. 310 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 307, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Wambheim moved that the report be adopted.

Rep. Beede moved a substitute motion that House Bill No. 307 be placed in General Orders for amendment, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 311, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

Rep. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 311 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 287, have had the same under consideration and recommend that the same be returned to the House without recommendation.

L. K. MORLAND, Chairman.

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

Rep. Beede moved that House Bill No. 287 be placed in General Orders for amendment.

Rep. Morland moved a substitute motion that further consideration of House Bill No. 287 be indefinitely postponed, which motion prevailed.

Rep. Boulden moved that the vote by which further consideration on House Bill No. 287 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Corporations Other Than Municipal to whom was referred House Bill No. 306, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Sub. Sec. B of Sec. 10.

And when so amended recommend the same do pass.

WM. IRELAND, Chairman.

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

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred House Bill No. 275, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

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

Rep. Aker moved that the vote by which House Bill No. 275 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Livestock to whom was referred House Bill No. 183, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert the following:

For an Act Governing the Sale, Transportation, Handling and Slaughtering of Livestock; Providing for Licensing of Persons Butchering and Slaughtering Animals; Creating Certain Exemptions Thereto; Providing for the Keeping of Records of Animals Purchased, Received, Transported, Sold or Slaughtered; Regulating the Sale of Animals and Dressed Carcasses Thereof; Providing for the Revocation of Licenses; Fixing Penalties for Violation; Providing for the Enforcement of this Act; Conferring Certain Powers Upon the Public Service Commission and Declaring an Emergency.

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

1 SECTION 1. DEFINITIONS. For the purpose of this
1a act,
2 and unless otherwise required by the context;
3 (a) The term "certificate of ownership" shall mean a
4 declaration executed by a person owning or in possession
4a of
5 livestock on a form prescribed or approved by the Com-
6 missioner, showing the true ownership of such stock, and
6a the
7 following information relative thereto; 1. kind, 2. sex,
8 3. age, 4. color, 5. brand, with location on animal, 6. ear
9 marks or dewlap marks, 7. if unbranded, any distinguish-
9a ing
10 peculiarities or blemishes and the date of signing of such
11 certificates.
12 (b) The term "person" shall include an individual,
13 partnership, association or corporation.
14 (c) The term "Commission" shall mean the Public
14a Service
15 Commission of the State of North Dakota.

1 SECTION 2. RECORDS. Any person carrying on the
1a business
2 of purchasing, selling, slaughtering or dealing in livestock
3 shall keep and sign a record on forms prescribed or
3a approved
4 by the Commission relative to all livestock purchased by
5 such person which record shall contain all of the informa-
6 tion required by subsection (a) of section 1 hereof and in
7 addition the name and address of the seller or consignor,
8 the name and address of the buyer or consignee, if the
9 livestock was immediately resold by such person and the
9a date
10 of receipt of such livestock. Such records shall be made in
11 triplicate, one copy to be mailed to the Commission
11a immedia-
12 tely, together with the certificates of ownership received
13 from the hauler, one copy to accompany the livestock to
13a the
14 destination thereof, if resold to, or bought by, any person
15 other than the person making such report and one copy
15a to be
16 kept by the reporting person for one year thereafter and
17 subject to inspection by any peace officer of the state or
18 any member of the State Highway Patrol or by the
18a Commission
19 or its agents, provided, however, that the Commission may
20 exempt any concern from such requirements upon being
20a satis-
21 fied that such concern keeps adequate records conforming
22 with this act and that such records are at all times avail-
23 able to peace officers.

1 SECTION 3. TRANSPORTATION WITHIN STATE.
1a Any person
2 transporting livestock on the public highways of this state
3 more than 15 miles from the place of loading, for himself
4 or for another, must at all times during such transporta-
4a tion

5 have in possession a copy of a certificate of ownership
 6 relative to such livestock so transported and containing in
 7 addition to the information required by subsection (a) of
 8 section 1 hereof, the name and address of the consignor,
 9 the license number of transporting vehicle, the driver's
 10 license number, name and address. The failure to have
 10a such
 11 copy of a certificate of ownership during the transporta-
 11a tion
 12 of livestock shall be prima facie evidence that they are
 13 being moved illegally on the highways of the state and
 13a any
 14 peace officers or any State Highway Patrolmen or any
 14a agent of
 15 the Commission may arrest and detain such hauler or the
 16 driver of the vehicle. Any railroad, before accepting live-
 17 stock for shipment to a destination within the state shall
 18 require that the consignor furnish such a certificate of
 19 ownership signed by him containing the information
 19a specified
 20 in this section except for license numbers and driver's
 21 name, which copy shall be attached to the way bill and
 22 accompany such shipment of livestock to its destination.
 22a The
 23 hauler by motor vehicle or the railroad transporting such
 24 livestock shall deliver its copy of the said certificate to
 25 the consignee with the livestock to which it relates.

1 SECTION 4. TRANSPORTATION OUT OF THE
 1a STATE. Any

2 railroad, or any person transporting stock for himself or
 3 another, to a destination outside of this state shall keep
 4 records relative to all such livestock as required by
 5 section 2 hereof, one copy to be mailed to the Commission
 6 immediately and another to accompany the livestock to
 6a its
 7 destination. The records shall be kept in the station or
 8 office of the origin of the shipment.

1 SECTION 5. EXEMPTION FROM REPORTING. All
 1a persons

2 receiving or buying or transporting livestock are hereby
 3 exempted from the requirements of keeping the records
 4 required by section 2 and 3 hereof, if they receive such
 5 livestock from a concern which has already reported the
 6 sale to the consignee or purchaser involved, to the Com-
 7 mission and kept the record as required by such section
 8 provided that one copy of the certificate must be in the
 9 possession of the hauler at all times during haulage and
 9a the
 10 buyer or consignee at all times after delivery of the
 11 livestock.

1 SECTION 6. LICENSES. Each person engaged in the
 2 business of buying, selling, dealing in or slaughtering
 3 of livestock and each person conducting public auction
 4 sales for the purchase and sale of such livestock, either
 5 for himself or between other parties, shall apply to the
 6 Commission for a license for each such establishment
 7 conducted by him, unless otherwise licensed and bonded as
 8 a livestock dealer or sales ring operator. Each such

9 license shall be furnished by the Commission upon the
 10 payment of a fee of one dollar and upon application in a
 11 manner form to be prescribed or approved by the Com-
 11a mission
 12 giving the address or location of each such establishment
 13 and the ownership thereof under its true corporate,
 13a partner-
 14 ship, association or individual name. Such license shall
 15 become effective on the first day of July and expire at the
 16 end of the 30th day of the following June. Such license
 17 may be revoked upon reasonable notice to the licensee
 17a by the
 18 Commission for violation of the provisions of this act or
 19 other criminal laws of the State of North Dakota. No
 19a such
 20 license shall be granted to any applicant who has been
 21 convicted of larceny, robbery or embezzlement. Upon
 22 demand the licensee is entitled to a hearing before revoca-
 23 tion of his license.
 24 Such license shall not be required however, of any
 24a person
 25 who does not slaughter more than five head of cattle, ten
 26 head of sheep or ten head of hogs in any one license year.

1 SECTION 7. SLAUGHTERING WITHOUT LICENSE.

1a Any person
 2 slaughtering livestock and who is not required by the
 3 previous sections to obtain a license for his operations
 4 shall not offer for sale the dressed carcass of any meat
 5 animal to be used for human consumption or any portion
 6 thereof, more than a one-quarter carcass without hav-
 6a ing in
 7 the possession of the person so slaughtering, the hide of
 8 the animal so slaughtered with the ears attached thereto,
 9 which he must exhibit to all purchasers of more than a
 10 quarter of such carcass at the time of the delivery of the
 11 meat thereof. At the time of delivery of such the slaugh-
 12 terer must exhibit to the purchaser the entire hide and
 13 the brand or ear marks, if any, thereon. Such slaugh-
 13a terer
 14 must also furnish upon demand a certificate of ownership
 15 showing himself to be the legal owner of the animal whose
 16 meat is so offered for sale. No person so slaughtering
 17 such animal without a license therefor shall sell any
 17a meat
 18 from a carcass so killed by him after he has sold or dis-
 19 posed of the hide. Hides from animals so slaughtered
 19a shall
 20 be at all times subject to inspection while in possession
 21 of the person slaughtering the same.

1 SECTION 8. DUTY TO FURNISH CERTIFICATE

1a OF OWNERSHIP

2 AND OTHER INFORMATION. The owner or person in
 2a possession
 3 of any livestock within the state or the driver of a
 4 vehicle transporting the same may be required upon
 4a demand
 5 by any peace officer of the state, any State Highway
 5a Patrol-

6 man or agent of the Commission, to furnish a certificate
 6a of
 7 ownership of livestock in his possession. He may also be
 8 required to furnish any further information as to the
 9 origin, identity of such cattle and the refusal of any such
 10 person to give such information or to furnish such
 10a certifi-
 11 cate upon demand by such officer shall constitute a viola-
 12 tion of this act and be punishable accordingly. It shall
 13 also be a violation of this act to falsify such certificate
 14 or information in any particular.

1 SECTION 9. POWER TO ARREST. Any peace
 1a officer of the
 2 State or any member of the State Highway Patrol shall
 2a have
 3 the right to arrest any person for the violation of this
 4 act.

1 SECTION 10. PENALTIES. Any person violating
 1a any of the
 2 provisions of this act shall be guilty of a misdemeanor
 2a and
 3 shall be punishable by a fine of not less than \$25.00 nor
 4 more than \$1,000.00 or by imprisonment in the county jail
 5 for not less than thirty days or more than one year or by
 6 both such fine and imprisonment.

1 SECTION 11. If any part of this act shall be adjudged
 2 to be invalid or unconstitutional such adjudication shall
 3 not affect the validity of the remainder thereof.

1 SECTION 12. EMERGENCY. This act is hereby de-
 1a clared to
 2 be an emergency measure and shall be in full force and
 3 effect immediately upon its passage and approval.

And when so amended recommend the same do pass.

REP. NELSON of Cass, Chairman.

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

Mr. Speaker: Your Committee on Corporations Other Than Municipal, to whom was referred Senate Bill No. 153, have had the same under consideration and recommend that the same be returned without recommendation.

WM. IRELAND, Chairman.

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

Rep. Crockett moved that Senate Bill No. 153 be indefinitely postponed, which motion prevailed.

Rep. Rohde moved that the vote by which Senate Bill No. 153 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Saumur requested that the House be on the Seventh Order of Business, which request was granted and Rep. Saumur moved that the House reconsider its action taken on House Bill No. 232, which motion prevailed.

Rep. Fitch moved that the House reconsider its action taken on House Bill No. 144, which motion prevailed.

Rep. Fitch moved that the House reconsider its action taken on House Bill No. 103, which motion prevailed.

Rep. Fitch moved that House Bill No. 103 be re-referred to the Comm. on Appropriations, which motion prevailed.

Rep. Juhola moved that House Bill No. 144 be placed on the calendar, which motion prevailed.

Rep. Johnson of Richland moved that House Bill No. 220 be withdrawn, which motion prevailed.

Rep. Bingenheimer moved that House Bill No. 281 be withdrawn, which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and that House Bill No. 232 be placed on Second Reading and Final Passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 232. A Bill for an Act to Amend and Re-enact Sections 5, 6 and 8 of Chapter 110 of the Session Laws of 1937 Relating to the Classifying and Fixing of the License Fee of Public Contractors and the Award of Contracts to Licensed Contractors.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 58; nays, 48; absent and not voting, 5.

Those voting in the affirmative were:

Allen	Gainor	Sagehorn
Arneson	Hogoboom	Sandness
Austad	Holm	Saumur
Benno	Ireland	Sellens
Bergesen	Johnson, Cass	Severson
Bjella	Johnson, Richland	Sharpe
Black	Kee	Shure
Blair	Langley	Singleton
Bolmeier	Lunde	Smart
Boulden	McInnes	Stark
Carlson	Moe	Stormon
Coghlan	Nelson, Cass	Swanson
Collette	Nelson, Morton	Trydahl
Dalzell	Nelson, Ramsey	Twichell
Dittmer	Nelson, Steele	Wambheim
Fitch	Nicholsen	Westby
Fitzharris	Nystrom	Williams, Stutsman
Fleck	Olson, Barnes	Wolf, Morton
Fuglestad	Peterson, Ransom	Mr. Speaker
Gackle		

Those voting in the negative were:

Aker	Erickson, Williams	McIntyre
Anderson	Falconer	Mollet
Arndt	Fraser	Morland
Beede	Glas	Morrison
Belzer	Gress	Ohnstad
Bingenheimer	Haag	Olson, Bowman
Braun, McLean	Halvorson	Panko
Braun, Stark	Haugen	Peterson, Bottineau
Brusseau	Heckman	Rohde
Bubel	Hofstrand	Rygg
Bymers	Jennings	Schmidt

Crockett	Juhola	Schwartz
Culver	Kindem	Tuff
Devlin	Larson	Welder
Drovdal	Lillehaugen	Williams, Richland
Erickson, Divide	McIntee	Wolf, McIntosh

Absent and not voting:

Haugland	Myers	Semerad
Levin	Nelson, Sargent	

So the bill passed and the title was agreed to.

Rep. Blair moved that the vote by which House Bill No. 232 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Cass was given the unanimous consent of the House to vote on House Bill No. 232 regardless of a personal interest in the bill.

The House reverted to the Seventh Order of Business.

Rep. Crockett moved that the Speaker appoint a committee of three to investigate the matter of the printing of House Bill No. 289, which motion prevailed. And the Speaker appointed on that committee Reps. Crockett, Bergesen and Johnson of Cass.

REPORT OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Corporations to whom was referred Senate Bill No. 100, have had the same under consideration and recommend that the same be amended as follows:

Strike out all words after the words "A Bill" and add the following amendment:

For an Act to permit Sales of total assets and reorganizations of corporations when authorized by a two-thirds vote of stockholders or members, to validate past sales and reorganizations where such two-thirds vote has authorized same and to declare an emergency.

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

Section 1. A private corporation organized under the laws of this state may sell, lease, exchange or otherwise dispose of all or substantially all of its property and assets including its good will, upon such terms and conditions and for such considerations, which may be money, stocks, bonds, or other instruments for the payment of money or other property, or considerations, as its Board of Directors deems expedient, when and as authorized by a two-thirds affirmative vote of the issued and outstanding stock, both preferred and common as separate classes, or its members, given at a regular or special meeting of such stockholders or members. The authority granted hereby shall be construed to include the transfer or conveyance of such property or assets to carry out any plan for the reorganization of the corporation, whether such reorganization contemplates the organization of a new corporation or contemplates a merger or consolidation with an existing corporation or corporations.

Section 2. Any such proceedings heretofore had or authorized by such two-thirds vote shall be in all things deemed

legal and binding upon all stockholders or members unless within ninety days after this Act takes effect, non-assenting stockholders or members shall by action to enjoin or by other appropriate judicial process question the legality of the sale or authorization.

Section 3. This Act is hereby declared to be an emergency measure and shall be in full force and effect immediately upon its passage and approval.

And when so amended recommend the same do pass.

WM. IRELAND, Chairman.

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

Mr. Speaker: Your Committee on Corporations Other Than Municipal to whom was referred Senate Bill No. 169, have had the same under consideration and recommend that the same do pass.

WM. IRELAND, Chairman

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

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 162, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

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

Mr. Speaker: Your Committee on Public Welfare, to whom was referred House Bill No. 229, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HAUGLAND, Chairman.

Rep. Nichol森 moved that the report be adopted.

Rep. Beede moved a substitute motion that House Bill No. 229 be placed on the calendar, which motion was lost.

The question being on the motion of Rep. Nichol森 that House Bill No. 229 be indefinitely postponed, the motion prevailed.

Rep. Boulden moved that the vote by which House Bill No. 229 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Public Welfare, to whom was referred House Bill No. 321, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

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

Mr. Speaker: Your Committee on Public Welfare, to whom was referred House Bill No. 163, have had the same under consideration and recommend that the same do pass.

REP. HAUGLAND, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 2
 House Bill No. 111
 House Bill No. 123
 House Bill No. 197
 House Bill No. 201
 House Bill No. 208
 House Bill No. 224
 House Bill No. 242
 House Bill No. 265
 House Bill No. 294

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 83
 House Bill No. 87
 House Bill No. 112
 House Bill No. 130
 House Bill No. 145
 House Bill No. 119
 House Bill No. 118
 House Bill No. 126

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

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

Rep. Nelson of Cass moved that the absent members be excused, which motion prevailed.

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

FORTY-FIFTH DAY

Bismarck, February 20, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Karl Gieser, Bismarck.

Roll Call disclosed all members present except Reps. Levin, Myers, Nelson of Sargent, Smart and Wolf of Morton.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-fourth Day and recommend that the same be corrected as follows:

On page 561, in the roll call on House Bill No. 177, Rep. Mollet is shown as voting "no" whereas he was absent and not voting.

In the same roll call, correct the roll call totals to read: "nays, 3; absent and not voting, 21."

On page 565, between line 8 and 9 from the bottom of the page insert the following:

"Senate Bill No. 40.

And recommend that action on Senate Bill No. 40 be deferred one legislative day."

On page 574, after "First Reading Senate Bills" insert the following:

"Senate Bill No. 108. A Bill for an Act to Prescribe Uniform Rules of Practice for Administrative Agencies; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Was read the first time and referred to the Comm. on Judiciary."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS

A resolution was received from the Board of Trustees of the Village of McVile opposing the passage of Senate Bill No. 137, which the Speaker referred to the Comm. on Public Welfare.

Rep. Stormon moved that Senate Bill No. 108 be taken from the calendar and re-referred to the Comm. on Judiciary, which motion prevailed.

Rep. Fuglestad moved that House Bill No. 265 be re-referred from the calendar to the Comm. on Ways and Means, which motion prevailed.

Rep. Johnson of Cass moved that action on House Bill No. 302 be deferred one legislative day, which motion prevailed.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the Expenditure of Money by Contract for Road Improvements

and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Procuring Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment Thereof.

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 40 of Chapter 148 of the Session Laws of 1931 as Amended by Section 2 of Chapter 144, Laws of 1935, Relating to Game Reserves and Refuges.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.

And the Speaker signed the same in the presence of the House.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 19, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 272. A Bill for an Act to Amend and Re-enact Sections 3 and 5 of Chapter 2 of the 1939 Session Laws; Relating to Beekeepers' Licenses and License Fees, and Repealing All Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 215. A Bill for an Act Authorizing the Governor and the Secretary of State, Acting in the Name of, and on Behalf of, the State of North Dakota, to Transfer and Convey, Without Consideration, Certain Lands in Rolette County, Now Held by and in the Name of the State of North Dakota in Trust for the Use and Benefit of the International Peace Garden, Inc., a New York Corporation, to the United States of America For Use as a Customs Port of Entry to

the United States From the Dominion of Canada, and Declaring an Emergency.

House Bill No. 223. A Bill for an Act Authorizing and Directing County Auditors to Destroy Certain Old, No Longer of Use, and Obsolete Books, Blanks, Forms, and Records of Their Offices and Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 195 of the Session Laws of 1929 Relating to the Opening of Bids, Award of Contract, and Bond Required for Public Buildings.

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to the National Defense Act of June 3, 1916, as Amended by Later Acts of Congress, and Repealing Chapter 35 of the Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939.

House Bill No. 309. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 12 of Section 3511 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to and Clarifying the Fee for Chattel Mortgage Abstract; Repeal.

House Bill No. 200. A Bill for an Act to Provide for the Levying of Dues or Assessments Upon Members in Non-Stock Corporations, and Declaring an Emergency.

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

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 20, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution No. 5. A Concurrent Resolution Providing for the Amendment of the Constitution to Provide That the Governor or Legislative Assembly Shall Have Authority to Require Advisory Opinions From the Supreme Court.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 20, 1941.

Mr. Speaker: I have the honor to transmit:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North

Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the Expenditure of Money by Contract for Road Improvements and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Procuring Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment Thereof.

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 40 of Chapter 148 of the Session Laws of 1931 as Amended by Section 2 of Chapter 144, Laws of 1935, Relating to Game Reserves and Refuges.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.

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

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 20, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3854 of the 1925 Supplement of the Compiled Laws of North Dakota and Allowing Villages to Elect Trustees at Large.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section 2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony and Declaring an Emergency.

Senate Concurrent Resolution "H". A Concurrent Resolution for the Appointment of an Interim Legislative Committee on Code Revision; Prescribing the Duties and Compensation of the Committee.

Senate Bill No. 87. A Bill for an Act to Provide for Payments from the North Dakota Workmen's Compensation Fund in Certain Cases Where No Actual Dependency Is Shown and Providing on Option in Certain Cases.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 20, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 174. A Bill for an Act Providing for the Dissolution of Irrigation Districts; Providing for the Sale of the Assets of Such Districts; Providing for the Disposition of Cash Assets of the District After All District Obligations Have Been Fully Paid; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 129. A Bill for an Act to Amend and Re-act Section 17 of Chapter 148, Laws of 1931, Relative to Trespassing While Hunting.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 20, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 133. A Bill for an Act to Provide for Appointment of Counsel Before Plea of Defendant Charged with First Degree Murder; Providing Payment for Services of Such Counsel.

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section 10993 of the Compiled Laws of North Dakota for 1913, Relating to the Right of the State to Appeal in Criminal Procedure.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 20, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 51. A Bill for an Act to Encourage the Making and Maintaining of Agreements Concerning Wages, Hours and Conditions of Employment Between Employers and Employees by Their Representatives and the Settlement of Controversies Concerning the Same by Mediation and Voluntary Arbitration of Such Controversies on the Commissioner of Agriculture and Labor.

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 20, 1941.

Mr. Speaker: I have the honor to return:

Joint Memorial Resolution No. 1. A Memorial Resolution in Honor of the Late Rep. Rieker.

House Bill No. 129. A Bill for an Act to Repeal Chapter

119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

House Concurrent Resolution "K". Petitioning the Congress of the United States to Amend the Agricultural Adjustment Act.

Which the President has signed.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 22. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Glas	Panko
Austad	Gress	Peterson, Bottineau
Beede	Haag	Peterson, Ransom
Belzer	Halvorson	Rohde
Benno	Haugen	Rygg
Bergesen	Haugland	Sagehorn
Bingenheimer	Heckman	Sandness
Bjella	Hofstrand	Schmidt
Black	Hogoboom	Schwartz
Blair	Holm	Sellens
Bolmeier	Ireland	Semerad
Boulden	Jennings	Severson
Braun, McLean	Johnson, Richland	Sharpe
Braun, Stark	Juhola	Shure
Bubel	Kee	Singleton
Bymers	Kindem	Smart
Carlson	Langley	Starck
Coghlan	Larson	Stormon
Collette	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Twichell
Devlin	McIntee	Wambheim
Dittmer	McIntyre	Welder
Drovdal	Mollet	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Steele	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker
Fleck		

Those voting in the negative were:

Moe Morland

Absent and not voting:

Brusseau Levin Nelson, Sargent

Crockett Myers Saumur
 Johnson, Cass Nelson, Morton Tuff

So the bill passed and the title was agreed to.

House Bill No. 168. A Bill for an Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supplying and Delivering Water for Irrigation Purposes, or for Domestic Use, to Its Members or Stockholders, Providing That the Shares of Stock in Such Corporations May Be Appurtenant to Certain Lands, Prescribing the Rights and Powers of Such Corporations; Providing for the Transferability of Stock Therein and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Gackle	Ohnstad
Allen	Gainor	Olson, Barnes
Anderson	Glas	Olson, Bowman
Arneson	Gress	Panko
Arndt	Haag	Peterson, Bottineau
Austad	Halvorson	Peterson, Ransom
Beede	Haugen	Rohde
Belzer	Haugland	Rygg
Benno	Heckman	Sagehorn
Bergesen	Hofstrand	Sandness
Bingenheimer	Hogoboom	Saumur
Bjella	Holm	Schmidt
Black	Ireland	Schwartz
Braun, McLean	Jennings	Sellens
Braun, Stark	Juhola	Semerad
Bubel	Kee	Severson
Bymers	Kindem	Sharpe
Carlson	Langley	Shure
Coghlan	Larson	Singleton
Collette	Lillehaugen	Smart
Culver	Lunde	Starck
Dalzell	McInnes	Stormon
Devlin	McIntee	Swanson
Dittmer	McIntyre	Trydahl
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Nelson, Cass	Westby
Fitch	Nelson, Ramsey	Williams, Richland
Fitzharris	Nelson, Steele	Williams, Stutsman
Fleck	Nicholsen	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Fuglestad		

Those voting in the negative were:

Moe

Absent and not voting:

Blair	Johnson, Cass	Nelson, Morton
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Bolmeier	Johnson, Richland	Nelson, Sargent
Boulder	Levin	Tuff
Brusseau	Myers	Mr. Speaker
Crockett		

So the bill passed and the title was agreed to.

Rep. Beede moved that the vote by which House Bill No. 168 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 135 of the Session Laws of 1935, Relating to the Election of Precinct Committeemen, and to Repeal Section 3 of Chapter 135 of the Session Laws of 1935.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 4; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Glas	Olson, Barnes
Allen	Gress	Olson, Bowman
Anderson	Haag	Panko
Arneson	Halvorson	Peterson, Bottineau
Arndt	Haugen	Peterson, Ransom
Austad	Haugland	Rohde
Beede	Hofstrand	Rygg
Belzer	Hogoboom	Sagehorn
Benno	Holm	Sandness
Bergesen	Ireland	Saumur
Bingenheimer	Jennings	Schmidt
Bjella	Johnson, Richland	Schwartz
Black	Kee	Sellens
Braun, McLean	Kindem	Semerad
Braun, Stark	Langley	Severson
Bubel	Larson	Sharpe
Bymers	Lillehaugen	Shure
Carlson	Lunde	Singleton
Coghlan	McInnes	Smart
Collette	McIntee	Starck
Crockett	McIntyre	Stormon
Culver	Moe	Swanson
Dalzell	Mollet	Trydahl
Devlin	Morland	Twichell
Dittmer	Morrison	Wambheim
Drovdal	Nelson, Cass	Welder
Erickson, Divide	Nelson, Morton	Westby
Erickson, Williams	Nelson, Ramsey	Williams, Richland
Fitzharris	Nelson, Steele	Williams, Stutsman
Fraser	Nicholsen	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gackle	Ohnstad	Mr. Speaker
Gainor		

Those voting in the negative were:

Blair	Fleck	Juhola
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Falconer

Absent and not voting:

Bolmeier	Heckman	Myers
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Boulden	Johnson, Cass	Nelson, Sargent
Brusseau	Levin	Tuff
Fitch		

So the bill passed and the title was agreed to.

House Bill No. 244 was read the second time.

Rep. Beede asked unanimous consent to amend House Bill No. 244, which consent was granted.

Rep. Beede moved the following amendment to House Bill No 244:

In Section 1, line 8, strike out the comma after the word "election" and insert in lieu thereof a period. Following the period insert "Such ballot" before the word "shall".

In line 10, strike out the word "other".

Which motion prevailed.

Rep. Beede moved that the rules be suspended and that House Bill No. 244 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 244. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of North Dakota of 1913, as Amended by Chapter 226 of the 1937 Session Laws, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Juhola	Severson
Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Twichell

Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker
Fraser		

Absent and not voting:

Boulden	Myers	Tuff
Levin	Nelson, Sargent	

So the bill passed and the title was agreed to.

Rep. Smart moved that action on House Bill No. 268 be deferred one legislative day, which motion prevailed.

House Bill No. 226 was read the second time.

Rep. Nelson of Cass moved that House Bill No. 226 be indefinitely postponed, which motion was lost.

House Bill No. 226. A Bill for an Act to Repeal Chapter 252 of the Session Laws of the State of North Dakota for 1937 as Amended by Chapter 244, of the Session Laws of the State of North Dakota for 1939, and as Amended by Chapter 245 of the Session Laws of the State of North Dakota for 1939, Relating to Bounty for Tree Planting.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 54; nays, 52; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Haag	Peterson, Ransom
Arneson	Halvorson	Rygg
Arndt	Heckman	Sagehorn
Austad	Hogoboom	Schmidt
Bergesen	Holm	Sellens
Bingenheimer	Johnson, Cass	Sharpe
Black	Johnson, Richland	Shure
Blair	Kee	Singleton
Bymers	Langley	Stormon
Carlson	Lunde	Swanson
Coghlan	McInnes	Trydahl
Dalzell	McIntee	Twichell
Erickson, Williams	Morrison	Wambheim
Falconer	Nelson, Ramsey	Welder
Fitzharris	Nelson, Steele	Westby
Fleck	Nicholsen	Williams, Richland
Gainor	Nystrom	Williams, Stutsman
Gress	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Aker	Fraser	Nelson, Cass
Allen	Fuglestad	Nelson, Morton
Beede	Gackle	Ohnstad
Belzer	Glas	Olson, Bowman
Bjella	Haugen	Panko
Bolmeier	Haugland	Peterson, Bottineau
Boulden	Hofstrand	Rohde
Braun, McLean	Ireland	Sandness

Braun, Stark	Jennings	Saumur
Brusseau	Juhola	Schwartz
Bubel	Kindem	Semerad
Collette	Larson	Severson
Crockett	Lillehaugen	Smart
Culver	McIntyre	Starck
Devlin	Moe	Tuff
Dittmer	Mollet	Wolf, McIntosh
Drovdal	Morland	Wolf, Morton
Erickson, Divide		

Absent and not voting:

Benno	Levin	Nelson, Sargent
Fitch	Myers	

So the bill was declared lost.

Rep. Morland voted "no" for the purpose of reconsideration.

Explanation of vote:

Rep. Crockett: About six or eight members talked on this bill, two farmers and the rest were professional men, who think the farmers are going to get fifteen dollars from the Federal government and think that that is too much. I vote "no".

Rep. Boulden requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Boulden moved that House Bill No. 280 be withdrawn, which motion prevailed.

House Bill No. 259 was read the second time.

Rep. Williams of Richland moved that House Bill No. 259 be indefinitely postponed, which motion prevailed.

Rep. Williams of Richland moved that the vote by which House Bill No. 259 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 276 was read the second time.

Rep. Rohde moved that further consideration of House Bill No. 276 be indefinitely postponed, which motion prevailed.

Rep. Rohde moved that the vote by which further consideration of House Bill No. 276 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 299. A Bill for an Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, Relating to the State Board of Architecture.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 19; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Falconer	Nelson, Ramsey
Allen	Fitch	Nicholsen
Anderson	Fitzharris	Nystrom
Arneson	Fuglestad	Ohnstad
Arndt	Gackle	Olson, Bowman

Austad	Gainor	Panko
Belzer	Gress	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Saumur
Bolmeier	Holm	Sellens
Boulden	Ireland	Severson
Brusseau	Jennings	Sharpe
Bymers	Johnson, Richland	Shure
Carlson	Kee	Singleton
Coghlan	Kindem	Smart
Collette	Langley	Stormon
Culver	Larson	Swanson
Dalzell	Lunde	Twichell
Devlin	Moe	Williams, Richland
Dittmer	Mollet	Williams, Stutsman
Drovdal	Morland	Wolf, Morton
Erickson, Divide	Morrison	Mr. Speaker
Erickson, Williams	Nelson, Cass	

Those voting in the negative were:

Bingenheimer	Haag	Schmidt
Braun, McLean	Halvorson	Schwartz
Braun, Stark	Juhola	Semerad
Bubel	Lillehaugen	Starck
Crockett	McIntee	Welder
Fraser	Nelson, Morton	Wolf, McIntosh
Glas		

Absent and not voting:

Beede	McIntyre	Sandness
Fleck	Myers	Trydahl
Johnson, Cass	Nelson, Sargent	Tuff
Levin	Nelson, Steele	Wambheim
McInnes	Olson, Barnes	Westby

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 299 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Haugen moved that the House do now recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

Rep. Saumur moved that House Bill No. 303 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 105; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rohde
Benno	Haugland	Rygg
Bergesen	Heckman	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Hogoboom	Saumur
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Boulden	Johnson, Richland	Semerad
Braun, Stark	Juhola	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Mollet	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker

Those voting in the negative were:

Braun, McLean

Absent and not voting:

Fleck	Levin	Nelson, Sargent
Johnson, Cass	Myers	

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

House Bill No. 277. A Bill for an Act to Establish a Marketing Bureau Within the Department of Agriculture and Labor of the State of North Dakota and Defining Its Functions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 8; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
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Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Braun, McLean	Ireland	Schmidt
Braun, Stark	Jennings	Schwartz
Bubel	Johnson, Richland	Sellens
Bymers	Juhola	Semerad
Carlson	Kee	Sharpe
Coghlan	Kindem	Singleton
Collette	Langley	Smart
Crockett	Larson	Starck
Culver	Lillehaugen	Stormon
Dalzell	Lunde	Swanson
Devlin	McInnes	Tuff
Dittmer	McIntee	Twichell
Drovdal	McIntyre	Welder
Erickson, Divide	Mollet	Westby
Erickson, Williams	Morland	Williams, Richland
Falconer	Morrison	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck		

Those voting in the negative were:

Boulden	Nelson, Ramsey	Wambheim
Brusseau	Shure	Mr. Speaker
Moe	Trydahl	

Absent and not voting:

Bingenheimer	Levin	Nelson, Sargent
Johnson, Cass	Myers	Severson

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 277 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 314 was read the second time.

Rep. Johnson of Richland moved that House Bill No. 314 be re-referred to the Comm. on Ways and Means, which motion was lost.

Rep. Shure moved that House Bill No. 314 be indefinitely postponed, which motion prevailed.

Rep. Mollet moved that the vote by which House Bill No. 314 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 236. A Bill for an Act Providing That the Attorney General and His Assistants Shall Be the Legal Advisors of and Serve as Attorneys for all State Elective and Appointive Officials, Departments, Commissions, Bureaus, Boards and Other State Agencies; Authorizing the

Appointment of Special Assistants and Providing for the Payment of Compensation of Special Assistants and Statutory 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, 41; nays, 65; absent and not voting, 5.

Those voting in the affirmative were:

Anderson	Gress	Ohnstad
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Bingenheimer	Haugen	Rohde
Braun, Stark	Heckman	Rygg
Braun, McLean	Jennings	Schmidt
Brusseau	Juhola	Schwartz
Crockett	Larson	Semerad
Culver	Lillehaugen	Starck
Drovdal	McIntee	Welder
Erickson, Divide	McIntyre	Williams, Richland
Falconer	Mollet	Wolf, McIntosh
Fraser	Morrison	Wolf, Morton
Glas	Nelson, Morton	

Those voting in the negative were:

Aker	Fitzharris	Nystrom
Allen	Fleck	Olson, Barnes
Arneson	Fuglestad	Olson, Bowman
Arndt	Gackle	Peterson, Ransom
Austad	Gainor	Sagehorn
Benno	Haugland	Sandness
Bergesen	Hofstrand	Saumur
Bjella	Hogboom	Sellens
Black	Holm	Sharpe
Blair	Ireland	Shure
Bolmeier	Johnson, Richland	Singleton
Boulden	Kee	Smart
Bubel	Kindem	Stormon
Bymers	Langley	Swanson
Carlson	Lunde	Trydahl
Coghlan	McInnes	Tuff
Collette	Moe	Twichell
Dalzell	Morland	Wambheim
Devlin	Nelson, Cass	Westby
Dittmer	Nelson, Ramsey	Williams, Stutsman
Erickson, Williams	Nelson, Steeple	Mr. Speaker
Fitch	Nicholsen	

Absent and not voting:

Johnson, Cass	Myers	Severson
Levin	Nelson, Sargent	

So the bill was declared lost.

Rep. Boulden moved that the vote by which House Bill No. 236 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 238. A Bill for an Act to Amend and Re-enact Chapter 162 of the 1929 Session Laws of the State of North Dakota Providing That Attachment Shall Lie

Against Motor Vehicles, in Case of Accident Occasioned Through the Negligence of the Driver or Owner Thereof; Denying Exemption as to Such Motor Vehicles; Specifying Place of Trial.

Was 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, 62; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Fitch	Nystrom
Arneson	Fitzharris	Olson, Barnes
Arndt	Fleck	Peterson, Ransom
Austad	Gackle	Sellens
Bergesen	Gainor	Semerad
Bjella	Johnson, Richland	Sharpe
Blair	Kee	Stormon
Bolmeier	Langley	Swanson
Boulden	Lunde	Trydahl
Carlson	McInnes	Tuff
Coghlan	Moe	Twichell
Culver	Nelson, Cass	Wambheim
Dalzell	Nelson, Steele	Westby
Dittmer		

Those voting in the negative were:

Anderson	Haag	Ohnstad
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bingenheimer	Heckman	Rohde
Black	Hofstrand	Rygg
Braun, McLean	Hogoboom	Sagehorn
Braun, Stark	Holm	Sandness
Brusseau	Ireland	Schmidt
Bubel	Jennings	Schwartz
Bymers	Juhola	Shure
Collette	Kindem	Singleton
Crockett	Larson	Smart
Devlin	Lillehaugen	Starek
Drovdal	McIntee	Welder
Erickson, Divide	McIntyre	Williams, Richland
Erickson, Williams	Mollet	Williams, Stutsman
Falconer	Morland	Wolf, McIntosh
Fraser	Morrison	Wolf, Morton
Glas	Nelson, Morton	Mr. Speaker
Gress	Nelson, Ramsey	

Absent and not voting:

Johnson, Cass	Myers	Saumur
Levin	Nelson, Sargent	Severson

So the bill was declared lost.

Mr. Wolf of McIntosh moved that the vote by which House Bill No. 238 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 256. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the

First Day of the Week; Permitting Labor Services to Be Performed in Connection Therewith; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 61; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fitch	Ohnstad
Arndt	Gackle	Olson, Barnes
Belzer	Gainor	Olson, Bowman
Benno	Gress	Panko
Bergesen	Halvorson	Peterson, Bottineau
Black	Johnson, Richland	Rohde
Boulden	Kee	Sagehorn
Braun, Stark	Larson	Saumur
Bubel	McIntee	Schmidt
Bymers	Morrison	Sharpe
Carlson	Nelson, Cass	Shure
Coghlan	Nelson, Morton	Singleton
Collette	Nelson, Ramsey	Wambheim
Crockett	Nelson, Steele	Wolf, Morton
Culver	Nystrom	

Those voting in the negative were:

Allen	Fuglestad	Morland
Anderson	Glas	Nicholsen
Arneson	Haag	Peterson, Ransom
Austad	Haugen	Rygg
Beede	Haugland	Sandness
Bingenheimer	Heckman	Schwartz
Bjella	Hofstrand	Sellens
Blair	Hogoboom	Semerad
Bolmeier	Holm	Smart
Braun, McLean	Ireland	Starck
Brusseau	Jennings	Stormon
Dalzell	Juhola	Swanson
Devlin	Kindem	Trydahl
Dittmer	Langley	Twichell
Drovdal	Lillehaugen	Welder
Erickson, Divide	Lunde	Westby
Erickson, Williams	McInnes	Williams, Richland
Falconer	McIntyre	Williams, Stutsman
Fitzharris	Moe	Wolf, McIntosh
Fleck	Mollet	Mr. Speaker
Fraser		

Absent and not voting:

Johnson, Cass	Myers	Severson
Levin	Nelson, Sargent	Tuff

So the bill was declared lost.

Rep. Williams of Richland moved that the vote by which House Bill No. 256 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Braun of McLean: I didn't mean it as a joke when

I moved for indefinite postponement of this bill. I mean exactly what I said and the reason for that is that we do everything we can to lead our young folks away from the church. Why isn't there anyone in this House to show us the way to church on Sunday. We call ourselves a Christian nation. As a Christian nation we should be proud of still having the privilege of going to church on Sunday and trying to do what we can for our children at home. That is the reason I vote "no" on this bill.

Rep. Lillehaugen: This bill just gives more opportunity to disregard the keeping of the Sabbath. I vote "no".

Rep. Holm: This is another enticing wedge to disregard the first day of the week. Like Rep. Lillehaugen, I vote "no".

Rep. Williams of Richland: I may be a little old-fashioned but I was raised to respect the day of Sunday. We are not only breaking the law of the State but we are also breaking the law of God and one of the commandments. I vote "no".

Rep. Swanson: I don't see anything in this bill specifying that a bowling alley shall be segregated from a pool hall. Throughout the state we have bowling alleys connected with pool halls. For that reason I vote "no".

GENERAL ORDERS

Mr. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Mr. Fitch to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 20.

Line 3, strike out the figures "\$34,319.00" and insert in lieu thereof the figures "\$50,199.00."

Line 10, strike out the words and figures "Foreman and Ass't Inspectors \$9,240.00" and insert in lieu thereof "2 Foremen . . . \$6,480.00".

Add line 10-a, "3 Inspectors, \$9,000.00".

Line 16, strike out the figures "\$600.00," and insert in lieu thereof the figures "\$400.00."

Line 17, strike out the figures "\$9,000.00," and insert in lieu thereof the figures "\$14,000.00."

Line 19, after the word "Equip." add the words "Available upon passage and approval"; strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$3,940.00."

Line 21, after the word "Mtce." add the words "Available upon passage and approval"; strike out the figures "\$3,250.00," and insert in lieu thereof the figures "\$5,150."

Line 22, strike out the figures "\$34,319.00," and insert in lieu thereof the figures "\$50,199.00."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 19.

Line 3, strike out the figures "\$68,382.00," and insert in lieu thereof the figures "\$65,110.00."

Line 12, strike out the figures "\$18,622.00," and insert in lieu thereof the figures "\$17,000.00."

Line 13, strike out the figures "\$900.00," and insert in lieu thereof the figures "\$500.00."

Line 15, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$750.00."

Line 16, strike out the figures "\$2,000.00," and insert in lieu thereof the figures "\$1,500.00."

Line 17, strike out the figures "\$1,500.00," and insert in lieu thereof the figures "\$1,200.00."

Line 19, strike out the figures "\$1,200.00," and insert in lieu thereof the figures "\$1,000.00."

Line 20, strike out the figures "\$68,382.00" and insert in lieu thereof the figures "\$65,110.00."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 18.

Line 3, strike out the figures "\$11,770.00," and insert in lieu thereof the figures "\$11,220.00."

Line 11, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$800.00."

Line 13, strike out the figures "\$1,350.00," and insert in lieu thereof the figures "\$1,000.00."

Line 14, strike out the figures "\$11,770.00," and insert in lieu thereof the figures "\$11,220.00."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the further amendment:

Sec. 1, line 2, strike out the word "Certificate" and insert in lieu thereof the word "Certification".

And when so amended recommend the same do pass.

House Bill No. 17.

Line 3, strike out the figures "\$3,600.00," and insert in lieu thereof the figures "\$2,500.00."

Line 8, strike out the figures "\$3,600.00," and insert in lieu thereof the figures "\$2,500.00."

Line 9, strike out the figures "\$3,600.00," and insert in lieu thereof the figures "\$2,500.00."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 15.

Line 3, strike out the figures "\$39,275.00," and insert in lieu thereof the figures "\$37,275.00."

Line 8, strike out the figures "\$10,000.00," and insert in lieu thereof the figures "\$9,000.00."

Line 9, strike out the figures "\$500.00," and insert in lieu thereof the figures "\$400.00."

Line 10, strike out the figures "\$500.00," and insert in lieu thereof the figures "\$250.00."

Line 11, strike out the figures "\$500.00," and insert in lieu thereof the figures "\$350.00."

Line 12, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$500.00."

Line 17, strike out the figures "\$39,275.00," and insert in lieu thereof the figures "\$37,275.00."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Concurrent Resolution No. 320.

On page 2, in line 9, strike out the word "twenty" and insert in lieu thereof the word "fifteen."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 206.

In Section 3. (A), line 23, after the word "exceeding" strike out the word "six" and insert in lieu thereof the word "three".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend that the same do pass.

House Bill No. 274.

Rep. Beede moved a substitute motion that House Bill No. 274 be placed in General Orders for amendment, which motion prevailed.

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following further amendments:

On page 2, line 8, after the last word "funds" strike out the period and insert a comma in lieu thereof and insert the following: "regardless of whether or not any part or portion of such salary is paid by or is derived from Federal funds, or from funds of any Federal agency, or from funds from any other source."

And when so amended recommend the same do pass.

House Bill No. 152.

In Section 1, line 11, strike out the word and figures "March 1, 1942" and insert in lieu thereof "October 1, 1941."

In Sec. 2, line 14, page 4, strike out figures "1939" and insert in lieu thereof "1940".

In Section 4, line 11, after the word "shall" strike out the rest of the line and in line 12, strike out the entire line and insert in lieu thereof "have the right to discharge the interest in full upon his obligation under any existing contract by paying interest at 4% from April 1st, 1941."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following amendment to the Standing Committee amendment to line 11 on page 2:

Strike out "October 1, 1941, as inserted by the Standing Committee and re-insert the following "March 1, 1942" as originally printed in the bill.

And when so amended recommend the same do pass.

House Bill No. 213.

In the Title in line 11 of the bill after the word "right" add the following "to possession during the extended period, and limiting the right."

In line 78 of the bill, after the numerals "1943," add the word "no".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Concurrent Resolution No. 29.

In line 2 of the title, after the word "Dakota" insert a comma. Also in the same line after the word "amend" insert a comma and strike out the following words "by Articles 41 and 48 of the amendments thereof,".

In line three of the Resolution after the word "Dakota" insert a comma and in the same line after the word "amend" insert a comma and strike out the following words "by Article 41 and Article 48 of the amendments thereof,".

In Section 1, line 3, after the word "amended" insert a comma and strike out the following words "by Article 41 and Article 48 of the amendments thereof,".

In Section 173, line 1, before the words "general election" strike out the word "first". Also in the same line after the word "held" strike out the following words "after the adoption of this amendment" and insert in lieu thereof the word and figures "in 1942". Also in line 6 of the same section, after the word "court" insert the following words "and a county superintendent of schools,".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 116.

Strike out all after the word "BILL" in the heading and substitute therefore the following:

To Amend House Bill No. 116 by Striking out Everything which follows the words "A Bill" and inserting the following in lieu thereof.

For an Act Authorizing the Seizure and Confiscation of Vehicles or other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property which is the Subject Matter of Any Felony; Providing for a proceeding to release such property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds arising from Sale; Declaring an Emergency.

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

1 SECTION 1. Peace Officer may seize any VEHICLE
1a USED IN COMMISSION OF FELONY.) Any

2 peace officer of this State may seize any vehicle or other
 2a means of trans-
 3 portation used in the commission of a felony, in the
 3a furtherance of the com-
 4 mission of a felony, in the escape from the scene of the
 4a commission of a
 5 felony, or in the transportation of property which is the
 5a subject matter of
 6 any felony, and may arrest any person in charge thereof,
 6a and proceed against
 7 any person arrested under the provisions of this act in
 7a any court having com-
 8 petent jurisdiction.

1 SECTION 2. RETURN OF CAR TO CLAIMANT.) If
 1a the committing magistrate on
 2 preliminary hearing shall find that the person owning
 2a such vehicle is inno-
 3 cent of all connection with the commission of the felony,
 3a the vehicle shall
 4 be returned to such owner. If claim to the vehicle is made
 4a by a person other
 5 than the one in the possession of whom it was found, and
 5a the officer is in
 6 doubt relative to such claim, the vehicle or conveyance
 6a taken by an officer
 7 under the provisions of this act shall be returned to such
 7a claimant thereof
 8 upon the execution by him of a bond in an amount equal
 8a to the value of the
 9 property, to be approved by said officer and conditioned
 9a for the return of
 10 said property to the officer on the day of the trial to
 10a abide the judgement
 11 of the court.

1 SECTION 3. COURT TO ORDER FORFEITURE OF
 1a VEHICLE.) The District Court,
 2 upon conviction of the person arrested, or upon his plea
 2a of guilty, or upon
 3 the failure of the officer after one month of effort, to
 3a locate or arrest the
 4 person who used such vehicle or other means of convey-
 4a ance in connection with
 5 the commission of the felony, shall order the vehicle or
 5a other means of con-
 6 veyance so confiscated to be forfeited.

1 SECTION 4. SUMMONS ON FORFEITURE: CON-
 1a TENTS AND SERVICE.) The District
 2 Court shall require the state's attorney of the county in
 2a which the felony
 3 was committed to cause a summons to be issued out of
 3a the District Court
 4 against all persons having any right, title or interest in
 4a the property
 5 seized. Such summons shall particularly describe the
 5a property and state
 6 that the same is held for forfeiture and sale under the
 6a provisions of this
 7 act and that in default of answer or claim filed within
 7a thirty days after

8 the service of such summons, the court will enter its
 8a order forfeiting such
 9 property to the State of North Dakota. Such summons
 9a shall be served in the
 10 manner provided for the service of summons in a civil
 10a action. When the name
 11 of the owner of such property can be ascertained, such
 11a summons shall be
 12 served upon him personally or by registered mail.

1 SECTION 5. PROCEDURE AFTER SERVICE OF
 1a SUMMONS; SALE ON DEFAULT.) If no
 2 answer shall be filed or claim made within the time
 2a allowed by this act, the
 3 District Court shall enter its order forfeiting such prop-
 3a erty to the State
 4 of North Dakota, and requiring the sale of same in the
 4a manner provided for
 5 the sale of personal property on execution.

1 SECTION 6. RETURN OF PROPERTY AFTER
 1a HEARING; SALE TO SATISFY LIEN.) If
 2 an answer is filed or claim made, the District Court shall
 2a proceed to hear
 3 and determine the claim according to law. If at such
 3a hearing any claimant
 4 shall prove to the satisfaction of the Court that he is the
 4a owner of such
 5 property or has a valid and bona fide lien thereon duly
 5a filed or recorded
 6 prior to the time such vehicle was seized and that he had
 6a no knowledge of the
 7 use of such vehicle or conveyance for such unlawful
 7a purpose, the Court shall
 8 order such property to be surrendered to him, if the owner.
 8a If the claimant
 9 is a lien holder, the lien shall be foreclosed and the prop-
 9a erty sold, and the
 10 proceeds from such sale shall be applied in payment of
 10a the costs of such
 11 sale and the satisfaction of the lien or liens. The balance
 11a of such sum
 12 shall be deposited as hereinafter provided.

1 SECTION 7. ORDER OF SALE AFTER HEARING.)
 1a If the claimant or claimants
 2 shall fail to sustain their claims, the District Court shall
 2a enter its order
 3 for the forfeiture and sale of the property as hereinbefore
 3a provided in case
 4 of default.

1 SECTION 8. DISPOSITION OF PROCEEDS OF
 1a SALE.) After deducting the costs
 2 and expenses of a proceeding for sale under this act, the
 2a balance of all
 3 money received under the provisions of this act shall be
 3a be paid to the trea-
 4 surer of the county wherein the felony was committed,
 4a for the benefit of the
 5 state school fund.

1 SECTION 9. EMERGENCY.) This act is hereby de-
 2 clared to be an emergency
 2 measure and shall be in full force and effect from and
 2a after its passage and
 3 approval.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 199.

In the title, in line 4, strike out all after the word "owner" and place a period following the word "owner".

In line 4, Section 1, strike out the word "crime" and substitute in lieu thereof the word "misdemeanor".

In line 4, Section 1, strike out the words "therefore by".

Strike out all of lines 5 and 6 in Section 1.

In line 4, Section 1, following the word "punished" insert the following "by fine not to exceed five hundred dollars, (\$500.00), or by imprisonment in the county jail not to exceed one year, or by both such fine and imprisonment in the discretion of the court".

Strike out lines 7, 8, 9, 10, 11, in Section 1.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 40.

On line 1 of the title, after the word "re-enact" strike out the following: "Section 1 of". On the third line of the title, after the comma, insert the words: "allocating the revenues therefrom".

Change Section 2 of original bill to read "Section 3" and insert a new section 2 as follows: "Section 2 Amendment.) Section 2 of Chapter 234 of the Session Laws of North Dakota for 1939 as amended be and the same is hereby amended and re-enacted to read as follows:

"Section 25. ALLOCATION OF REVENUE.) All monies collected and received under this Act shall be paid into the State Treasury and shall be credited by the State Treasurer into a special fund to be known as "THE RETAIL SALES TAX FUND". Out of this fund the State Treasurer shall first provide for the payments of refunds allowed under this Act. That the net amount of monies remaining in said "RETAIL SALES TAX FUND" shall be and shall constitute a special trust fund to be used and disbursed solely for the following purposes:

1. That seven-twelfths (7/12ths) of said trust fund shall be used and disbursed only for payment of appropriations made pursuant to the State Equalization Fund Law. That the remaining five-twelfths (5/12ths) of said trust fund shall be used and disbursed only for the payment of appropriations made to the Public Welfare Fund for the purposes authorized by law.

2. That the State Treasurer and State Auditor are hereby authorized and directed to make monthly transfers of all the amounts available in said trust fund, in the proportions as

herein provided to the Equalization Fund and to the State Public Welfare Funds."

And recommend the adoption of the Standing Committee Amendments.

And when so amended recommend the same do pass.

K. A. FITCH, Chm., Committee of the Whole.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 129. A Bill for an Act to Repeal Chapter 119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

Was delivered to the Governor for his approval at the hour of 2:55 o'clock p. m., February 20, 1941.

REP. WAMBHEIM, Chairman.

Rep. Swanson moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

Rep. Twichell moved that the House do now recess until 9:00 a. m., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FORTY-FIFTH DAY AFTER RECESS
AND FORTY-SIXTH DAY

Bismarck, February 21, 1941.

The House re-assembled at 9:00 A. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Thirteenth Order of Business.

FIRST READING OF SENATE BILLS

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 148, Laws of 1931, Relative to Trespassing While Hunting.

Was read the first time and referred to the Comm. on Game and Fish.

Senate Bill No. 174. A Bill for an Act Providing for the Dissolution of Irrigation Districts; Providing for the Sale of the Assets of Such Districts; Providing for the Disposition of Cash Assets of the District After All District Obligations Have Been Fully Paid; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Drainage and Irrigation.

The House reverted to the Seventh Order of Business.

Rep. Swanson moved that House Bill No. 241 be placed at the foot of the calendar, which motion prevailed.

Rep. Beede moved that House Bill No. 263 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Chiropractic License Renewals; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 73; nays, 10; absent and not voting, 28.

Those voting in the affirmative were:

Allen	Heckman	Rygg
Anderson	Hofstrand	Sagehorn
Arneson	Holm	Saundness
Arndt	Johnson, Richland	Saumur
Austad	Juhola	Schmidt
Beede	Langley	Schwartz
Bergesen	Larson	Severson
Bjella	Lillehaugen	Sharpe
Black	McInnes	Shure
Blair	McIntee	Singleton
Bymers	Moe	Smart
Carlson	Mollet	Starck
Crockett	Morland	Stormon
Culver	Morrison	Swanson
Dalzell	Nelson, Cass	Trydahl
Drovdal	Nelson, Morton	Twichell
Erickson, Divide	Nelson, Ramsey	Wambheim
Erickson, Williams	Nicholsen	Welder
Falconer	Nystrom	Westby
Fitzharris	Olson, Barnes	Williams, Richland
Gainor	Olson, Bowman	Williams, Stutsman
Haag	Panko	Wolf, McIntosh
Halvorson	Peterson, Ransom	Wolf, Morton
Haugen	Rohde	Mr. Speaker
Haugland		

Those voting in the negative were:

Bingenheimer	Collette	Kee
Bolmeier	Dittmer	Levin
Braun, McLean	Jennings	Nelson, Sargent
Coghlan		

Absent and not voting:

Aker	Fraser	Lunde
Belzer	Fuglestad	McIntyre
Benno	Gackle	Myers
Boulden	Glas	Nelson, Steele
Braun, Stark	Gress	Ohnstad
Brusseau	Hogoboom	Peterson, Bottineau
Bubel	Ireland	Sellens
Devlin	Johnson, Cass	Semerad
Fitch	Kindem	Tuff
Fleck		

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Rep. Panko moved that the vote by which House Bill No. 261 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Starck requested that the House be on the Seventh Order of Business, which request was granted and Rep. Starck moved that House Bill No. 235 be withdrawn, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 197. A Bill for an Act to Assist the People of North Dakota in Acquiring and Owning Homes, By Designating Homes Occupied By the Owners as a Separate Class of Real Property for Taxation Purposes; Fixing the Basis of Assessment Thereon, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 45; absent and not voting, 25.

Those voting in the affirmative were:

Anderson	Halvorson	Nelson, Ramsey
Arneson	Haugen	Olson, Bowman
Arndt	Heckman	Panko
Austad	Jennings	Rohde
Bergesen	Juhola	Rygg
Braun, McLean	Larson	Schmidt
Bymers	Levin	Schwartz
Crockett	Lillehaugen	Semerad
Culver	McIntee	Starck
Drovdal	McIntyre	Welder
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Wolf, McIntosh
Falconer	Morrison	Wolf, Morton
Haag	Nelson, Morton	

Those voting in the negative were:

Allen	Haugland	Sandness
Beede	Holm	Saumur
Bingenheimer	Johnson, Cass	Severson
Bjella	Johnson, Richland	Sharpe
Black	Kee	Shure
Blair	Langley	Singleton
Bolmeier	Lunde	Smart
Carlson	McInnes	Stormon
Coghlan	Moe	Swanson
Collette	Nelson, Cass	Trydahl
Dalzell	Nicholsen	Twichell
Dittmer	Nystrom	Wambheim
Fitzharris	Olson, Barnes	Westby
Gainor	Peterson, Ransom	Williams, Stutsman
Gress	Sagehorn	Mr. Speaker

Absent and not voting:

Aker	Fleck	Kindem
Belzer	Fraser	Myers
Benno	Fuglestad	Nelson, Sargent
Boulden	Gackle	Nelson, Steele
Braun, Stark	Glas	Ohnstad
Brusseau	Hofstrand	Peterson, Bottineau
Bubel	Hogoboom	Sellens
Devlin	Ireland	Tuff
Fitch		

So the bill was declared lost.

Rep. Beede changed his vote from "aye" to "no" for the purpose of reconsideration.

Explanations of vote:

Rep. Moe: I am not here playing for votes. I am here serving the state and if we want state protection we have to have taxes. Therefore I vote "no".

Rep. Williams of Richland: I was sent up here to help save the homes of the farmers, but I am getting very poor cooperation. I vote "aye" on this bill.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 9; absent and not voting, 23.

Those voting in the affirmative were:

Allen	Haugen	Rygg
Anderson	Haugland	Sagehorn
Arneson	Heckman	Sandness
Arndt	Hofstrand	Saumur
Beede	Holm	Schmidt
Bergesen	Jennings	Schwartz
Bingenheimer	Johnson, Cass	Semerad
Bjella	Johnson, Richland	Severson
Black	Kee	Sharpe
Blair	Langley	Shure
Bolmeier	Larson	Singleton
Braun, McLean	Lunde	Smart
Braun, Stark	McInnes	Starek
Bymers	McIntee	Stormon
Carlson	McIntyre	Swanson
Coghlan	Mollet	Trydahl
Crockett	Morland	Tuff
Culver	Nelson, Cass	Twichell
Dalzell	Nelson, Ramsey	Wambheim
Dittmer	Nicholsen	Welder
Drovdal	Nystrom	Westby
Erickson, Divide	Olson, Barnes	Williams, Richland
Erickson, Williams	Olson, Bowman	Williams, Stutsman
Fitzharris	Panko	Wolf, McIntosh
Gainor	Peterson, Ransom	Wolf, Morton
Haag	Rohde	Mr. Speaker
Halvorson		

Those voting in the negative were:

Collette	Juhola	Moe
Falconer	Levin	Morrison
Gress	Lillehaugen	Nelson, Morton

Absent and not voting:

Aker	Fitch	Kindem
Austad	Fleck	Myers

Belzer	Fraser	Nelson, Sargent
Benno	Fuglestad	Nelson, Steele
Boulden	Gackle	Ohnstad
Brusseau	Glas	Peterson, Bottineau
Bubel	Hogoboom	Sellens
Devlin	Ireland	

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 208 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 2. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 2; absent and not voting, 22.

Those voting in the affirmative were:

Allen	Haag	Panko
Anderson	Halvorson	Peterson, Ransom
Arneson	Haugen	Rohde
Arndt	Haugland	Rygg
Austad	Heckman	Sagehorn
Beede	Hofstrand	Sandness
Bergesen	Holm	Saumur
Bingenheimer	Jennings	Schmidt
Bjella	Johnson, Cass	Schwartz
Black	Johnson, Richland	Semerad
Blair	Juhola	Severson
Bolmeier	Kee	Sharpe
Braun, McLean	Langley	Shure
Braun, Stark	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Mollet	Twichell
Dittmer	Morland	Wambheim
Drovdal	Nelson, Cass	Welder
Erickson, Divide	Nelson, Morton	Westby
Erickson, Williams	Nelson, Ramsey	Williams, Richland
Falconer	Nicholsen	Williams, Stutsman
Fitzharris	Nystrom	Wolf, McIntosh
Gainor	Olson, Barnes	Wolf, Morton
Gress	Olson, Bowman	Mr. Speaker

Those voting in the negative were:

Moe	Morrison
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Absent and not voting:

Aker	Fleck	Kindem
Belzer	Fraser	Myers
Benno	Fuglestad	Nelson, Sargent
Boulden	Gackle	Nelson, Steele
Brusseau	Glas	Ohnstad

Bubel	Hogoboom	Peterson, Bottineau
Devlin	Ireland	Sellens
Fitch		

So the bill passed and the title was agreed to.

House Bill No. 111. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 25.

Those voting in the affirmative were:

Allen	Haag	Peterson, Ransom
Anderson	Halvorson	Rohde
Arneson	Haugen	Rygg
Arndt	Haugland	Sagehorn
Austad	Heckman	Sandness
Beede	Holm	Saumur
Bergesen	Jennings	Schmidt
Bingenheimer	Johnson, Cass	Schwartz
Bjella	Johnson, Richland	Semerad
Black	Juhola	Severson
Blair	Kee	Sharpe
Bolmeier	Langley	Shure
Braun, McLean	Larson	Singleton
Braun, Stark	Levin	Smart
Bymers	Lillehaugen	Starck
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Collette	McIntee	Trydahl
Crockett	McIntyre	Tuff
Culver	Mollet	Twichell
Dalzell	Morland	Wambheim
Dittmer	Morrison	Welder
Drovdal	Nelson, Cass	Westby
Erickson, Divide	Nelson, Morton	Williams, Richland
Erickson, Williams	Nelson, Ramsey	Williams, Stutsman
Falconer	Nicholsen	Wolf, McIntosh
Fitzharris	Nystrom	Wolf, Morton
Gainor	Olson, Barnes	Mr. Speaker
Gress	Olson, Bowman	

Absent and not voting:

Aker	Fraser	Moe
Belzer	Fuglestad	Myers
Benno	Gackle	Nelson, Sargent
Boulden	Glas	Nelson, Steele
Brusseau	Hofstrand	Ohnstad
Bubel	Hogoboom	Panko
Devlin	Ireland	Peterson, Bottineau
Fitch	Kindem	Sellens
Fleck		

So the bill passed and the title was agreed to.

Rep. Drovdal moved that House Bill No. 201 be placed at the foot of the calendar, which motion prevailed.

Rep. Bergesen requested that the House be on the Seventh Order of Business, which request was granted and Rep. Bergesen moved that House Bill No. 242 be placed at the foot of the calendar, which motion prevailed.

Rep. Crockett moved that House Bill No. 313 be withdrawn, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for 1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor; Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 6; absent and not voting, 25.

Those voting in the affirmative were:

Allen	Glas	Rohde
Anderson	Gress	Rygg
Arneson	Haag	Sagehorn
Arndt	Halvorson	Sandness
Austad	Haugen	Saumur
Beede	Haugland	Schwartz
Bergesen	Holm	Sellens
Bingenheimer	Jennings	Semerad
Bjella	Johnson, Cass	Severson
Black	Johnson, Richland	Sharpe
Blair	Juhola	Shure
Bolmeier	Langley	Singleton
Braun, McLean	Larson	Smart
Braun, Stark	Lunde	Starck
Bymers	McInnes	Stormon
Carlson	McIntee	Swanson
Coghlan	McIntyre	Trydahl
Crockett	Mollet	Twichell
Culver	Morland	Wambheim
Dalzell	Nelson, Cass	Welder
Dittmer	Nelson, Ramsey	Westby
Drovdal	Nicholsen	Williams, Richland
Erickson, Divide	Nystrom	Williams, Stutsman
Erickson, Williams	Olson, Barnes	Wolf, McIntosh
Falconer	Olson, Bowman	Wolf, Morton
Fitzharris	Panko	Mr. Speaker
Gainor	Peterson, Ransom	

Those voting in the negative were:

Levin	Moe	Nelson, Morton
Lillehaugen	Morrison	Schmidt
Absent and not voting:		
Aker	Fleck	Kee

Belzer	Fraser	Kindem
Benno	Fuglestad	Myers
Boulden	Gackle	Nelson, Sargent
Brusseau	Heckman	Nelson, Steele
Bubel	Hofstrand	Ohnstad
Collette	Hogboom	Peterson, Bottineau
Devlin	Ireland	Tuff
Fitch		

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

Rep. Smart moved that the vote by which House Bill No. 224 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 123. A Bill for an Act Reserving to the Counties of the State Mineral, Gas and Oil Rights; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 0; absent and not voting, 26.

Those voting in the affirmative were:

Allen	Halvorson	Panko
Anderson	Haugen	Peterson, Ransom
Arneson	Haugland	Rohde
Arndt	Heckman	Rygg
Austad	Holm	Sagehorn
Beede	Jennings	Sandness
Bergesen	Johnson, Cass	Saumur
Bingenheimer	Johnson, Richland	Schmidt
Bjella	Juhola	Schwartz
Black	Kee	Semerad
Blair	Langley	Severson
Bolmeier	Larson	Sharpe
Braun, McLean	Levin	Shure
Braun, Stark	Lillehaugen	Singleton
Bymers	Lunde	Smart
Carlson	McInnes	Starck
Coghlan	McIntee	Stormon
Culver	McIntyre	Swanson
Dalzell	Moe	Trydahl
Dittmer	Morland	Twichell
Drovdal	Morrison	Wambheim
Erickson, Divide	Nelson, Cass	Welder
Erickson, Williams	Nelson, Morton	Westby
Falconer	Nelson, Ramsey	Williams, Richland
Fitzharris	Nicholsen	Williams, Stutsman
Gainor	Nystrom	Wolf, McIntosh
Glas	Olson, Barnes	Wolf, Morton
Gress	Olson, Bowman	Mr. Speaker
Haag		

Absent and not voting:

Aker	Fitch	Mollet
Belzer	Fleck	Myers
Benno	Fraser	Nelson, Sargent
Boulden	Fuglestad	Nelson, Steele

Brusseau	Gackle	Ohnstad
Bubel	Hofstrand	Peterson, Bottineau
Collette	Hogoboom	Sellens
Crockett	Ireland	Tuff
Devlin	Kindem	

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

Rep. Smart moved that the vote by which House Bill No. 123 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 294. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders for Livestock Owners in Such Townships, Fixing Penalty for Violation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 1; absent and not voting, 26.

Those voting in the affirmative were:

Allen	Gress	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arneson	Halvorson	Panko
Arndt	Haugen	Peterson, Ransom
Austad	Haugland	Rygg
Beede	Holm	Sagehorn
Bergesen	Jennings	Sandness
Bingenheimer	Johnson, Cass	Saumur
Bjella	Johnson, Richland	Schmidt
Black	Juhola	Schwartz
Blair	Kee	Semerad
Bolmeier	Langley	Severson
Braun, McLean	Larson	Sharpe
Braun, Stark	Levin	Shure
Bymers	Lillehaugen	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Starck
Collette	McIntee	Stormon
Culver	McIntyre	Swanson
Dalzell	Mollet	Trydahl
Dittmer	Morland	Wambheim
Drovdal	Morrison	Welder
Erickson, Divide	Nelson, Cass	Westby
Erickson, Williams	Nelson, Morton	Williams, Richland
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Steele	Wolf, McIntosh
Gainor	Nicholsen	Wolf, Morton
Glas	Nystrom	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Aker	Fleck	Myers
Belzer	Fraser	Nelson, Sargent

Benno	Fuglestad	Ohnstad
Boulden	Gackle	Peterson, Bottineau
Brusseau	Heckman	Rohde
Bubel	Hofstrand	Sellens
Crockett	Hogoboom	Tuff
Devlin	Ireland	Twichell
Fitch	Kindem	

So the bill passed and the title was agreed to.

Rep. Smart moved that the vote by which House Bill No. 294 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Smart moved that House Bill No. 268 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 303. A Bill for an Act Requiring Departmental Budgets and Biennial Reports by the State Highway Commissioner and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 5; absent and not voting, 27.

Those voting in the affirmative were:

Allen	Glas	Nystrom
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Peterson, Ransom
Beede	Haugen	Rohde
Bergesen	Haugland	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Jennings	Saumur
Black	Johnson, Cass	Schmidt
Blair	Johnson, Richland	Schwartz
Bolmeier	Kee	Semerad
Braun, McLean	Langley	Severson
Braun, Stark	Larson	Sharpe
Bymers	Levin	Shure
Carlson	Lillehaugen	Singleton
Coghlan	Lunde	Starck
Collette	McInnes	Stormon
Crockett	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Moe	Tuff
Dittmer	Mollet	Wambheim
Drovdal	Morland	Westby
Erickson, Divide	Nelson, Cass	Williams, Richland
Erickson, Williams	Nelson, Ramsey	Williams, Stutsman
Falconer	Nelson, Steele	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker
Gainor		

Those voting in the negative were:

Anderson	Panko	Wolf, McIntosh
Morrison	Welder	
Absent and not voting:		
Aker	Fraser	Myers
Belzer	Fuglestad	Nelson, Morton

Benno	Gackle	Nelson, Sargent
Boulden	Heckman	Ohnstad
Brusseau	Hofstrand	Peterson, Bottineau
Bubel	Hogoboom	Sandness
Devlin	Ireland	Sellens
Fitch	Juhola	Smart
Fleck	Kindem	Twichell

So the bill passed and the title was agreed to.

House Bill No. 245 was read the second time.

Rep. Starck moved that House Bill No. 245 be indefinitely postponed.

Rep. Swanson moved a substitute motion that House Bill No. 245 be withdrawn, which motion prevailed.

House Bill No. 237. A Bill for an Act Providing for Retention by County Auditors of a Part of the Resident and Non-resident Hunting License and Non-resident Fishing License Fees, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 72; nays, 15; absent and not voting, 24.

Those voting in the affirmative were:

Aker	Fitzharris	Nystrom
Allen	Gainor	Olson, Barnes
Arneson	Glas	Panko
Arndt	Gress	Peterson, Ransom
Austad	Halvorson	Rygg
Beede	Haugland	Sagehorn
Bergesen	Johnson, Cass	Sandness
Bjella	Johnson, Richland	Saumur
Black	Juhola	Schwartz
Blair	Kee	Semerad
Bolmeier	Langley	Severson
Braun, McLean	Levin	Sharpe
Braun, Stark	Lillehaugen	Shure
Bymers	Lunde	Singleton
Carlson	McInnes	Smart
Coghlan	McIntee	Starck
Collette	McIntyre	Stormon
Crockett	Moe	Swanson
Culver	Morrison	Trydahl
Dalzell	Nelson, Cass	Twichell
Dittmer	Nelson, Morton	Westby
Erickson, Divide	Nelson, Ramsey	Williams, Richland
Erickson, Williams	Nelson, Steele	Williams, Stutsman
Falconer	Nicholsen	Mr. Speaker

Those voting in the negative were:

Anderson	Holm	Olson, Bowman
Drovdal	Jennings	Rohde
Haag	Larson	Welder
Haugen	Mollet	Wolf, McIntosh
Heckman	Morland	Wolf, Morton

Absent and not voting:

Belzer	Fleck	Myers
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Benno	Fraser	Nelson, Sargent
Bingenheimer	Fuglestad	Ohnstad
Boulden	Gackle	Peterson, Bottineau
Brusseau	Hofstrand	Schmidt
Bubel	Hogoboom	Sellens
Devlin	Ireland	Tuff
Fitch	Kindem	Wambheim.

So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 237 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 301. A Bill for an Act Relating to the State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of All Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions Upon Which Renewal of Licenses Shall Be Issued and Requirements Prerequisite to the Granting of Such Renewal Licenses; Providing for Penalties and Suspension of License for Failure to Reregister; Providing for Reinstatement After Suspension.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays, 3; absent and not voting, 25.

Those voting in the affirmative were:

Aker	Haag	Olson, Barnes
Allen	Halvorson	Olson, Bowman
Anderson	Haugen	Panko
Arneson	Haugland	Peterson, Ransom
Arndt	Heckman	Rohde
Austad	Holm	Rygg
Beebe	Ireland	Sagehorn
Bergesen	Johnson, Cass	Sandness
Bjella	Johnson, Richland	Schmidt
Black	Kee	Schwartz
Blair	Langley	Severson
Bolmeier	Larson	Sharpe
Braun, Stark	Levin	Shure
Bymers	Lillehaugen	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Starck
Collette	McIntee	Stormon
Crockett	McIntyre	Swanson
Culver	Moe	Trydahl
Dalzell	Mollet	Twichell
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Gainor	Nelson, Steele	Wolf, Morton
Glas	Nicholsen	Mr. Speaker
Gress	Nystrom	

Those voting in the negative were:

Bingenheimer	Braun, McLean	Jennings
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Absent and not voting:

Belzer	Fraser	Nelson, Sargent
Benno	Fuglestad	Ohnstad
Boulden	Gackle	Peterson, Bottineau
Brusseau	Hofstrand	Saumur
Bubel	Hogoboom	Sellens
Devlin	Juhola	Semerad
Dittmer	Kindem	Tuff
Fitch	Myers	Wambheim
Fleck		

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 301 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 162 was read the second time.

Rep. Wolf of McIntosh moved that House Bill No. 162 be indefinitely postponed.

Rep. Bjella moved a substitute motion that House Bill No. 162 remain on the calendar, which motion was lost.

The question being on the motion of Rep. Wolf of McIntosh that House Bill No. 162 be indefinitely postponed, the motion prevailed.

Rep. Twichell moved that the rules be suspended for the purpose of resolving into the Committee of the Whole, which motion prevailed.

GENERAL ORDERS

Rep. Swanson moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Swanson to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 184.

In Section 1, line 6, after the word "owned" insert the following "By the State of North Dakota for the benefit and use of".

In Section 1, line 7, strike out the word "by".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 306.

Strike out all of Sub. Sec. B of Sec. 10.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 307.

And recommend the adoption of the following amendment:

Following the word and figures "Section 3176." in line 4, of Section 1, strike out the balance of the printed bill and insert in lieu thereof the old statute with the exception that

the words "fifteen per cent" be stricken therefrom and the words "five per cent" be inserted in lieu thereof.

And when so amended recommend the same do pass.

House Bill No. 183.

And recommend that the same be indefinitely postponed.

House Bill No. 302.

And recommend that action be deferred one legislative day on House Bill No. 302.

HARLEY R. SWANSON,
Chairman, Committee of the Whole.

Rep. Crockett moved the adoption of the report of the Committee of the Whole, which motion prevailed.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 21, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 16, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out "\$31,230.00", and insert in lieu thereof "\$24,240.00".

Line 10, after the word "Inspectors" insert a "dash" and the word "three"; strike out "\$12,000.00", and insert "\$9,000.00".

Line 13, strike out "\$750.00", and insert in lieu thereof "\$500.00".

Line 14, strike out "\$1,240.00", and insert in lieu thereof "\$500.00".

Line 15, strike out "\$10,000.00", and insert in lieu thereof "\$7,000.00".

Line 16, strike out "\$31,230.00", and insert in lieu thereof "\$24,240.00".

Add Sec. 2 as follows:

17 "SECTION 2. In addition to the sums above approp-
17a riated,
18 there is hereby appropriated, for the purpose of ad-
18a ministration
19 of the affairs of said Licensing Department, out of the
20 Attorney General's Inspection Fund, the proceeds of the
20a sales
21 of property seized and confiscated by inspectors of the
21a State
22 Licensing Department, and sold under order of the
22a District
23 Court, as provided by Chapter 227, Session Laws of 1929."

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Wolf of Morton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 4, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out "\$219,020.00", and insert in lieu thereof "\$192,020.00".

Line 7, strike out "\$28,000.00", and insert in lieu thereof "\$26,520.00".

Line 8, strike out "\$2,500.00", and insert in lieu thereof "\$2,000.00".

Line 9, strike out "\$900.00", and insert in lieu thereof "\$800.00".

Line 10, strike out "\$800.00", and insert in lieu thereof "\$400.00".

Line 11, strike out "\$2,000.00", and insert in lieu thereof "\$1,500.00".

Line 12, strike out "\$7,000.00", and insert in lieu thereof "\$3,500.00".

Line 13, strike out "\$4,500.00", and insert in lieu thereof "\$3,000.00".

Line 14, strike out "\$135,000.00", and insert in lieu thereof "\$125,000.00".

Line 15, strike out "\$30,000.00", and insert in lieu thereof "\$25,000.00".

Line 16, strike out "\$5,000.00", and insert in lieu thereof "\$1,500.00".

Line 17, strike out "\$400.00", and insert in lieu thereof "\$200.00".

Line 18, strike out "\$2,500.00", and insert in lieu thereof "\$2,000.00".

Line 20, strike out "\$219,200.00", and insert in lieu thereof "\$192,020.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out "\$192,300.00", and insert in lieu thereof "\$183,530.00".

Line 8, strike out "\$6,600.00", and insert in lieu thereof "\$6,000.00".

Line 10, strike out "\$27,000.00", and insert in lieu thereof "\$21,080.00".

Line 13, strike out "\$2,000.00", and insert in lieu thereof "\$1,500.00".

Line 15, strike out "\$3,000.00", and insert in lieu thereof "\$2,000.00".

Line 16, strike out "\$3,600.00", and insert in lieu thereof "\$3,000.00".

Line 18, strike out "\$1,000.00", and insert in lieu thereof "\$750.00".

Line 20, strike out "\$600.00", and insert in lieu thereof "\$1,800.00".

Line 21, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 22, strike out "\$2,500.00" and insert in lieu thereof "\$1,700.00".

Line 24, strike out "\$192,300.00", and insert in lieu thereof "\$183,530.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

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

Mr. Speaker: Your Committee on Warehouse & Grain Grading to whom was referred House Bill No. 324, have had the same under consideration and recommend that the same be indefinitely postponed.

D. S. BLAIR, Chairman.

Rep. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Langley moved that the vote by which House Bill No. 324 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Public Safety to whom was referred House Bill No. 121, have had the same under consideration and recommend that the same be amended as follows:

In Section 7, line 1, strike out everything after the second "period" and insert in lieu thereof the following:

"This Act is hereby declared to be in full force and effect from and after January 1, 1942."

And when so amended recommend the same do pass.

A. I. SHARPE, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 330, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 225, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 225 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred House Bill No. 247, have had the same under

consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

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

Rep. Williams of Richland moved that the vote by which House Bill No. 247 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 297, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 292, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Kindem moved that the report be adopted.

Rep. Swanson moved a substitute motion that House Bill No. 292 be placed in General Orders for amendment, which motion was lost.

The question being on the motion of Rep. Kindem that House Bill No. 292 do pass, the motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 266, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted.

Rep. Falconer moved a substitute motion that House Bill No. 266 be indefinitely postponed, which motion prevailed on a standing vote.

Roll Call was demanded and granted.

ROLL CALL

The question being on the substitute motion of Rep. Falconer that House Bill No. 266 be indefinitely postponed, the roll was called and there were ayes, 58; nays, 34; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Glas	Panko
Allen	Haag	Rygg
Arneson	Halvorson	Sagehorn
Arndt	Haugland	Saumur
Beede	Hofstrand	Schmidt
Belzer	Johnson, Cass	Schwartz
Benno	Kee	Sellens
Bergesen	Kindem	Semerad
Black	Langley	Sharpe
Blair	Lillehaugen	Shure
Bolmeier	Lunde	Singleton
Bubel	McInnes	Smart
Coghlan	McIntyre	Twichell
Collette	Morland	Wambheim
Dittmer	Nelson, Morton	Westby

Falconer	Nelson, Sargent	Williams, St. sman
Fitch	Nelson, Steele	Wolf, McIntosh
Fleck	Nystrom	Wolf, Morton
Fraser	Olson, Barnes	Mr. Speaker
Gackle		

Those voting in the negative were:

Austad	Haugen	Nicholsen
Bjella	Hogoboom	Olson, Bowman
Braun, McLean	Holm	Peterson, Ransom
Braun, Stark	Jennings	Rohde
Carlson	Johnson, Richland	Sandness
Crockett	Juhola	Severson
Culver	Larson	Starck
Dalzell	Levin	Swanson
Erickson, Williams	Moe	Trydahl
Fitzharris	Mollet	Welder
Fuglestad	Nelson, Cass	Williams, Richland
Gress		

Absent and not voting:

Anderson	Erickson, Divide	Myers
Bingenheimer	Gainor	Nelson, Ramsey
Boulden	Heckman	Ohnstad
Brusseau	Ireland	Peterson, Bottineau
Bymers	McIntee	Stormon
Devlin	Morrison	Tuff
Drovdal		

So the motion was declared carried.

Rep. Morland changed his vote from "no" to "aye" for the purpose of reconsideration.

Explanation of vote:

Rep. Crockett: I vote "no" on this motion for the reason that I believe in furthering the interests of the people of North Dakota and in developing our own natural resources, and for the further reason that I don't want to vote to encourage outside interests, for instance the corporations that own the lignite mines. Therefore, I vote "no".

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 15
 House Bill No. 17
 House Bill No. 18
 House Bill No. 244
 House Bill No. 19
 House Bill No. 20
 House Bill No. 152
 House Bill No. 116
 House Bill No. 199
 House Bill No. 206
 House Bill No. 213
 House Bill No. 274
 House Concurrent Resolution No. 29
 House Concurrent Resolution No. 320
 And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

Mr. Speaker: Your Committee on Delayed Bills, to whom was referred House Bill No. 331 and House Concurrent Resolution No. "S", have had the same under consideration and recommend that the same be introduced.

REP. BOULDEN, Chairman.

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

Rep. Haugen moved that the House do now recess until 1:15 P. M., which motion prevailed and the House stood recessed.

The House was called to order pursuant to recess taken with Rep. Fitch in the Chair.

The House resumed business on Standing Committee Reports.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 305, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

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

Rep. Bubel moved that the vote by which House Bill No. 305 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 325, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

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

Rep. Crockett moved that the vote by which House Bill No. 325 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Concurrent Resolution No. 283, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

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

Rep. Wolf of McIntosh moved that the vote by which House Concurrent Resolution No. 283 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

K. A. FITCH, Chairman.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 185, have had the same under consideration and recommend that the same be indefinitely postponed.

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

Rep. Braun of McLean moved that the vote by which House Bill No. 185 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 198, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

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

Rep. Crockett moved that the vote by which House Bill No. 198 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 298, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. K. A. FITCH, Chairman.

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

Rep. Haugland moved that the vote by which House Bill No. 298 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 322, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. K. A. FITCH, Chairman.

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

Rep. Hogoboom moved that the vote by which House Bill No. 322 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 219, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. K. A. FITCH, Chairman.

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

Rep. Panko moved that the vote by which House Bill No. 219 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 293, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

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

Rep. Brusseau moved that the vote by which House Bill No. 293 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 315, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

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

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 265, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

Rep. Kindem moved that the report be adopted.

Rep. Aker moved a substitute motion that House Bill No. 265 be indefinitely postponed, which motion was lost.

The question being on the motion of Rep. Kindem that House Bill No. 265 do pass, the motion prevailed.

Speaker Symington resumed the chair.

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 270, have had the same under consideration and recommend that the same be amended as follows:

On page 1, Section 2, line 3, strike out the figures 15% and insert in lieu thereof the figures 25%.

On page 2, line 16, after the words "passed by a" strike out the words "vote of not less than two-thirds of the board" and insert in lieu thereof the following words: "Majority vote of the full board."

On page 4, line 18, strike out the entire section (c) through and including line 27. Subsection (d) on line 28 will be changed to (c), subsection (e) on line 33 will be changed to (d) and subsection (f) on line 36 will be changed to (e).

On page 8, line 22, after the word "fix," insert in lieu thereof the following words: "With the approval of the county board."

On page 9, line 23, after the word "officers," insert in lieu thereof the words: Both elective and appointive.

On page 20, line 91, strike out entire subsection (n) of Section 17 and substitute the following amended subsection (n): (n) County Commissioner.) The Board of County Commissioners shall consist of three or five members as is now provided by general statute. County Commissioners holding office at the time this form of government goes into effect shall continue to hold office until the expiration of their term; thereafter, they shall be elected in the manner now or hereafter provided by general statute.

Vacancies in the board of county commissioners shall be filled by the remaining members, the county judge, except in case of tie the county superintendent of schools shall be a member of the appointed board.

On page 22 of the printed bill, after the word "void" in line 14, add the following:

"Section 20. Election as to Retention of the Plan.) At any time after said County Manager plan shall have been in force in any county for the period of four years the county commissioners may, and upon petition signed by twenty-five per cent of the legal voters as provided in Section 2 of this Act at a general election or an election to be called for that purpose within thirty days after the filing of the petition, the question of whether or not said county manager plan shall be retained, and if fifty-five per cent of the legal votes cast at such election shall be against retaining said plan, then said county shall revert to the plan therefore in force therein and the provisions of this law shall thereafter not be applicable thereto save after another compliance with its terms; the county commissioners shall fix the date at which the plan shall cease to be operative therein, which shall not be less than three months nor more than six months after the election.

Section 21. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And when so amended, recommend the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 218, have had the same under consideration and recommend that the same be amended as follows:

On page 1, Section 2, and line 3, strike out the figures "15%" and insert in lieu thereof the figures "25%."

On page 2, line 16, after the word "a" strike out the words "vote of not less than two-thirds of the board" and insert in lieu thereof the following words: "Majority vote of the full board."

On page 8, line 22, after the word "officers," insert in lieu thereof the words: "Both elective and appointive."

On page 16, line 105, after the word "shall" insert the word "not."

On page 20, line 72, strike out entire subsection (n) of Section 17 and substitute the following amended subsection (n): (n) County Commissioner.) The Board of County Commissioners shall consist of three or five members as is now provided by general statute. County Commissioners holding office at the time this form of government goes into effect shall continue to hold office until the expiration of their term; thereafter, they shall be elected in the manner now or hereafter provided by general statute.

Vacancies in the board of county commissioners shall be filled by the remaining members, the county judge, superintendent of schools and sheriff.

On page 22 of the printed bill, after the word "void" in line 13, add the following:

"Section 20. Elections as to Retention of the Plan.) At any time after said County Manager plan shall have been in

force in any county for the period of four years the county commissioners may, and upon petition signed by twenty-five per cent of the legal voters as provided in Section 2 of this Act at a general election or an election to be called for that purpose within thirty days after the filing of the petition, the question of whether or not said county manager plan shall be retained, and if fifty-five per cent of the legal votes cast at such election shall be against retaining said plan, then said county shall revert to the plan theretofore in force therein and the provisions of this law shall thereafter not be applicable thereto save after another compliance with its terms; the county commissioners shall fix the date at which the plan shall cease to be operative therein, which shall not be less than three months nor more than six months after the election.

Section 21. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And when so amended, recommend the same do pass.

P. K. HOLM, Chairman.

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

Mr. Speaker: Your Committee on Public Welfare to whom was referred House Bill No. 157, have had the same under consideration and recommend that the same be amended as follows:

In Section 5, line 10, after the word "hearings," strike out the word "and" and insert in lieu thereof a "comma," and after the word "directing" insert the following "and approving."

In line 12 after the word "commission" insert the following: "and secure its approval."

In lines 15 and 16, strike out the following: "designations and appointments of orthopedic surgeons, medical supervisor."

In Section 6, line 3, after the word "advice" insert a comma and the word "approval," and after the word "commission" insert a period.

In lines 3, 4, 5, 6, 7, and 8, strike out the following: "and the State Agency is hereby authorized in addition to the powers and duties authorized by Chapter 221, Laws of 1935, to pay the actual and necessary expenses incurred by the Commission or any member thereof in carrying out the purposes of this act."

In line 9, after the word "Commission," strike out the "comma" and the word "however" and the "comma."

In line 10, after the word "services" insert a "period" and strike out the balance of line 10 and all of lines 11 and 12.

In Section 7, line 3, after the word "advice" insert the following: "and approval."

In line 11 after subdivision "(c)" strike out the word "Take" and insert the following: "With approval of the Commission to take."

In Section 8, line 1a after the word "Within," strike out the word "three" and insert in lieu thereof the word "thirty."

In Section 8, line 16, after the word "agency" insert the fol-

lowing: "failing to make such report and any person or agency."

In Section 9, line 13, strike out the "period" and insert "as provided in Section 5 of this act."

And when so amended, recommend the same do pass.

REP. HAUGLAND, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred H. C. Resolution No. 316, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Haugland moved that the report be adopted.

Rep. Wambhein moved a substitute motion that House Concurrent Resolution No. 316 be placed on the calendar, which motion was lost.

The question being on the motion of Rep. Haugland that House Concurrent Resolution No. 316 be indefinitely postponed, the motion prevailed.

Rep. Wolf of McIntosh moved that the vote by which House Concurrent Resolution No. 316 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 228, have had the same under consideration and recommend that the same be amended as follows:

In Section 11, line 3, strike out "association, club".

In line 8, strike out "club, association".

And when so amended recommend the same do pass.

BJORN FUGLESTAD, Chairman.

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

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 308, have had the same under consideration and recommend that the same be indefinitely postponed.

BJORN FUGLESTAD, Chairman.

Rep. Rygg moved that the report be adopted.

Rep. Fuglestad moved a substitute motion that House Bill No. 308 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 295, have had the same under consideration and recommend that the same be amended as follows:

In section 2, line 1, after the word "section" strike out "2" and insert in lieu thereof "3." In section "3," line 1, after the word "section" strike out "3" and insert in lieu thereof "4."

After section 1, insert Section 2. "Provided however that this act shall not apply to clubs or associations."

And when so amended recommend the same do pass.

BJORN FUGLESTAD, Chairman.

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

Rep. Fitch moved that the vote by which House Bill No. 243 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 284, have had the same under consideration and recommend that the same do pass.

BJORN FUGLESTAD, Chairman.

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

Mr. Speaker: Your Committee on Temperance to whom was referred House Bill No. 279, have had the same under consideration and recommend that the same do pass.

BJORN FUGLESTAD, Chairman.

Rep. Bingenheimer moved that the report be adopted.

Rep. Aker moved a substitute motion that House Bill No. 279 be indefinitely postponed, which motion was lost.

Rep. Fitch moved a substitute motion that House Bill No. 279 be placed in General Orders for amendment, which motion prevailed.

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

Rep. Swanon requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Swanson moved that the House reconsider its action taken on House Bill No. 245, which motion prevailed.

Rep. Fitch moved that House Bill No. 245 be re-referred to the Comm. on Game and Fish, which motion prevailed.

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

FORTY-SIXTH DAY

Bismarck, February 21, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Karl Gieser, Bismarck.

Roll call disclosed all members present except Reps. Boulden, Myers and Ireland.

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

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the 45th day and find the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

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

PETITIONS AND COMMUNICATIONS MESSAGES FROM THE GOVERNOR

Bismarck, February 1, 1941.

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; and Declaring an Emergency.

JOHN MOSES, Governor.

Bismarck, February 8, 1941.

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof, on Hunting Licenses.

JOHN MOSES, Governor.

Bismarck, February 5, 1941.

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections.

JOHN MOSES, Governor.

Bismarck, February 17, 1941.

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

Also,

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws

to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

Also,

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

JOHN MOSES, Governor.
Bismarck, February 20, 1941.

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

Also,

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

Also,

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

Also,

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

JOHN MOSES, Governor.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 240, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish to

whom was referred House Bill No. 254, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish, to whom was referred House Bill No. 221, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 227, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

Rep. Collette moved that the report be adopted.

Rep. Fuglestad moved a substitute motion that House Bill No. 227 be indefinitely postponed, which motion prevailed.

Rep. Lillehaugen moved that the vote by which House Bill No. 227 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Temperance, to whom was referred House Bill No. 250, have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill at the end of line "3," insert following the word "Tax," "Prohibiting Discounts, Rebates or Gifts and Providing for Violations and Penalties therefor."

In Section 1, line 13, strike out "10%" and insert in lieu thereof "11%."

In line 16, strike out "10%" and insert in lieu thereof "11%."

And when so amended, recommend the same do pass.

BJORN FUGLESTAD, Chairman.

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

Mr. Speaker: Your Committee on Temperance, to whom was referred House Bill No. 312, have had the same under consideration and recommend the same be returned to the House without recommendation.

BJORN FUGLESTAD, Chairman.

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

Rep. Fitch moved that House Bill No. 312 be indefinitely postponed.

Rep. Lillehaguen moved a substitute motion that House Bill No. 312 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 327, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 328, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted.

Rep. Morland moved a substitute motion that House Bill No. 328 be re-referred to the Committee on State Affairs, which motion was lost.

The question being on the motion of Rep. Dalzell that House Bill No. 328 be placed on the calendar, the motion prevailed.

Mr. Speaker: A majority of your Committee on Highways and Bridges, to whom was referred House Bill No. 165, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "A Bill" and insert the following:

For an Act to amend and re-enact Section 36 of Chapter 162 of the Session Laws of North Dakota for the year 1927 as amended by Chapter 190 of the Session Laws of North Dakota for the year 1931, as amended by Chapter 163 of the Session Laws of North Dakota for the year 1933 as amended by Chapter 185 of the Session Laws of North Dakota for the year 1935, prescribing and relating to the size of motor vehicles and loads of motor vehicles upon the highways; and amending and re-enacting subdivision (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the year 1931 as amended by Chapter 161 of the Session Laws of North Dakota for the year 1933, providing for registration fees for trucks on a gross weight basis; providing a license for house trailers and lights or reflectors for all trailers; regulating the designation and display of plates and the issuance of and payment for "In Transit" permits.

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

- 1 Section 1. AMENDMENT. That Section 1 of
- 1a Chapter 185 of the
- 2 Session Laws for the year 1935, be and the same is
- 2a hereby amended
- 3 and re-enacted to read as follows:
- 4 (a) VEHICLE SIZE, LOADS. No vehicle shall
- 4a exceed a total
- 5 outside width, including load thereon, of eight (8) feet
- 5a excepting
- 6 that this limitation shall not apply to contractor's
- 6a equipment nor
- 7 to implements of husbandry temporarily propelled or
- 7a moved upon the
- 8 highways of this state between sunrise and sunset.
- 9 (b) No vehicle loaded or unloaded shall exceed a
- 9a height of
- 10 twelve feet, six inches (12', 6").
- 11 (c) No vehicle, including the load thereon, shall
- 11a exceed a
- 12 length of thirty-five (35) feet. No combination of
- 12a vehicles, in-

13 cluding the load thereon, shall exceed a length of forty
13a (40) feet.
14 Not more than two units shall be used in a combination.
14a A tractor
15 truck and semi-trailer shall be considered as two units.
15a The pro-
16 vision hereof shall not apply to carriage of equipment
16a of the Army
17 or the defense forces of the United States Government
17a or the Nation-
18 al Guard of the State of North Dakota; structural
18a material of the
19 telephone, power and telegraph companies which neces-
19a sarily must be
20 transported on the highways on account of the location
20a of their lines
21 adjacent to said highways. Other structural material
21a which otherwise
22 could not be transported over the highways of this state
22a on account
23 of the provision of this act, may be transported upon
23a obtaining a
24 temporary permit from the highway commissioner, or
24a from any employee
25 designated by the said highway commissioner for said
25a purposes, upon
26 showing of reasonable necessity and that the transport-
26a ing of such
27 structural material will not damage the highways to be
27a used.
28 (d) No motor vehicle which carries any load extend-
28a ing more than
29 three (3) feet beyond the front thereof and no passenger
29a vehicle
30 which carries any load extending beyond the lines of
30a the left fender
31 of such vehicle, nor extending more than twelve (12)
31a inches beyond
32 the line of the fenders on the right side thereof, shall
32a be operated
33 upon the highways.
34 (e) No single axle shall carry a gross weight in
34a excess of
35 18,000 pounds nor a wheel load to exceed 9,000 pounds.
35a No wheel
36 shall carry a gross weight in excess of 550 pounds for
36a each inch of
37 tire width. Provided, that the gross weight of any single
37a vehicle
38 shall in no event exceed 35,000 pounds and the gross
38a weight of any
39 combination of vehicles shall in no event exceed 40,000
39a pounds. Pro-
40 vided further, that axles spaced forty (40) inches apart
40a or less,
41 shall be considered as one (1) axle; provided further,
41a that for axles
42 spaced over forty (40) inches and under eight (8) feet,
42a the axle load

43 shall not exceed 14,000 pounds per axle. The wheel
 43a load, in any in-
 44 stance, shall not exceed one-half the allowable axle load.
 44a Spacing
 45 between axles shall be measured from axle center to
 45a axle center.
 46 Gross weight shall be defined as the total of the
 46a unloaded weight of
 47 vehicle, or combination of vehicles and the load carried
 47a thereon.
 48 (f) All applicants for registration shall state on the
 48a applica-
 49 tion required by the Registrar of Motor Vehicles, the
 49a size or sizes
 50 of tires used on each vehicle so registered.

1 Section 2. AMENDMENT. That subdivision B of
 1a Section 25 of
 2 Chapter 186 of Session Laws of North Dakota for 1931
 2a as amended by
 3 Chapter 161 of the Session Laws for the year 1933, be
 3a and the same
 4 is hereby amended and re-enacted to read as follows:
 5 (b) (1) Every motor truck or combination of truck
 5a or trailer
 6 operating on the highways of this state shall have paid
 6a thereon one
 7 of the following schedules of registration fees to be
 7a determined as
 8 hereinafter set out:

9 SCHEDULE A

10	Gross Weight in Pounds	License Fees
11	4,000, and under	\$ 20
12	6,000	25
13	8,000	30
14	10,000	35
15	12,000	40
16	14,000	45
17	16,000	50
18	17,000	55
19	18,000	60
20	20,000	65
21	22,000	70
22	24,000	75
23	26,000	80
24	28,000	85
25	30,000	115
26	32,000	150
27	34,000	190
28	36,000	240
29	38,000	290
30	40,000	340

31 SCHEDULE B

32	Gross Weight in Pounds	License Fee
33	6,000, and under	\$18.50
34	8,000	20.00
35	10,000	22.50
36	12,000	25.00
37	14,000	27.50

38	16,000	.....	30.00
39	18,000	.....	32.50
40	20,000	.....	35.00
41	22,000	.....	40.00
42	24,000	.....	45.00
43	Provided that for registrations under Schedule B		
43a	of gross		
44	weights over 24,000 pounds, the fee schedule of Schedule		
44a	A shall be		
45	applied.		
46	(b) (2) The above schedules shall apply to the first		
46a	year in		
47	which the vehicle is licensed. The registration fee for		
47a	years sub-		
48	sequent to the year in which the vehicle is first licensed,		
48a	shall be		
49	the basic fee or major fraction thereof, as herein deter-		
49a	mined, less		
50	ten per cent of the basic fee for each successive year		
50a	until the tax		
51	equals \$5.00 for vehicles licensed under Schedule B,		
51a	and until the		
52	tax equals seventy percent of the original basic fee for		
52a	vehicles		
53	licensed under Schedule A, which shall be the annual		
53a	fee thereafter;		
54	provided further, that those vehicles which in 1941 were		
54a	licensed for		
55	less than \$5.00 shall be reduced ten percent per year		
55a	of its original		
56	basic fee until it reaches a minimum of \$3.00, which		
56a	will be the an-		
57	nual fee thereafter.		
58	(b) (3) All motor vehicles to be registered pursuant		
59	to the provisions of this act and used for the first time		
59a	upon the highways of		
60	this state after July 1, shall be entitled to a fifty per-		
60a	cent reduc-		
61	tion of that year's fee for such vehicle; and all such		
61a	motor vehicles		
62	used for the first time upon the highways of this state		
62a	after October		
63	1, shall be entitled to a seventy-five percent reduction		
63a	of that		
64	year's fee for such vehicle; provided, that the Registrar		
64a	is satisfied		
65	with the proof given as to such fact.		
66	(b) (4) For motor vehicles, or for any lawful combi-		
66a	nations of		
67	motor vehicles used for the transportation of property,		
67a	the registra-		
68	tion and license fee shall be based upon the gross weight		
68a	of such		
69	motor vehicle or combination of vehicles. The minimum		
69a	gross weight		
70	for which such motor vehicles or combination or motor		
70a	vehicles can be		
71	licensed shall be double the unloaded weight of such		
71a	motor vehicle or		

72 such combination of vehicles and, subject to such mini-
72a mum, the owner
73 of any motor vehicle or combination of vehicles shall
73a in his applica-
74 tion for license, set out the gross weight for which he
74a desires li-
75 cense. Such licensed weight shall be stenciled on both
75a sides of the
76 truck or tractor truck, as the case may be, in letters
76a and figures
77 not less than two inches in height, as follows: N. D.
77a Legal Gross
78 Wt. (here follows figures designating the licensed
78a weight in pounds).
79 The tare, or unloaded weight, of each truck, tractor
79a truck, semi-
80 trailer or full trailer, shall be stenciled upon both sides
80a of each
81 unit in letters and figures not less than one inch in
81a height.
82 (b) (5) It shall be unlawful to operate any motor
82a vehicle or
83 combination of motor vehicles upon the highways of
83a this state when
84 the gross weight exceeds the gross weight for which
84a the vehicle or
85 combination of vehicles was licensed.
86 (b) (6) Gross weight shall be defined as the total
86a of the un-
87 loaded weight of the vehicle, or combination of vehicles,
87a and the
88 load carried thereon.
89 (b) (7) Motor vehicles which operate exclusively
89a within the cor-
90 porate or recognized limits of any city or village, or
90a within two
91 miles thereof, shall be licensed on double the unloaded
91a weight of such
92 vehicle.
93 (b) (8) Any owner of a motor vehicle who has licensed
93a such ve-
94 hicle under Schedule B or any gross weight limitations
94a may change such
95 registration to Schedule A and/or to a higher gross
95a weight limitation
96 by the payment of the difference between fee required
96a for the new
97 registration and the fee paid for the registration under
97a which the
98 vehicle is being operated, and provided further, that if
98a such owner
99 makes application for such change of registration subse-
99a quent to July
100 1 of any year, he shall pay fifty percent of the addi-
100a tional increase
101 in license fees and after October 1 of any year, twenty-
101a five percent
102 of such increase.

103 (b) (9) It shall be unlawful for any person to haul
103a on the high-
104 ways of this state a house trailer without displaying
104a a license plate,
105 to be issued by and under such regulations as determined
105a by the Reg-
106 istrar, for which a fee shall be charged in the sum of
106a \$5.00, unless
107 licensed in another state.
108 (b) (10) All house trailers and other trailers shall be
108a equipped
109 with approved reflectors not less than three (3) inches
109a in diameter
110 or tail lights and it shall be unlawful to transport or
110a operate such
111 trailer without such equipment.
112 (e) (1) Motor vehicles which are used by the owner
112a of such ve-
113 hicle for the transportation of farm or agricultural
113a products of such
114 owner from the farm where such products are produced
114a or grown to the
115 market, or the transportation of goods of the owner of
115a such vehicle
116 from the market to the farm of such owner; and motor
116a vehicles which
117 are used for the transportation of any and all property
117a between the
118 farms and the usual local trading places of the person
118a for whom such
119 transportation is performed or between farms locally;
119a and motor
120 vehicles which operate exclusively within the corporate
120a limits of any
121 city or village, or within two miles thereof; shall pay
121a the registra-
122 tion fees provided for in Schedule B herein. All other
122a trucks, in-
123 cluding commercial and non-commercial trucks, and
123a excluding vehicles
124 for the transportation of passengers, shall pay the
124a license fees pro-
125 vided for in Schedule A herein.
126 (e) (2) The Registrar of motor vehicles may design
126a and issue a
127 distinctive type of license plate for each classification
127a of motor
128 vehicle, as he may determine.
129 (e) (3) Motor vehicles, or combinations of motor
129a vehicles, li-
130 censed under the statutes of this state shall at all times
130 display
131 one plate upon the front of such vehicles, or combina-
131a tion of vehicles,
132 and while operated on the highways of this state, one
132a license plate
133 on the rear of such vehicles, or combination of vehicles,
133a in the
134 manner determined by the Registrar of motor vehicles.

135 (e) (4) It shall be unlawful to transport or tow but
 135a not to
 136 operate any motor vehicle upon the highways of this
 136a state for the pur-
 137 pose of resale without an "in transit" permit to be
 137a issued by the
 138 Registrar upon the payment of \$2.00 for each such
 138a motor vehicle so
 139 transported or towed.

JOHNSON of Cass, Chairman.
 CARLSON
 COGHLAN
 FITZHARRIS
 JUHOLA
 LANGLEY
 NELSON of Morton
 STARCK
 WESTBY
 WOLF of McIntosh
 SHARPE
 BOULDEN

And when so amended recommend the same do pass.

Rep. Wolf of McIntosh moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: A Minority of your Committee on Highways and Bridges to whom was referred House Bill No. 165, have had the same under consideration and oppose the amendment of House Bill No. 165, and recommend that same be placed in General Orders.

FLECK
 AUSTAD
 BRAUN of McLean
 BRAUN of Stark
 NELSON of Ramsey.

Rep. Fitch moved that Senate Bill No. 40 be placed at the head of the calendar, which motion prevailed.

Rep. Beede moved that the House reconsider its action taken on House Bill No. 197, which motion prevailed.

Rep. Beede moved that House Bill No. 197 be placed at the foot of the calendar, which motion prevailed.

The Chief Clerk read House Concurrent Resolution "S" from the desk as follows:

HOUSE CONCURRENT RESOLUTION "S"

Introduced by Representatives Twichell and Beede and approved by Committee on Delayed Bills.

A CONCURRENT RESOLUTION

Providing that House Bill No. 289, being a complete revision of the Military Code of the State of North Dakota, be not printed in the Session Laws.

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

WHEREAS, the Legislative Assembly has for consideration House Bill No. 289 which is an exceedingly long Bill rewriting the Military Code of the State of North Dakota and repealing statutory provisions relating to the Militia and

to the National Guard and to the Military establishment of the State of North Dakota, and

WHEREAS, by a motion duly adopted by the House of Representatives of the State of North Dakota, it was ordered that such House Bill No. 289 be not printed as a Bill but that copies thereof made by duplicating process be furnished to the members of the Legislative Assembly, and

WHEREAS, it is not necessary that House Bill No. 289 be printed in the Session Laws containing the Acts adopted by the Twenty-seventh Legislative Assembly by reason of the fact that a revised Code of the State of North Dakota will be considered by the Twenty-eighth Legislative Assembly and such Military Code will be a part of such Revised Code,

NOW, THEREFORE, BE IT resolved by the House of Representatives of the State of North Dakota, the Senate concurring:

That House Bill No. 289, if it is adopted by the Legislative Assembly and approved by the Governor, be not printed in the Session Laws containing the Acts adopted by the Twenty-seventh Legislative Assembly to save to the State the cost of printing such Bill.

BE IT FURTHER RESOLVED, that in lieu of such printing, the Secretary of State be required to prepare by some duplicating process sufficient copies of House Bill No. 289 to satisfy the requirements of this Resolution. That an authenticated copy of House Bill No. 289 showing the date of its adoption by each House of the Legislative Assembly and the date of the Governor's approval of such Act be furnished by the Secretary of State and filed with each county auditor and each clerk of the district court in the State of North Dakota; that twenty-five copies of such Act, duly authenticated by the Secretary of State, be furnished to the Adjutant General of the State of North Dakota; that copies of such Act, duly authenticated by the Secretary of State, be furnished to other persons requesting the same upon the payment of a fee of twenty-five cents for each copy of such Act so furnished.

BE IT FURTHER RESOLVED, That the Secretary of State shall assign a chapter number in the Session Laws to House Bill No. 289 so that the same may be cited by such chapter number, and that in lieu of printing such Act, this Resolution shall be printed in such Session Laws together with a statement showing the date of the approval of House Bill No. 289.

Rep. Twichell moved the adoption of House Concurrent Resolution "S."

House Concurrent Resolution "S". A Concurrent Resolution Providing that House Bill No. 289, Being a Complete Revision of the Military Code of the State of North Dakota, Be Not Printed in the Session Laws.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "S," the roll was called and there were ayes, 107; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom

Arneson	Glas	Ohnstad
Austad	Gress	Olson, Barnes
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Peterson, Bottineau
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Stark
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Richland
Falconer	Myers	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser	Nelson, Sargent	

Those voting in the negative were:

Rohde

Absent and not voting:

Arndt Ireland Tuff

So the Resolution was declared adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3854 of the 1925 Supplement of the Compiled Laws of North Dakota and Allowing Villages to Elect Trustees at Large, and Declaring an Emergency.

Senate Concurrent Resolution "H". For the Appointment of an Interim Legislative Committee on Code Revision; Prescribing the Duties and Compensation of the Committee.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section 2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony and Declaring an Emergency.

Senate Bill No. 87. A Bill for an Act to Provide for Payments from the North Dakota Workmen's Compensation

Fund in Certain Cases Where No Actual Dependency Is Shown and Providing on Option in Certain Cases.

And the Speaker signed the same in the presence of the House.

Rep. Welder requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Welder moved that the House reconsider its action taken on House Bill No. 287, which motion was lost on a voice vote.

FIRST READING OF HOUSE BILLS

Representatives Rohde and Fitch introduced:

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral Expenses of Representative Edward Rieker of Kidder County; and Declaring an Emergency.

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

SECOND READING OF SENATE BILL

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 15; absent and not voting, 12.

Those voting in the affirmative were:

Allen	Fuglestad	Nelson, Steele
Anderson	Gackle	Nicholsen
Arneson	Glas	Nystrom
Austad	Haag	Ohnstad
Beede	Haugen	Olson, Barnes
Belzer	Haugland	Panko
Bergesen	Heckman	Peterson, Bottineau
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Blair	Holm	Sandness
Bolmeier	Jennings	Saumur
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Kee	Severson
Bymers	Kindem	Sharpe
Carlson	Langley	Shure
Collette	Larson	Singleton
Culver	Levin	Smart
Dalzell	Lillehaugen	Starck
Devlin	Lunde	Stormon
Dittmer	McInnes	Swanson
Drovdal	McIntee	Twichell
Erickson, Divide	McIntyre	Wambheim
Erickson, Williams	Moe	Westby
Falconer	Morland	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Those voting in the negative were:		
Bingenheimer	Mollet	Rohde

Crockett	Morrison	Schmidt
Fraser	Nelson, Morton	Schwartz
Halvorson	Olson, Bowman	Welder
Juhola	Peterson, Ransom	Williams, Richland

Absent and not voting:

Aker	Bubel	Ireland
Arndt	Coghlan	Myers
Benno	Gainor	Trydahl
Boulden	Gress	Tuff

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

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

Rep. Beede demanded that a roll call be given on the motion of Rep. Welder that the House reconsider its action taken on House Bill No. 287, which request was granted.

ROLL CALL

The question being on the motion of Rep. Welder that the House reconsider its action taken on House Bill No. 287, the roll was called and there were ayes, 44; nays, 62; absent and not voting 5.

Those voting in the affirmative were:

Anderson	Glas	Ohnstad
Beede	Gress	Panko
Belzer	Haag	Peterson, Bottineau
Bingenheimer	Halvorson	Rohde
Braun, McLean	Haugen	Rygg
Braun, Stark	Jennings	Schmidt
Brusseau	Juhola	Schwartz
Bubel	Larson	Semerad
Culver	Levin	Smart
Devlin	Lillehaugen	Starck
Drovdal	McIntee	Welder
Erickson, Divide	McIntyre	Williams, Stutsman
Erickson, Williams	Mollet	Wolf, McIntosh
Falconer	Morrison	Wolf, Morton
Fraser	Nelson, Morton	

Those voting in the negative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Arneson	Gainor	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Austad	Heckman	Peterson, Ransom
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Johnson, Cass	Sellens
Blair	Johnson, Richland	Severson
Bolmeier	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	Moe	Twichell
Dalzell	Morland	Wambheim
Dittmer	Nelson, Cass	Westby
Fitch	Nelson, Ramsey	Williams, Richland

Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck	Nelson, Steele	
Absent and not voting:		
Boulden	Myers	Tuff
Ireland	Trydahl	

So the motion was declared lost.

Rep. Morland moved that the vote by which Rep. Welder's motion was declared lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 321. A Bill for an Act to Amend and Re-enact Section 25 of Chapter 97 of the Session Laws of North Dakota for 1933, as Amended by Chapter 123 of the Session Laws of North Dakota for 1935, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners; Repeal; 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, 63; nays 41; absent and not voting 7.

Those voting in the affirmative were:

Aker	Fraser	Morrison
Allen	Fuglestad	Nelson, Ramsey
Anderson	Gackle	Nelson, Sargent
Arneson	Gainor	Nelson, Steele
Austad	Glas	Ohnstad
Beede	Gress	Panko
Belzer	Halvorson	Rohde
Benno	Haugen	Rygg
Bergesen	Haugland	Schwartz
Black	Heckman	Semerad
Braun, McLean	Hofstrand	Severson
Brusseau	Jennings	Shure
Bubel	Johnson, Cass	Singleton
Bymers	Johnson, Richland	Smart
Coghlan	Juhola	Stormon
Collette	Kindem	Swanson
Crockett	Larson	Trydahl
Devlin	McIntee	Twichell
Drovdal	McIntyre	Williams, Richland
Erickson, Divide	Moe	Wolf, Morton
Erickson, Williams	Mollet	Mr. Speaker

Those voting in the negative were:

Arndt	Holm	Peterson, Bottineau
Bingenheimer	Kee	Peterson, Ransom
Bjella	Langley	Sagehorn
Blair	Levin	Saumur
Bolmeier	Lillehaugen	Schmidt
Braun, Stark	Lunde	Sellens
Carlson	McInnes	Sharpe
Dalzell	Morland	Starck
Dittmer	Nelson, Cass	Wambheim
Falconer	Nelson, Morton	Welder
Fitzharris	Nicholsen	Westby
Fleck	Nystrom	Williams, Stutsman

Haag	Olson, Barnes	Wolf, McIntosh
Hogboom	Olson, Bowman	
Absent and not voting:		
Boulden	Ireland	Sandness
Culver	Myers	Tuff
Fitch		

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

Rep. Johnson of Richland moved that the vote by which House Bill No. 321 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 163 was read the second time.

Rep. Welder moved that House Bill No. 163 be indefinitely postponed, which motion prevailed.

Rep. Mollet moved that the vote by which House Bill No. 163 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 87; nays, 2; absent and not voting, 22.

Those voting in the affirmative were:

Aker	Falconer	Nicholsen
Allen	Fitch	Nystrom
Anderson	Fitzharris	Ohnstad
Arndt	Fleck	Olson, Barnes
Arneson	Fraser	Olson, Bowman
Austad	Gackle	Panko
Belzer	Gainor	Peterson, Ransom
Benno	Glas	Rohde
Bingenheimer	Gress	Rygg
Bjella	Haag	Sagehorn
Black	Halvorson	Schmidt
Blair	Haugen	Sellens
Bolmeier	Haugland	Semerad
Braun, McLean	Hogboom	Severson
Braun, Stark	Jennings	Sharpe
Brusseau	Johnson, Cass	Shure
Bubel	Juhola	Singleton
Bymers	Kee	Smart
Carlson	Kindem	Starck
Coghlan	Larson	Stormon
Collette	Levin	Swanson
Crockett	Lunde	Trydahl
Culver	McIntee	Twichell
Dalzell	McIntyre	Westby
Devlin	Mollet	Williams, Richland
Dittmer	Morland	Williams, Stutsman
Drovdal	Morrison	Wolf, McIntosh
Erickson, Divide	Nelson, Cass	Wolf, Morton

Erickson, Williams Nelson, Morton Mr. Speaker

Those voting in the negative were:

Moe Schwartz

Absent and not voting:

Beede	Johnson, Richland	Nelson, Steele
Bergesen	Langley	Peterson, Bottineau
Boulden	Lillehaugen	Sandness
Fuglestad	McInnes	Saumur
Heckman	Myers	Tuff
Hofstrand	Nelson, Ramsey	Wambheim
Holm	Nelson, Sargent	Welder
Ireland		

So the bill passed and the title was agreed to.

Rep. Haugen moved that the House recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 21, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

House Concurrent Resolution "N." A Resolution Requesting Congress to Investigate Conditions on the Standing Rock Indian Reservation, and Relieve Needs Existing There.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber,

Bismarck, February 21, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 40 of Chapter 148 of the Session Laws of 1931 as Amended by Section 2 of Chapter 144, Laws of 1935 Relating to Game Reserves and Refuges.

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the Expenditure of Money by Contract for Road Improvements and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota

for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Procuring Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment Thereof.

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, February 21, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Subsection (E) of Chapter 279 of the Session Laws of 1931, the Same Being an Amendment of Section 2166 C. L. 1913 as Amended by Section 3 of Chapter 241 of the Session Laws of 1929, Relating to Collection of Personal Property Taxes by County Sheriff, and Declaring an Emergency.

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

Senate Bill No. 125. A Bill for an Act Amending Article 2889b6, 1925 Supplement to the 1913 Compiled Laws of North Dakota Known as the North Dakota Food and Drugs Act and Chapter 132 of 1937 Laws of North Dakota; to Regulate the Sale of Dangerous Drugs; and to Provide for the Control of New Drugs.

Senate Bill No. 196. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violations Thereof.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 235 of the Session Laws of 1929 Relating to Tax Levy Limitations.

Senate Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 304 of the Session Laws of 1931 Relating to Validating Certain Deeds, Judgment, Mortgage Foreclosures, and Other Transactions of Real Property.

Senate Bill No. 109. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election; and for the Elimination of County Officers and the Termination

of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for the Repeal of Acts in Conflict Herewith.

Senate Concurrent Resolution "M". A Resolution Memorializing Congress to Construct the Proposed Missouri River Diversion Project.

Senate Concurrent Resolution "J". A Concurrent Resolution Requesting the Board of Administration to Require a Monthly Rental from Federal Agencies Housed in the Capitol Building.

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

W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 21, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 232. A Bill for an Act to Amend and Re-enact Sections 5, 6 and 8 of Chapter 110 of the Session Laws of 1937 Relating to the Classifying and Fixing of the License Fee of Public Contractors and the Award of Contracts to Licensed Contractors.

House Bill No. 22. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 168. A Bill for an Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supplying and Delivering Water for Irrigation Purposes, or for Domestic Use, to Its Members or Stockholders, Providing That the Shares of Stock in Such Corporations May Be Appurtenant to Certain Lands, Prescribing the Rights and Powers of Such Corporations; Providing for the Transferability of Stock Therein and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 135 of the Session Laws of 1935, Relating to the Election of Precinct Committeemen, and to Repeal Section 3 of Chapter 135 of the Session Laws of 1935.

House Bill No. 299. A Bill for an Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, Relating to the State Board of Architecture.

House Bill No. 244. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of North Dakota of 1913, as Amended by Chapter 226 of the 1937 Session Laws, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

House Bill No. 278. A Bill for an Act to Amend and Re-

enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Establish a Marketing Bureau Within the Department of Agriculture and Labor of the State of North Dakota and Defining Its Functions.

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

C. R. VERRY, Chief Clerk.

House of Representatives,

Bismarck, February 21, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 as Amended by Chapter 170 of the Session Laws of 1937 Relating to the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

House of Representatives,

Bismarck, February 21, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3854 of the 1925 Supplement of the Compiled Laws of North Dakota and Allowing Villages to Elect Trustees at Large, and Declaring an Emergency.

Senate Concurrent Resolution "H". For the Appointment of an Interim Legislative Committee on Code Revision; Prescribing the Duties and Compensation of the Committee.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section 2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony and Declaring an Emergency.

Senate Bill No. 87. A Bill for an Act to Provide for Payments from the North Dakota Workmen's Compensation Fund in Certain Cases Where No Actual Dependency Is Shown and Providing an Option in Certain Cases.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 19. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Gainor	Olson, Bowman
Allen	Haag	Panko
Anderson	Haugland	Peterson, Ransom
Arneson	Heckman	Rohde
Arndt	Hofstrand	Rygg
Austad	Hogoboom	Sandness
Belzer	Holm	Saumur
Bingenheimer	Jennings	Schmidt
Bjella	Johnson, Cass	Schwartz
Black	Johnson, Richland	Sellens
Bolmeier	Juhola	Semerad
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Shure
Bubel	Langley	Singleton
Carlson	Larson	Smart
Collette	Lurde	Starck
Culver	McIntee	Stormon
Dalzell	McIntyre	Swanson
Devlin	Mollet	Trydahl
Dittmer	Morland	Tuff
Drovdal	Morrison	Twichell
Erickson, Divide	Nelson, Cass	Wambheim
Erickson, Williams	Nelson, Ramsey	Welder
Falconer	Nelson, Sargent	Westby
Fitch	Nelson, Steele	Williams, Richland
Fitzharris	Nicholsen	Williams, Stutsman
Fleck	Nystrom	Wolf, McIntosh
Fraser	Ohnstad	Wolf, Morton
Gackle	Olson, Barnes	Mr. Speaker

Absent and not voting:

Beede	Crockett	Lillehaugen
Benno	Fuglestad	McInnes
Bergesen	Glas	Moe
Blair	Gress	Myers
Boulden	Halvorson	Nelson, Morton
Brusseau	Haugen	Peterson, Bottineau
Bymers	Ireland	Sagehorn
Coghlan	Levin	Severson

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 19 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Fraser	Ohnstad
Allen	Fuglestad	Olson, Barnes
Anderson	Gackle	Olson, Bowman
Arneson	Gainor	Panko

Arndt	Glas	Peterson, Ransom
Austad	Haag	Rohde
Belzer	Halvorson	Rygg
Benno	Haugen	Sandness
Bergesen	Haugland	Saumur
Bingenheimer	Heckman	Schmidt
Bjella	Hofstrand	Schwartz
Black	Hogoboom	Sellens
Bolmeier	Holm	Semerad
Braun, McLean	Jennings	Severson
Braun, Stark	Johnson, Richland	Sharpe
Bruseau	Juhola	Shure
Bubel	Kee	Singleton
Carlson	Kindem	Starck
Collette	Langley	Stormon
Culver	Larson	Swanson
Dalzell	Lunde	Trydahl
Devlin	McIntee	Tuff
Dittmer	McIntyre	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Nelson, Cass	Westby
Erickson, Williams	Nelson, Ramsey	Williams, Richland
Falconer	Nelson, Sargent	Williams, Stutsman
Fitch	Nelson, Steele	Wolf, McIntosh
Fitzharris	Nicholsen	Wolf, Morton
Fleck	Nystrom	Mr. Speaker

Absent and not voting:

Beede	Ireland	Morrison
Blair	Johnson, Cass	Myers
Boulden	Levin	Nelson, Morton
Bymers	Lillehaugen	Peterson, Bottineau
Coghlan	McInnes	Sagehorn
Crockett	Moe	Smart
Gress	Morland	Twichell

So the bill passed and the title was agreed to.

Rep. Collette moved that the vote by which House Bill No. 18 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 17. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Steele
Allen	Fraser	Nicholsen
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Gress	Panko
Belzer	Haag	Peterson, Ransom
Benno	Halvorson	Rohde
Bergesen	Haugen	Rygg
Bingenheimer	Haugland	Sandness

Bjella	Heckman	Saumur
Black	Hofstrand	Schwartz
Blair	Hogoboom	Sellens
Bolmeier	Holm	Semerad
Braun, McLean	Jennings	Sharpe
Braun, Stark	Johnson, Cass	Shure
Brusseau	Johnson, Richland	Singleton
Bubel	Juhola	Smart
Bymers	Kee	Starck
Carlson	Kindem	Stormon
Coghlan	Langley	Swanson
Collette	Larson	Trydahl
Culver	Lillehaugen	Twichell
Dalzell	Lunde	Wambheim
Devlin	McIntee	Welder
Dittmer	McIntyre	Westby
Drovdal	Mollet	Williams, Stutsman
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris	Nelson, Sargent	
Absent and not voting:		
Boulden	Moe	Sagehorn
Crockett	Morland	Schmidt
Ireland	Myers	Severson
Levin	Peterson, Bottineau	Tuff
McInnes		

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 17 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 15. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Schmidt
Bolmeier	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad

Brusseau	Juhola	Sharpe
Bubel	Kee	Shure
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Collette	Larson	Starck
Culver	Lillehaugen	Stormon
Dalzell	Lunde	Swanson
Devlin	McInnes	Trydahl
Dittmer	McIntee	Twichell
Drovdal	McIntyre	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Bergesen	Ireland	Peterson, Bottineau
Boulden	Levin	Sagehorn
Bymers	Moe	Severson
Crockett	Myers	Tuff

So the bill passed and the title was agreed to.

Rep. Collette moved that the vote by which House Bill No. 15 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution No. 320 was read the second time.

Rep. Swanson moved that House Concurrent Resolution No. 320 be indefinitely postponed, which motion prevailed.

Rep. Mollet moved that the vote by which House Concurrent Resolution No. 320 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 206. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Mill and Elevator Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Mill and Elevator Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 5; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fraser	Nelson, Steele
Anderson	Fuglestad	Nicholsen
Arneson	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Peterson, Ransom

Benno	Haugen	Rohde
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hofstrand	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Sellens
Braun, McLean	Jennings	Semerad
Braun, Stark	Johnson, Cass	Severson
Brusseau	Johnson, Richland	Sharpe
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Lillehaugen	Stormon
Crockett	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Halvorson	Schmidt	Williams, Richland
Juhola	Schwartz	

Absent and not voting:

Bergesen	Levin	Panko
Boulden	Moe	Peterson, Bottineau
Ireland	Myers	Tuff

So the bill passed and the title was agreed to.

House Bill No. 274. A Bill for an Act Fixing the Maximum Annual Compensation Which May Be Paid to Persons Holding Administrative or Supervisory Positions Under the State Welfare Board or Any State Agency Which Is Its Successor.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 17; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Cass
Allen	Fuglestad	Nelson, Morton
Anderson	Gackle	Nelson, Sargent
Arneson	Gainor	Nelson, Steele
Arndt	Glas	Ohnstad
Austad	Gress	Olson, Barnes
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Rohde
Bingenheimer	Heckman	Rygg
Black	Hofstrand	Sagehorn
Bolmeier	Hogoboom	Schmidt
Braun, McLean	Holm	Schwartz

Braun, Stark	Jennings	Sellens
Brusseau	Johnson, Richland	Semerad
Bubel	Juhola	Sharpe
Carlson	Kee	Shure
Coghlan	Kindem	Singleton
Collette	Langley	Smart
Crockett	Larson	Starck
Culver	Levin	Stormon
Dalzell	Lillehaugen	Trydahl
Devlin	Lunde	Wambheim
Dittmer	McInnes	Welder
Drovdal	McIntee	Williams, Richland
Erickson, Divide	McIntyre	Williams, Stutsman
Falconer	Mollet	Wolf, McIntosh
Fitch	Morland	Wolf, Morton
Fitzharris	Morrison	

Those voting in the negative were:

Bjella	Johnson, Cass	Saumur
Blair	Nelson, Ramsey	Severson
Bymers	Nicholsen	Swanson
Erickson, Williams	Nystrom	Westby
Fleck	Peterson, Ransom	Mr. Speaker
Haugland	Sandness	

Absent and not voting:

Bergesen	Moe	Tuff
Boulden	Myers	Twichell
Ireland	Peterson, Bottineau	

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 274 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 152 was read the second time.

Rep. Shure moved that House Bill No. 152 be indefinitely postponed, which motion was lost.

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 18; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gainor	Nelson, Sargent
Allen	Glas	Nelson, Steele
Anderson	Gress	Nicholsen
Arneson	Haag	Nystrom
Austad	Halvorson	Ohnstad

Beede	Haugen	Olson, Barnes
Belzer	Haugland	Olson, Bowman
Bingenheimer	Heckman	Panko
Bjella	Hofstrand	Peterson, Ransom
Bolmeier	Hogoboom	Rohde
Braun, McLean	Holm	Rygg
Braun, Stark	Jennings	Sagehorn
Brusseau	Johnson, Richland	Sandness
Bubel	Juhola	Saumur
Bymers	Kindem	Schmidt
Carlson	Langley	Schwartz
Coghlan	Larson	Semerad
Crockett	Levin	Severson
Culver	Lillehaugen	Sharpe
Dalzell	Lunde	Smart
Devlin	McIntee	Starck
Dittmer	McIntyre	Stormon
Drovdal	Mollet	Tuff
Erickson, Divide	Morland	Twichell
Erickson, Williams	Morrison	Welder
Falconer	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fraser	Nelson, Ramsey	Wolf, Morton
Gackle		

Those voting in the negative were:

Arndt	Johnson, Cass	Swanson
Black	Kee	Trydahl
Blair	McInnes	Wambheim
Collette	Sellens	Westby
Fleck	Shure	Williams, Stutsman
Fuglestad	Singleton	Mr. Speaker

Absent and not voting:

Benno	Fitch	Myers
Bergesen	Ireland	Peterson, Bottineau
Boulden	Moe	

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

Rep. Mollet moved that the vote by which House Bill No. 152 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 213. A Bill for an Act to Amend and Re-enact §§ 5 and 8 of Chapter 165 of the Session Laws of 1939, Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right, to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; and Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in

This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Ramsey
Allen	Gackle	Nelson, Sargent
Anderson	Gainor	Nicholsen
Arneson	Glas	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Bingenheimer	Haugland	Peterson, Ransom
Bjella	Heckman	Rohde
Black	Hofstrand	Rygg
Bolmeier	Hogoboom	Sagehorn
Braun, McLean	Holm	Sandness
Braun, Stark	Jennings	Saumur
Brusseau	Johnson, Cass	Schmidt
Bubel	Johnson, Richland	Schwartz
Bymers	Juhola	Sellens
Carlson	Kee	Semerad
Coghlan	Kindem	Sharpe
Collette	Langley	Singleton
Crockett	Larson	Smart
Culver	Levin	Starek
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Trydahl
Dittmer	McInnes	Tuff
Drovdal	McIntee	Wambheim
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Westby
Falconer	Morland	Williams, Richland
Fitzharris	Morrison	Williams, Stutsman
Fleck	Nelson, Cass	Wolf, McIntosh
Fraser	Nelson, Morton	Wolf, Morton

Those voting in the negative were:

Blair	Shure	Twichell
Fitch	Swanson	Mr. Speaker

Absent and not voting:

Benno	Ireland	Nelson, Steele
Bergesen	Moe	Peterson, Bottineau
Boulden	Myers	Severson

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

Rep. Williams of Richland moved that the vote by which House Bill No. 213 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Shure: I vote "no" because this is not constitutional. House Concurrent Resolution No. 29 was read the second time.

Rep. Wolf of McIntosh moved that House Concurrent

Resolution No. 29 be indefinitely postponed, which motion was lost.

House Concurrent Resolution No. 29. Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota as Amended by Articles 41 and 48 of the Amendments Thereof, Relating to County Officers.

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 43; nays, 63; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Steele
Allen	Gainor	Olson, Bowman
Arndt	Halvorson	Sandness
Belzer	Haugland	Saumur
Benno	Hofstrand	Schmidt
Black	Hogoboom	Semerad
Bolmeier	Johnson, Cass	Shure
Brusseau	Johnson, Richland	Smart
Carlson	Kee	Swanson
Collette	Kindem	Trydahl
Crockett	Lillehaugen	Twichell
Dalzell	Morland	Wambheim
Dittmer	Nelson, Cass	Westby
Fitch	Nelson, Sargent	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Austad	Haag	Panko
Beebe	Haugen	Peterson, Bottineau
Bingenheimer	Heckman	Peterson, Ransom
Bjella	Holm	Rohde
Blair	Jennings	Rygg
Braun, McLean	Juhola	Sagehorn
Braun, Stark	Langley	Schwartz
Bubel	Larson	Sellens
Bymers	Levin	Severson
Coghlan	Lunde	Sharpe
Culver	McInnes	Singleton
Devlin	McIntee	Starck
Drovdal	McIntyre	Stormon
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morrison	Welder
Falconer	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fleck	Nicholsen	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton

Absent and not voting:

Bergesen	Ireland	Myers
Boulden	Moe	

So the Resolution was declared lost.

Rep. Haugen moved that the vote by which House Concurrent Resolution No. 29 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Falconer: I vote "no" on this Concurrent Resolution No. 29 for the reason that we have so many of these resolutions calling for the amendment of our State Constitution that the cost of printing ballots for election covering the subject matter therein contained, the printing of the ballots alone will cost more than the money saved in this resolution by consolidating the county offices. I have information that in the last election ballots cost the counties as much as \$27.50 per thousand.

Rep. Dalzell: We have heard a great deal in this Legislature about economy and now when they have an opportunity to enact some decent legislation that will be economical they turn it down. I vote "aye".

House Bill No. 116. A Bill for an Act Authorizing the Seizure and Confiscation of Vehicles or Other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property Which Is the Subject Matter of Any Felony; Providing for a Proceeding to Release Such Property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds Arising from Sale; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fleck	Nystrom
Allen	Fraser	Ohnstad
Anderson	Fuglestad	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bingenheimer	Hofstrand	Saumur
Bjella	Hogoboom	Schwartz
Black	Holm	Sellens
Blair	Jennings	Semerad
Bolmeier	Johnson, Cass	Severson
Braun, McLean	Johnson, Richland	Sharpe
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Carlson	Levin	Stormon
Coghlan	Lillehaugen	Swanson
Collette	Lunde	Trydahl
Crockett	McInnes	Tuff
Culver	McIntee	Twichell
Dalzell	McIntyre	Wambheim
Devlin	Morland	Welder
Dittmer	Nelson, Cass	Westby
Drovdal	Nelson, Morton	Williams, Richland

Erickson, Divide	Nelson, Ramsey	Williams, Stutsman
Erickson, Williams	Nelson, Sargent	Wolf, McIntosh
Falconer	Nelson, Steele	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker

Those voting in the negative were:

Heckman	Mollet	Rohde
Juhola	Morrison	Schmidt

Absent and not voting:

Bergesen	Gackle	Moe
Boulden	Gainor	Myers
Fitch	Ireland	Sandness

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

Rep. Tuff moved that the vote by which House Bill No. 116 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 199. A Bill for an Act to Provide Punishment for the Taking and Operating of an Automobile or Other Motor Vehicle, or Causing the Same to Be Taken and Operated Without the Consent of the Owner.

Was read the second time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 77; nays, 26; absent and not voting, 8.

ROLL CALL

Those voting in the affirmative were:

Aker	Dittmer	Nicholsen
Allen	Drovdal	Nystrom
Anderson	Erickson, Divide	Ohnstad
Arneson	Erickson, Williams	Olson, Barnes
Arndt	Falconer	Peterson, Ransom
Austad	Fitch	Rygg
Beede	Fitzharris	Sagehorn
Belzer	Fleck	Sandness
Benno	Fuglestad	Saumur
Bingenheimer	Gackle	Schwartz
Bjella	Gainor	Sellens
Black	Haag	Semerad
Blair	Hofstrand	Severson
Bolmeier	Holm	Sharpe
Braun, McLean	Johnson, Cass	Shure
Braun, Stark	Johnson, Richland	Smart
Brusseau	Kee	Starck
Bubel	Kindem	Stormon
Bymers	Langley	Swanson
Carlson	Larson	Trydahl
Coghlan	Lillehaugen	Twichell
Collette	Lunde	Wambheim
Crockett	McIntee	Westby
Culver	McIntyre	Williams, Stutsman
Dalzell	Nelson, Cass	Mr. Speaker
Devlin	Nelson, Sargent	

Those voting in the negative were:

Fraser	Juhola	Rohde
Glas	Levin	Schmidt
Gress	Mollet	Singleton

Halvorson	Morland	Tuff
Haugen	Morrison	Welder
Haugland	Nelson, Morton	Williams, Richland
Heckman	Nelson, Ramsey	Wolf, McIntosh
Hogoboom	Olson, Bowman	Wolf, Morton
Jennings	Peterson, Bottineau	

Absent and not voting:

Bergesen	McInnes	Nelson, Steele
Boulden	Moe	Panko
Ireland	Myers	

So the bill passed and the title was agreed to.

House Bill No. 144 was read the second time.

Rep. Aker requested the unanimous consent of the House to amend House Bill No. 144, which consent was granted.

Rep. Aker moved that House Bill No. 144 be amended as follows:

Page 2, line 15 of Section 2, strike out the word "compensation" and insert in lieu thereof the word "computation". In the same line strike out the word "supplementary" hyphenated into line 16 and insert in lieu thereof the word "state".

Which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 144 be considered properly engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 144. A Bill for an Act Enabling Cities, Villages, Townships, Counties, or School Districts, to Acquire Property for Recreational Purposes, to Expend Funds for Recreational Purposes and to Establish and Maintain Recreational Programs; 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, 53; nays, 53; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Haugland	Panko
Austad	Hogoboom	Peterson, Ransom
Benno	Johnson, Cass	Sagehorn
Bergesen	Johrson, Richland	Semerad
Bjella	Juhola	Severson
Bolmeier	Kee	Sharpe
Braun, Stark	Langley	Singleton
Bymers	Lunde	Smart
Carlson	Morland	Stormon
Collette	Nelson, Cass	Swanson
Crockett	Nelson, Morton	Twichell
Culver	Nelson, Ramsey	Westby
Dalzell	Nelson, Sargent	Williams, Richland
Fleck	Nelson, Steele	Mr. Speaker
Fuglestad	Nicholsen	

Those voting in the negative were:

Anderson	Gress	Peterson, Bottineau
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Beede	Haag	Rohde
Belzer	Halvorson	Rygg
Bingenheimer	Haugen	Sandness
Black	Heckman	Saumur
Blair	Hofstrand	Schmidt
Braun, McLean	Holm	Schwartz
Brusseau	Jennings	Sellens
Bubel	Kindem	Shure
Coghlan	Larson	Starck
Devlin	Levin	Trydahl
Dittmer	Lillehaugen	Tuff
Drovdal	McInnes	Wambheim
Erickson, Divide	McIntee	Welder
Erickson, Williams	McIntyre	Williams, Stutsman
Falconer	Mollet	Wolf, McIntosh
Fitzharris	Morrison	Wolf, Morton
Fraser	Ohnstad	
Absent and not voting:		
Boulden	Ireland	Myers
Fitch	Moe	

So the bill was declared lost.

Rep. Bubel moved that the vote by which House Bill No. 144 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett moved that action on House Bill No. 241 be deferred one legislative day, which motion prevailed.

Rep. Smart requested the unanimous consent of the House to amend House Bill No. 263, which consent was granted.

Rep. Smart moved the following amendment to House Bill No. 263:

On page 2, line 10, after the word "encumbered" strike out the comma and insert the following: "plus fifty percent of the uncollected and not otherwise encumbered taxes of the four preceding years,".

Which motion prevailed.

Rep. Smart moved that the rules be suspended and that House Bill No. 263 be considered properly engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

House Bill No. 263. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and by Chapter 283 of the Laws of 1935; Repealing All Acts; and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 25; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Panko
Arndt	Glas	Peterson, Bottineau
Austad	Gress	Peterson, Ransom
Beede	Hofstrand	Rohde
Belzer	Holm	Rygg

Benno	Johnson, Cass	Sagehorn
Bergesen	Johnson, Richland	Sandness
Bjella	Juhola	Saumur
Black	Kee	Schwartz
Blair	Kindem	Sellens
Braun, McLean	Langley	Semerad
Brusseau	Larson	Severson
Bubel	Levin	Sharpe
Carlson	Lillehaugen	Shure
Coghan	McInnes	Smart
Collette	McIntee	Swanson
Crockett	McIntyre	Tuff
Dalzell	Nelson, Cass	Twichell
Devlin	Nelson, Morton	Wambheim
Dittmer	Nelson, Sargent	Westby
Drovdal	Nelson, Steele	Williams, Richland
Erickson, Williams	Nichoisen	Williams, Stutsman
Falconer	Nystrom	Wolf, Morton
Fleck	Ohnstad	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Aker	Halvorson	Morrison
Allen	Haugen	Nelson, Ramsey
Bingenheimer	Heckman	Olson, Bowman
Braun, Stark	Hogoboom	Schmidt
Culver	Jennings	Singleton
Erickson, Divide	Lunde	Stormon
Fitzharris	Mollet	Welder
Fraser	Morland	Wolf, McIntosh
Haag		

Absent and not voting:

Bolmeier	Haugland	Myers
Boulden	Ireland	Starck
Bymers	Moe	Trydahl
Fitch		

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

Rep. Twichell moved that the vote by which House Bill No. 263 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 126
House Bill No. 130
House Bill No. 145
House Bill No. 118
House Bill No. 112
House Bill No. 83
House Bill No. 119
House Bill No. 87

Were delivered to the Governor for his approval at the hour of 4:40 o'clock P. M., February 21, 1941.

REP. WAMBHEIM, Chairman.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 21, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 119. A Bill for an Act Amending and Re-enacting Section 2 of Article II, Chapter 164 of the Session Laws of 1933 Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby; Providing Safety and Sanitary Regulations for the Operation of Motor Propelled Vehicles Used for the Purpose of Transporting Persons and Property for Compensation Over Any Public Highway; Providing for the Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 245 of the Session Laws of North Dakota for the Year 1939, Relating to Bounty for Tree Planting.

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

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 21, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation Act.

Which the Senate has amended.

W. J. TROUT, Secretary.

Rep. Morland moved that the House reconsider its action taken on House Bill No. 226, which motion was lost.

Rep. Westby moved that the vote by which the motion of Rep. Morland was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen moved that action on House Bill No. 242 be deferred until Monday, February 24th, before 2:00 P. M., which motion prevailed.

Rep. Swanson moved that the House do now recess until 7:15 P. M., which motion prevailed.

The Speaker called the House to order pursuant to recess taken and announced the House would continue on the Eleventh Order of Business.

SECOND READING OF HOUSE BILLS

House Bill No. 268 was read the second time.

Rep. Smart requested unanimous consent to amend House Bill No. 268, which request was granted.

Rep. Smart moved that House Bill No. 268 be amended as follows:

Page 3, line 34, after the word "funds" insert the following: "except to the poor relief funds".

Which motion prevailed.

Rep. Smart moved that the rules be suspended and that House Bill No. 268 be considered properly engrossed, and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 268. A Bill for an Act to Amend and Re-enact Sections 3314a5 and 3314a7, Supplement to the 1913 Compiled Laws, Providing That County Auditor Shall Reduce Levies Proportionately in Case Total Levy Exceeds Legal Limit, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 30; nays, 71; absent and not voting, 10.

Those voting in the affirmative were:

Arneson	Coghlan	Peterson, Bottineau
Arndt	Crockett	Sagehorn
Austad	Dittmer	Sellens
Bergesen	Gackle	Swanson
Bingenheimer	Haag	Twichell
Bjella	Hofstrand	Welder
Black	Holm	Westby
Bolmeier	Kee	Williams, Stutsman
Brusseau	Kindem	Wolf, Morton
Carlson	Nelson, Cass	Mr. Speaker

Those voting in the negative were:

Aker	Haugen	Nicholsen
Allen	Haugland	Nystrom
Anderson	Heckman	Ohnstad
Beede	Hogoboom	Olson, Barnes
Belzer	Jennings	Olson, Bowman
Benno	Johnson, Cass	Panko
Braun, McLean	Johnson, Richland	Peterson, Ransom
Braun, Stark	Juhola	Rohde
Bubel	Langley	Rygg
Bymers	Larson	Sandness
Collette	Levin	Schmidt
Dalzell	Lillehaugen	Schwartz
Devlin	Lunde	Severson
Droydal	McInnes	Sharpe
Erickson, Divide	McIntee	Shure
Erickson, Williams	McIntyre	Singleton
Falconer	Moe	Smart
Fitzharris	Mollet	Starck
Fleck	Morland	Stormon
Fraser	Morrison	Trydahl
Fuglestad	Nelson, Morton	Tuff
Gainor	Nelson, Ramsey	Wambheim
Glas	Nelson, Sargent	Wolf, McIntosh
Halvorson	Nelson, Steele	

Absent and not voting:

Blair	Gress	Saumur
Boulden	Ireland	Semerad

Fitch Ireland Williams, Richland
 Fleck Myers

So the bill was declared lost.

Rep. Swanson moved that the vote by which House Bill No. 197 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Crockett: I am voting "aye" on this measure because it is the first one to offer the farmers a chance to get a little preference in taxes which is always given to highway contractors and printers in the amount of five and ten per cent, and for the further reason that the farmers are discriminated against in taxes as witness the gasoline tax and the tax valuation of his land which is always double the value of the land, and I could cite many other cases. Therefore, I vote "aye".

Rep. Falconer: I vote "aye" on this bill for the reason that I believe any tax revenue that may be accrued to the State of North Dakota will be spent for the benefit of the printers and contractors. I think it is a good bill and should pass.

House Bill No. 184. A Bill for an Act Authorizing the Board of University and School Lands to Transfer and Convey Certain Acreage of State School Lands to the Game and Fish Department in Exchange for Other Land, to Be Used and Maintained for Wildlife-Restoration Projects, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ranson
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Jennings	Saumur
Blair	Johnson, Cass	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon

Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Mollet	Twichell
Dittmer	Morland	Wambheim
Drovdal	Morrison	Welder
Erickson, Divide	Nelson, Cass	Westby
Erickson, Williams	Nelson, Morton	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker
Fraser		

Those voting in the negative were:

Moe

Absent and not voting:

Boulden	Ireland	Semerad
Fitch	Myers	Williams, Richland
Gress		

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

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3178 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain; Repeal; Declaring an Emergency; and Providing a Penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 84; nays, 20; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Morton
Allen	Gackle	Nelson, Ramsey
Anderson	Gainor	Nelson, Sargent
Austad	Glas	Nelson, Steele
Beede	Haag	Nicholsen
Belzer	Halvorson	Nystrom
Benno	Haugen	Ohnstad
Bergesen	Haugland	Olson, Barnes
Bingenheimer	Heckman	Olson, Bowman
Bjella	Hofstrand	Panko
Black	Hogoboom	Peterson, Bottineau
Bolmeier	Holm	Peterson, Ransom
Braun, McLean	Jennings	Rohde
Braun, Stark	Johnson, Cass	Rygg
Brusseau	Kee	Sagehorn
Bubel	Kindem	Sandness
Bymers	Langley	Schmidt
Carlson	Larson	Schwartz
Coghlan	Levin	Shure
Crockett	Lillehaugen	Smart
Culver	Lunde	Stark
Dalzell	McInnes	Stormon
Devlin	McIntee	Tuff
Dittmer	McIntyre	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Wolf, McIntosh

Erickson, Williams	Morrison	Wolf, Morton
Fraser	Nelson, Cass	Mr. Speaker
Those voting in the negative were:		
Arneson	Johnson, Richland	Singleton
Arndt	Juhola	Swanson
Blair	Moe	Trydahl
Collette	Saumur	Twichell
Falconer	Sellens	Westby
Fitzharris	Severson	Williams, Stutsman
Fleck	Sharpe	
Absent and not voting:		
Boulden	Ireland	Semerad
Fitch	Myers	Williams, Richland
Gress		

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

Rep. Rohde moved that the vote by which House Bill No. 307 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 306. A Bill for an Act to Amend and Re-enact Sub-section (1) of Section 2, Sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, Relating to Electric Cooperative Corporations, Their Powers, Incorporation, Corporate Names, Amendment of By-Laws and Articles of Incorporation, Quorum and Voting Requirements, Qualifications of Directors, Exemptions from Certain Statutory Requirements; and Providing for the Extension of Chapter 115 of the Session Laws of 1937 to Certain Foreign Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Haag	Olson, Barnes
Austad	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Belzer	Haugland	Peterson, Bottineau
Benno	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmidt
Braun, McLean	Juhola	Schwartz
Braun, Stark	Kee	Sellens
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe

Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser		

Those voting in the negative were:

Welder

Absent and not voting:

Boulden	Ireland	Semerad
Fitch	Myers	Williams, Richland
Gress		

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

Rep. Saumur moved that the vote by which House Bill No. 306 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 21. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure

Coghlan	Levin	Singleton
Carlson	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Boulden	Ireland	Semerad
Fitch	Kee	Welder
Gress	Myers	Williams, Richland

So the bill passed and the title was agreed to.

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 5631 of the 1913 Compiled Laws of North Dakota, Relating to Descent of Homestead Estate and Exemption; Repealing Section 5632 of the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 21; absent and not voting, 8.

Those voting in the affirmative were:

Alien	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugland	Peterson, Ransom
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Jennings	Schmidt
Blair	Johnson, Cass	Schwartz
Bolmeier	Johnson, Richland	Sellens
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Lunde	Singleton
Coghlan	McInnes	Smart
Collette	McIntee	Starck
Crockett	Moe	Stormon
Culver	Morland	Swanson
Dalzell	Nelson, Cass	Trydahl
Drovdal	Nelson, Morton	Twichell
Erickson, Divide	Nelson, Ramsey	Wambheim
Erickson, Williams	Nelson, Sargent	Westby
Falconer	Nelson, Steele	Williams, Stutsman
Fitzharris	Nicholsen	Wolf, McIntosh

Fleck	Nystrom	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Aker	Fraser	McIntyre
Beede	Glas	Mollet
Belzer	Haugen	Morrison
Braun, McLean	Juhola	Rohde
Braun, Stark	Larson	Tuff
Devlin	Levin	Welder
Dittmer	Lillehaugen	Wolf, Morton

Absent and not voting:

Boulden	Ireland	Semerad
Fitch	Myers	Williams, Richland
Gress	Peterson, Bottineau	

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

House Bill No. 330. A Bill for an Act to Amend Section 189b29 of Chapter 137, Session Laws of 1933 Providing for the Abatement of Hail Indemnity Tax; Correction of Records and Reduction from the Surplus; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 5; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Sargent
Allen	Fuglestad	Nelson, Steele
Arneson	Gackle	Nicholsen
Arndt	Gainor	Nystrom
Austad	Glas	Ohnstad
Beede	Haag	Olson, Barnes
Belzer	Halvorson	Olson, Bowman
Benno	Haugen	Panko
Bergesen	Haugland	Peterson, Bottineau
Bingenheimer	Heckman	Peterson, Ransom
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Biair	Holm	Sandness
Bolmeier	Jennings	Saumur
Braun, McLean	Johnson, Cass	Schmidt
Braun, Stark	Johnson, Richland	Schwartz
Brusseau	Juhola	Sellens
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Cophlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Stutsman

Falconer	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker
Fleck	Nelson, Ramsey	
Those voting in the negative were:		
Anderson	Starck	Wolf, McIntosh
Rohde	Tuff	
Absent and not voting:		
Boulden	Ireland	Semerad
Fitch	Kee	Williams, Richland
Gress	Myers	

So the bill was declared passed.

Rep. Morland moved the following amendment to the title of House Bill No. 330:

Strike out everything in the title after the word "Amend" in the first line thereof and insert in lieu thereof the following:

"and Re-enact Section 189b29 of the 1925 Supplement to the compiled laws of North Dakota for 1913 as amended by Section 18 of Chapter 137 Session Laws of North Dakota for 1933, providing for the abatement of Hail Indemnity Tax, correction of records and reduction from surplus and Declaring an Emergency."

Which motion prevailed.

House Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2186 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 241, Session Laws of 1929, and Chapter 279, Session Laws of 1931, Relating to Taxation. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 77; nays, 23; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Falconer	Nelson, Ramsey
Allen	Fitzharris	Nelson, Steele
Arneson	Fleck	Nicholsen
Arndt	Fraser	Nystrom
Austad	Fuglestad	Ohnstad
Beede	Gackle	Olson, Barnes
Belzer	Gainor	Peterson, Ransom
Benno	Glas	Rygg
Bergesen	Haugen	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Holm	Schwartz
Black	Jennings	Sellens
Blair	Johnson, Cass	Severson
Bolmeier	Johnson, Richland	Sharpe
Braun, McLean	Juhola	Shure
Braun, Stark	Kee	Singleton
Brusseau	Kindem	Smart
Bymers	Langley	Starck
Carlson	Larson	Stormon
Collette	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Twichell

Devlin	Moe	Westby
Dittmer	Morland	Williams, Stutsman
Erickson, Divide	Morrison	Mr. Speaker
Erickson, Williams	Nelson, Cass	
Those voting in the negative were:		
Anderson	Levin	Rohde
Bubel	McIntee	Schmidt
Drovdal	McIntyre	Tuff
Haag	Mollet	Wambheim
Halvorson	Nelson, Morton	Welder
Haugland	Nelson, Sargent	Wolf, McIntosh
Heckman	Olson, Bowman	Wolf, Morton
Hogoboom	Panko	
Absent and not voting:		
Boulden	Gress	Saumur
Coghlan	Ireland	Semerad
Crockett	Myers	Williams, Richland
Fitch	Peterson, Bottineau	

So the bill passed and the title was agreed to.

Rep. Stormon moved that the vote by which House Bill No. 292 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 315. A Bill for an Act to Amend and Re-enact Chapter 220 of the Session Laws of 1935, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or Any of Its Subdivisions, While Upon Public Expense Account; Providing for a Penalty for Violation Thereof, and Declaring an Emergency. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 19; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fraser	Nicholsen
Allen	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Glas	Olson, Bowman
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Jennings	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Schmidt
Braun, Stark	Juhola	Schwartz
Brusseau	Kee	Sellens
Bymers	Kindem	Severson
Carlson	Langley	Sharpe
Coghlan	Levin	Singleton
Collette	Lillehaugen	Stormon
Culver	Lunde	Swanson

Dalzell	McInnes	Trydahl
Devlin	McIntee	Tuff
Dittmer	Moe	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Mr. Speaker
Those voting in the negative were:		
Anderson	Haugen	Nelson, Morton
Beede	Heckman	Panko
Braun, McLean	Larson	Shure
Bubel	McIntyre	Starck
Crockett	Mollet	Welder
Drovdal	Morrison	Wolf, Morton
Haag		
Absent and not voting:		
Boulden	Ireland	Smart
Fitch	Myers	Williams, Richland
Gress	Semerad	

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

Rep. Moe moved that the vote by which House Bill No. 315 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 265. A Bill for an Act to License Certain Types of Coin-Operated Amusement Devices and Providing for the Division and Distribution of the Revenue Derived Therefrom.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 32; absent and not voting, 10.

Those voting in the affirmative were:

Allen	Erickson, Divide	Nelson, Morton
Anderson	Falconer	Nelson, Ramsey
Arneson	Fraser	Nelson, Sargent
Arndt	Gainor	Nelson, Steele
Beede	Glas	Nystrom
Belzer	Haag	Ohnstad
Bergesen	Halvorson	Olson, Bowman
Bingenheimer	Haugen	Panko
Bolmeier	Heckman	Peterson, Bottineau
Braun, McLean	Hofstrand	Rohde
Braun, Stark	Hogoboom	Saumur
Brusseau	Jennings	Schmidt
Bubel	Johnson, Cass	Schwartz
Bymers	Johnson, Richland	Shure
Carlson	Juhola	Swanson
Coghlan	Kindem	Tuff
Collette	Larson	Twichell
Crockett	Levin	Welder
Culver	Lunde	Westby
Dalzell	McIntyre	Williams, Stutsman
Devlin	Mollet	Wolf, McIntosh
Dittmer	Morrison	Wolf, Morton

Drovdal	Nelson, Cass	Mr. Speaker
Those voting in the negative were:		
Aker	Holm	Rygg
Austad	Kee	Sagehorn
Benno	Langley	Sandness
Bjella	Lillehaugen	Sellens
Black	McInnes	Sharpe
Blair	McIntee	Singleton
Fitzharris	Moe	Starek
Fleck	Morland	Stormon
Fuglestad	Nicholsen	Trydahl
Gackle	Olson, Barnes	Wambheim
Haugland	Peterson, Ransom	
Absent and not voting:		
Boulden	Ireland	Severson
Erickson, Williams	Myers	Smart
Fitch	Semerad	Williams, Richland
Gress		

So the bill passed and the title was agreed to.

Rep. Aker voted "aye" for the purpose of reconsideration.

Explanations of vote:

Rep. Aker: I am voting "no" on this bill for the reason it looks to be somewhat like the ordinances that were given to the city sometime ago. They are called music machines but the idea is to put in slot machines and pin ball games and the like, and there is no set way of checking them as to whether they are getting any money or not.

Rep. Lillehaugen: This is just another way to legalize gambling. I vote "no".

Rep. Moe: It seems to me that we are cluttering up our constitution with a bill like this and trying to legalize gambling thereby. I vote "no".

House Bill No. 308. A Bill for an Act Requiring All Persons Purchasing Intoxicating Liquor at Retail in This State to Procure a Permit and Forbidding Sale by Retailers to One Without a Permit; Fixing the Charge for Same and Providing Penalty for Non-compliance.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 55; nays, 47; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Cass
Allen	Fuglestad	Nelson, Ramsey
Arneson	Gainor	Nelson, Sargent
Austad	Haugen	Nelson, Steele
Beede	Haugland	Nicholsen
Belzer	Heckman	Nystrom
Bergesen	Hofstrand	Ohnstad
Bingenheimer	Holm	Peterson, Ransom
Bjella	Johnson, Richland	Rohde
Blair	Kee	Rygg
Bolmeier	Kindem	Sagehorn
Braun, McLean	Langley	Sandness
Braun, Stark	Larson	Sharpe

Bymers	Lillehaugen	Stormon
Coghlan	Lunde	Swanson
Culver	Moe	Trydahl
Erickson, Divide	Mollet	Westby
Erickson, Williams	Morland	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Anderson	Glas	Peterson, Bottineau
Arndt	Haag	Saumur
Benno	Halvorson	Schmidt
Black	Hogoboom	Schwartz
Brusseau	Jennings	Sellens
Bubel	Johnson, Cass	Shure
Carlson	Juhola	Singleton
Collette	Levin	Starck
Crockett	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Morrison	Welder
Drovdal	Nelson, Morton	Williams, Stutsman
Falconer	Olson, Barnes	Wolf, McIntosh
Fleck	Olson, Bowman	Wolf, Morton
Gackle	Panko	

Absent and not voting:

Boulden	Ireland	Severson
Fitch	Myers	Smart
Gress	Semerad	Williams, Richland

So the bill was declared lost.

Rep. Shure voted "no" for the purpose of reconsideration. House Bill No. 284. A Bill for an Act to Provide for the Abatement of Places Where Intoxicating Liquors Are Sold and Where Persons Engaged in Such Retail Sale of Intoxicating Liquors Have Been Convicted as a Second Offense of Committing or Knowingly Permitting in Said Place of Business or in Connection Therewith Any Violation of Any State Law; and Providing Procedure and 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, 79; nays, 22; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fuglestad	Morrison
Allen	Gainor	Nelson, Cass
Anderson	Glas	Nelson, Ramsey
Arneson	Haag	Nelson, Sargent
Arndt	Halvorson	Nelson, Steele
Austad	Haugen	Nicholsen
Beede	Haugland	Nystrom
Bergesen	Heckman	Ohnstad
Bingenheimer	Hofstrand	Olson, Barnes
Bjella	Hogoboom	Olson, Bowman
Black	Holm	Peterson, Ransom
Bolmeier	Jennings	Rohde
Braun, McLean	Johnson, Cass	Rygg
Braun, Stark	Johnson, Richland	Sagehorn
Brusseau	Kee	Sandness

Bymers	Kindem	Schmidt
Carlson	Langley	Sellens
Coghlan	Larson	Sharpe
Culver	Levin	Singleton
Dalzell	Lillehaugen	Stark
Devlin	Lunde	Stormon
Dittmer	McInnes	Swanson
Droydal	McIntyre	Trydahl
Erickson, Divide	Moe	Westby
Erickson, Williams	Mollet	Williams, Stutsman
Falconer	Morland	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Belzer	Gackle	Schwartz
Benno	Juhola	Shure
Blair	McIntee	Twichell
Bubel	Nelson, Morton	Wambheim
Collette	Panko	Welder
Crockett	Peterson, Bottineau	Wolf, McIntosh
Fleck	Saumur	Wolf, Morton
Fraser		

Absent and not voting:

Boulden	Myers	Smart
Fitch	Semerad	Tuff
Gress	Severson	Williams, Richland
Ireland		

So the bill passed and the title was agreed to.

Rep. Moe moved that the vote by which House Bill No. 284 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

Was read the second time.

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 52; absent and not voting, 9.

ROLL CALL

Those voting in the affirmative were:

Aker	Falconer	Nelson, Cass
Allen	Fitzharris	Nelson, Sargent
Arneson	Fleck	Nelson, Steele
Arndt	Fuglestad	Nystrom
Austad	Gackle	Olson, Barnes
Bjella	Gainor	Peterson, Ransom
Black	Halvorson	Sagehorn
Blair	Haugland	Sellens
Bolmeier	Hofstrand	Sharpe
Bubel	Holm	Shure
Bymers	Johnson, Richland	Swanson
Carlson	Kee	Twichell
Coghlan	Kindem	Wambheim

Collette	Langley	Westby
Culver	Lillehaugen	Williams, Stutsman
Dalzell	Lunde	Mr. Speaker
Erickson, Divide	McIntyre	

Those voting in the negative were:

Anderson	Heckman	Olson, Bowman
Beede	Hogoboom	Panko
Belzer	Jennings	Peterson, Bottineau
Benno	Johnson, Cass	Rohde
Bergesen	Juhola	Rygg
Bingenheimer	Larson	Sandness
Braun, McLean	Levin	Saumur
Braun, Stark	McInnes	Schmidt
Brusseau	McIntee	Schwartz
Crockett	Moe	Singleton
Devlin	Mollet	Starck
Dittmer	Morland	Stormon
Drovdal	Morrison	Trydahl
Erickson, Williams	Nelson, Morton	Tuff
Fraser	Nelson, Ramsey	Welder
Glas	Nicholsen	Wolf, McIntosh
Haag	Ohnstad	Wolf, Morton
Haugen		

Absent and not voting:

Boulden	Ireland	Severson
Fitch	Myers	Smart
Gress	Semerad	Williams, Richland

So the bill was declared lost.

Rep. Benno voted "no" for the purpose of reconsideration.

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 23 and 24 of Chapter 148 of the Session Laws of North Dakota of 1931 Relating to Non-resident Hunting and Trapping Licenses, Including the Cost, Issuance, Application, Form Thereof and Game Shipments Thereunder, and Relating to Resident Hunting Licenses to Actual Settlers Who Are Recent Arrivals; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 68; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Collette	Nelson, Steele
Allen	Culver	Panko
Arneson	Dalzell	Sagehorn
Arndt	Fuglestad	Sharpe
Austad	Gackle	Starck
Benno	Holm	Swanson
Bjella	Kee	Tuff
Black	Levin	Twichell
Bolmeier	McIntee	Wolf, Morton
Brusseau	Morland	Mr. Speaker
Bymers	Nelson, Morton	

Those voting in the negative were:

Anderson	Haag	Nelson, Sargent
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Beede	Halvorson	Nicholsen
Belzer	Haugen	Ohnstad
Bergesen	Haugland	Olson, Barnes
Bingenheimer	Heckman	Olson, Bowman
Blair	Hofstrand	Peterson, Bottineau
Braun, McLean	Hogoboom	Peterson, Ransom
Braun, Stark	Jennings	Rohde
Bubel	Johnson, Cass	Rygg
Carlson	Johnson, Richland	Sandness
Coghlan	Juhola	Saumur
Crockett	Kindem	Schmidt
Devlin	Langley	Schwartz
Dittmer	Larson	Sellens
Drovdal	Lillehaugen	Shure
Erickson, Divide	Lunde	Singleton
Erickson, Williams	McInnes	Stormon
Falconer	McIntyre	Wambheim
Fitzharris	Moe	Welder
Fleck	Mollet	Westby
Fraser	Morrison	Williams, Stutsman
Gainor	Nelson, Cass	Wolf, McIntosh
Glas	Nelson, Ramsey	

Absent and not voting:

Boulden	Myers	Smart
Fitch	Nystrom	Trydahl
Gress	Semerad	Williams, Richland
Ireland	Severson	

So the bill was declared lost.

Rep. Crockett moved that the vote by which House Bill No. 254 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 184
House Bill No. 306
House Bill No. 307

And find the same correctly Engrossed.

ALVA WAMBHEIM, Chairman.

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

Mr. Speaker: Your Committee on Game and Fish, to whom was referred House Bill No. 245, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 2.

Line 43 after the first word "Section" strike out the figure "3" and insert in lieu thereof the figure "2".

And when so amended recommend the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Education to whom was referred House Bill No. 286, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act Authorizing the Board of University and School Lands to sell lands belonging to the Permanent School or Institutional Funds but not a part of the Federal Grant Lands to bona fide farmers, Fixing the Manner and terms of sale, Interest Rate on Deferred and Delinquent payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

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

1 SECTION 1.) The Board of University and School
1a Lands is

2 hereby authorized to sell to bona fide farmers only, any
3 of the lands within its control and belonging to any of
4 the permanent school or institutional funds exclusive of
5 Federal Grant Lands in the manner and upon the terms
6 herein provided.

7 (1) Manner of Sale:

8 All such lands shall be appraised by the Commissioner
9 of University and School Lands or his deputy or repre-
10 sentatives such appraisal to be approved by the Board of
11 University and School Lands and shall be sold for not
12 less than the appraised value and not less than the
13 amount of the permanent school funds invested therein
14 to the highest bidder at public sale conducted at the
15 front door of the Court House in the county seat of the
16 county wherein the lands to be sold lie between the hours
17 of nine (9) o'clock in the forenoon and four (4) o'clock
18 in the afternoon.

19 (2) Notice of Sale:

20 The Board of University and School Lands shall cause
21 to be published once each week for a period of two weeks
22 prior to the day of sale, in a legal newspaper published
23 within the county in which said land is situated, a notice
24 of such sale, properly describing said land, together with
25 the appraised value thereof, and the terms and conditions
26 of sale. The last publication of said notice shall be at
27 least seven (7) days prior to the date of sale. In case
28 there is no legal newspaper published within said county,
29 such notice shall be published in the legal newspaper
30 which is published closest to the county seat at which

30a such
31 sale is to be made. The former owner and the former

31a renter,

32 if any, shall be notified by the Department of such a sale.

33 (3) When Lands to be Sold:

34 The Board of University and School Lands may, of its
35 own motion, or upon the application of a bona fide

35a bidder,

36 offer any or all of the said lands within any county for
 37 sale. Any person desiring to purchase any tract or
 37a tracts
 38 of said lands may make application to said Board to have
 39 such tract or tracts advertised for sale. Such person
 40 shall, with such application, deposit with the Commis-
 40a sioner
 41 of University and School Lands his bona fide bid for such
 42 lands as he desires to have offered for sale, together with
 43 cash in the amount of four (4%) per cent of the amount
 44 of his said bid. In case such person is the highest bidder
 45 at said sale, the amount so deposited shall be held and
 46 applied upon the cash payment required by the terms of
 47 sale hereinafter provided; otherwise, such amount shall
 48 be returned to him. Such person shall also deposit with
 48a his
 49 said application, such amount as said Commissioner shall
 50 determine to be the probable actual cost of giving notice
 51 of, and of holding, such sale. In case such person is not
 52 the successful bidder at said sale, said amount so de-
 52a posited
 53 to cover cost of notice of and of holding said sale, shall
 54 be refunded to him. In case such person is the success-
 54a ful
 55 bidder, any excess of the amount so deposited to cover
 55a costs
 56 of notice of and of holding such sale over the actual cost
 57 thereof shall be refunded to him upon his executing a
 58 contract for purchase of said lands and if he is not the
 59 successful bidder the successful bidder shall pay the
 59a expense
 60 of the sale in addition to the amount of his said bid.
 61 (4) Terms of Sale:
 62 The terms of sale of lands so sold shall be as follows:
 63 Ten per cent (10%) of the purchase price shall be paid
 64 at the time the contract is executed; the annual pay-
 64a ments
 65 shall be six per cent (6%) of the original purchase price.
 66 An amount equal to three per cent (3%) of the unpaid
 66a princi-
 67 pal shall be credited to interest and the balance shall be
 68 applied as payment on principal as credit on purchase
 68a price.
 69 The purchaser may pay all or any installment or in-
 69a stallments
 70 not yet due at any interest paying date. If the purchaser
 70a so
 71 desires, he may pay the entire balance due on his con-
 71a tract
 72 with interest to date of payment at any time and he will
 72a then
 73 be entitled to proper conveyance.
 74 (5) Contract of Sale:
 75 The successful bidder for each tract so sold shall enter
 76 into a contract for the purpose of such tract with the
 77 State of North Dakota within Thirty (30) days after the
 78 day of such sale, such contract to be in form prescribed
 79 by the Board of University and School Lands. Said
 79a contract

80 shall be executed in duplicate, and shall be executed in
81 the name of the State of North Dakota for and on
81a behalf of
82 the Board of University and School Lands by the Com-
82a missioner
83 of University and School Lands. Such contract shall
83a not be
84 assigned without the consent of the Board of University
84a and
85 School Lands.

86 (6) Conveyance:
87 When the purchase price together with interest on
87a defer-
88 red payments, has been paid in full the lands purchased
89 shall be conveyed to the purchaser, his heirs or assigns,
90 by good and sufficient deed executed in the name of the
91 State of North Dakota by the Governor and such
91a execution
92 attested by the Secretary of State under the Great
92a Seal of
93 the State of North Dakota.

94 (7) Notice to Auditor:
95 The Commissioner of University and School Lands
95a shall
96 immediately notify the County Auditor of the County
96a wherein
97 any land sold on contract lies, of such on contract and
98 such lands shall be placed upon the rolls of the said
99 county and shall be assessed in the name of such
99a contract
100 purchaser on the first day of April next succeeding, and
101 shall be taxable in the name of such contract purchaser,
102 his heirs or assigns, thereafter to the same extent as
103 original grant lands sold on contract are now taxable
103a under
104 existing law.

105 (8) Cancellation of Contracts:
106 In case the purchaser fails to pay either the principal,
107 interest or taxes in accordance with the provisions of said
108 contract, the Board of University and School Lands
108a may in
109 its discretion by resolution declare such contract null and
110 void and cancelled and of no further force or effect; and
111 in case of such declaration shall notify the holder
111a thereof,
112 of such declaration, by written notice mailed to his post-
113 office address as it appears upon said contract. A
113a certified
114 copy of said resolution shall be forwarded by mail to the
115 County Auditor and to the Register of Deeds of the
115a county in
116 which such land is situated. The Register of Deeds shall
117 record such certified copy of said resolution in the proper
118 records of his office, and said resolution, when so
118a recorded,
119 shall operate as a complete and final cancellation of said
120 contract without any order or decree of the Court. When
121 such contract has been cancelled, such land shall not
121a here-

122 after be listed for taxation.
 123 (9) Collection of Taxes:
 124 Taxes assessed and levied upon lands so sold shall be
 125 collected and payment enforced in like manner as taxes
 126 assessed and levied against privately owned land. Such
 127 lands may be sold for delinquent taxes as other lands are
 128 sold, and the purchaser shall only acquire, by virtue of
 129 such purchase, the right to be substituted in the place of
 130 the holder and owner of such contract of sale, as the
 130a assignee
 131 thereof; and upon the production to the Commissioner of
 132 University and School Lands of the Tax certificate given
 132a upon
 133 such tax sale, in case such land has not been redeemed,
 133a such
 134 tax purchaser shall have the right to have his name sub-
 135 stituted in place of the then holder and owner of such
 136 contract upon his payment of all principal and interest, if
 137 any, then in default upon such contract of sale, but no
 137a such
 138 substitution shall take place until three (3) years after
 139 the date of such tax certificate. If such land be sold for
 140 taxes to the county, the county may at any time assign
 140a its
 141 tax certificate and its assignee shall have like rights to
 142 those herein given the holder of a tax certificate issued
 143 upon sale for taxes to an individual. No tax deed shall
 143a be
 144 issued upon any tax certificate procured, while the legal
 145 title of said land remains in the State of North Dakota.
 146 (10) Redemption after Cancellation:
 147 In all cases where a contract entered into as herein
 148 provided is cancelled as above provided, the purchaser,
 149 his heirs and assigns may, before the sale at public
 149a auction
 150 of the land described in such contract, redeem the land
 151 described in such contract by paying all past due, de-
 151a ferred
 152 and interest payments, and all costs which may have
 152a been
 153 incurred in the cancellation of such contract, together
 154 with interest on such sums from their due date at the
 154a rate
 155 of four (4%) per cent per annum, but no such redemp-
 155a tion
 156 shall be made where the name of the holder of a tax sale
 157 certificate has been substituted in place of the contract
 158 holder as hereinabove provided. Such redemption shall
 159 operate to reinstate the original contract and to restore
 160 all rights and obligations of both the State and the
 161 purchaser thereunder.
 1 SECTION 2. BOARD MAY MAKE RULES AND
 1a REGULATIONS.)
 2 The Board of University and School Lands is hereby
 2a auth-
 3 orized to make such rules and regulations as shall be by
 4 it deemed necessary for the manner, place and time of
 5 payment of principal, deferred and interest payments,
 5a and

6 for such other conduct of the business of selling and
 7 disposing of lands other than Federal Grant Lands,
 7a not in
 8 conflict herewith or with other provisions of law.
 And when so amended recommend the same do pass.

C. H. HOFSTRAND, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 329, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Public Health, to whom was referred House Bill No. 273, have had the same under consideration and recommend that the same be amended as follows:

In Title, in line 1, following "Regulating" add "comma establishing".

In Title, in line 3, following semi-colon add "Exempting Certain Plants semi-colon Providing an appropriation semi-colon."

Section 1, line 3, following animals add "and wild animals".

Section 1, line 4, following "first" strike out remainder of section 1.

Section 1, line 4, following "first" add "filing an application with the North Dakota Livestock Sanitary Board for a license to do so, subject to the provisions of this Chapter and the regulations of said Board."

Strike out Section 2 and insert in lieu thereof following section: "Section 2. Upon the receipt of said application, the North Dakota Livestock Sanitary Board shall cause an inspection to be made of any establishment for which a license is requested, including its equipment, vehicles, and manner of conduct of its business, with reference and due regard of danger of disease transmission and dissemination.

If said inspection fails to reveal any danger of disease transmission, said Board shall issue the license applied for upon payment of a fee of fifty dollars (\$50.00). Such license shall remain valid for a period of one year from the date of issuance or until revoked for cause by said Board."

Section 5, line 11, strike the period and add "comma or other disinfectant as prescribed by the Board period."

Section 4, line 6, strike the period following "ground" and add "nor shall such be discharged so as to contaminate or make unfit for human or livestock use any water supply period."

Following Section 8 insert the following sections: "Section 9. Provided that any rendering done in connection with regular packing plant operations under Federal Inspection will be exempt from the provisions of this act."

"Section 10. Money collected under this act shall be deposited with the State Treasurer to the credit of the North Dakota Livestock Sanitary Board, and there shall be appro-

prorated to the North Dakota Livestock Sanitary Board the sum of four hundred dollars for the biennium period."

"Section 11. No plant now in existence, if located within three miles of any city, village, or town shall be rebuilt. Hereafter, no rendering plant shall be constructed within three miles of the limits of any city, village, or town, nor within one mile of any farmstead."

Renumber sections 9 and 10 as 12 and 13.

Section 9, line 6, strike "less" and add "more".

In the following places strike out word "trucks" and substitute in lieu thereof word "vehicles": Section 4, line 7; Section 5, lines 1, 9, 13, 17, 21; Section 6, line 2; Section 7, line 1.

And when so amended recommend the same do pass.

OLSON of Bowman, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 36, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the word "A BILL" and substitute therefore the following:

For an Act to amend and re-enact Section 2346a25 of the 1925

Supplement to the Compiled Laws of North Dakota, as amended by Chapter 241 of the Session Laws of 1937, relating to taxation of Corporations and providing the rate of tax to be paid on net income and to repeal Sub-section 7 of Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota as amended by Chapter 283 of the Session Laws of 1937 and as amended by Chapter 228 of the Session Laws of 1939; making a Saving Clause and declaring an emergency.

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

SECTION 1. AMENDMENT.) That Section 2346a25 of the Supplement to the Compiled Laws of 1913, as amended by Chapter 241 of the Session Laws of 1937, is hereby amended and re-enacted as follows:

SECTION 2346a25. ANNUAL TAX. There shall be levied, collected and paid for the year ending December 31, 1940, and annually thereafter, upon the net income of every domestic and every foreign corporation received from sources as are described in Article II, Sections 7 and 8, a tax upon such net income as follows:

For the first \$5,000.00 of net income at the rate of 3%;
On all net income above \$5,000.00 and up to \$6,000.00 at the rate of 4%;

On all net income above \$6,000.00 and up to \$8,000.00 at the rate of 5%;

On all net income over \$8,000.00 and up to \$10,000.00 at the rate of 7%;

On all net income over \$10,000.00 and up to \$15,000.00 at the rate of 8%;

On all net income over \$15,000.00 at the rate of 10%.

SECTION 2. SAVING CLAUSE. Should the Courts of this State or of the United States declare any of the provisions of this Chapter unconstitutional, illegal or void, such decision shall not invalidate any other provision herein contained.

SECTION 3. REPEAL. That Sub-section 7 of Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as amended by Chapter 283 of the Session Laws of 1931, and as amended by Chapter 228 of the Session Laws of 1939, and all other Acts or parts of Acts in conflict herewith are hereby repealed.

SECTION 4. EMERGENCY. This act is hereby declared to be an emergency measure, and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

L. K. MORLAND, Chairman.

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

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred House Bill No. 319, have had the same under consideration and recommend that the same be amended as follows:

On line 13, after the word "purposes" strike out balance of line and in line 14 strike out "from the levy herein provided for." insert in lieu the following: "and shall present to the County Treasurer a tax receipt showing such payment, the County Treasurer is authorized to cancel the per capita school tax levied against such tax debtor for the year in which payment is shown in such tax receipt."

And when so amended recommend the same do pass.

L. K. MORLAND, Chairman.

Rep. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the House do now recess until 10:45 A. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

Herman W. Brown, Golden Valley County, 1937-1939, Died May 26, 1940.

T. E. Tufte, Grand Forks County, 1899, 1901, 1903, 1905, 1907, Died September 23, 1938.

Philip J. Bohnsack, Traill County, 1927-1929, Died April 1940.

Louis Endres, Sioux County, 1933, Died February 14, 1941.

C. F. Dupuis, Williams County, 1917, Died January 27, 1940.

Algot R. Johnson, LaMoure County, 1939, Died September 22, 1940.

John J. O'Connor, Pembina County, 1911-1913, 1917-1919, Died December 16, 1940.

Wm. J. Watts, Pembina County, 1899, 1901, 1903, 1907, Died June 29, 1939.

Wintrop S. Mitchell, Walsh County, 1905, Died September 14, 1940.

Ole Paulson, Steele County, 1909-1911, Died January 26, 1941.

John Kelder, LaMoure County, 1917-1919, Died 1939.

Sidney Franklin Smith, Emmons & Kidder Counties, 1915-1917, Died October 18, 1940.

Lucius E. Heaton, Burleigh County, 1923, 1925, Died 1940.

Anton Swensrud, Bottineau County, 1895, Died October 20, 1940.

Williams James Godwin, Morton County, 1933, 1935, 1937, Died August 20, 1940.

Edward Rieker, Kidder & Sheridan Counties, 1941, Died February 14, 1941.

John Billigmeier, McIntosh County, 1937, 1939, Died April 6, 1940.

George W. Lilly, McIntosh County, 1889, Died April, 1940.

Stephen J. Doyle, Foster County, 1909, 1911, Died August 1, 1940.

Benjamin J. Fedje, Williams County, 1923, 1927, 1933-1935, Died August 11, 1940.

R. M. Sproul, Cass County, 1921, 1923, 1925, Died May, 1940.

Jerry O'Shea, McLean County, 1911, Died April 20, 1940.

Frank White, Barnes County, 1891, Senator 1893, Governor 1901-1903, Died March 23, 1940.

George P. Bope, Kidder County, 1913, Died March 10, 1939.

H. J. Miner, Wells County, 1899, Died March 1, 1940.

P. C. Donovan, Cavalier County, Territorial Legislature, 1887, Died December 30, 1939.

C. A. Hale, Grand Forks County, 1909, Died October 13, 1939.

Frank Slominski, Walsh County, 1923, Died October 1, 1939.

B. V. Moore, Cass County, 1915, Died August 4, 1939.

Sever Tallock, Walsh County, 1915, Died July 28, 1939.

Jacob L. Hjort, Adams County, 1913, 1915, Died July 7, 1939.

F. B. Lambert, Ward County, 1913, Died June 13, 1939.

O. P. N. Anderson, Ramsey County, 1907, Died April 28, 1939.

H. G. Braaten, Traill County, 1903, 1905, Died April 13, 1939.

Herman C. Sheer, Wells County, 1903, 1905, Died March 20, 1939.

I. B. Wineman, Grand Forks County, 1893, 1895, Died March 16, 1939.

W. J. Price, Cass County, 1909, 1911, Died August 13, 1940.

C. B. Heinemyer, Mercer County, 1911, Died June 21, 1940.

J. C. Sherman, Kidder County, 1919, 1921, Died November 12, 1940.

W. J. Church, Benson County, 1917—Senator 1919, 1921, Died October 1, 1940.

A. J. Olson, Ransom County, 1909, 1911, Died January 6, 1941.

These were men of public service. They contributed to the progress of their communities and the welfare of this state. Born, some in this Country and some abroad, they united in a common cause for the preservation of the American way of freedom. Today, we pause in our deliberations to pay tribute to their honored memory, and on behalf of the people of North Dakota, to acknowledge our deep debt of gratitude for their devoted service in the interest of this commonwealth. As they here lived and served, so we, their beneficiaries, carry on by the light of their loyal devotion and unselfish example.

To perpetuate of record this token of respect and sympathy by their successors in trust, let this memorial be printed in the Journal of the House and let duly enrolled copies be presented to the surviving families of these deceased representatives.

Mr. President, I move that this resolution be adopted by a rising vote of this Joint Assembly.

Rep. Bergesen moved the adoption of Memorial Resolution "T", which motion prevailed on a standing vote and the resolution was declared adopted.

Senator Dahl read the following Joint Memorial Resolution:

JOINT MEMORIAL RESOLUTION

Introduced by Senator Dahl

DECEASED MEMBERS OF NORTH DAKOTA LEGISLATURE

Adopted by the Senate and House of Representatives of the
Twenty-seventh Legislative Assembly of the State
of North Dakota

WHEREAS, the late Senator Owen J. Clark represented the Forty-third Legislative District in the North Dakota Senate in 1913 and 1915; and,

WHEREAS, the late Senator Wesley E. Matthaei represented the Thirty-third Legislative District in the North Dakota Senate in 1929 and 1931 and again in 1933 and 1935; and,

WHEREAS, the late Senator Henry Leum represented the

Eighth Legislative District in the North Dakota Senate in 1939; and,

WHEREAS, the late Senator Peter McLachlan represented the Eleventh Legislative District in the North Dakota Senate in 1921, 1923, 1925 and 1927; and,

WHEREAS, the late Senator Charles H. Porter represented the Twenty-fourth Legislative District in the North Dakota Senate in 1915, 1917 and 1919; and,

WHEREAS, the late Senator Ben W. Lemke represented the Twenty-second Legislative District in the North Dakota Senate in 1935, 1937 and 1939; and,

WHEREAS, the late Senator E. Bartholomew Page represented the Twentieth Legislative District in the North Dakota Senate in 1923 and 1925; and,

WHEREAS, the late Senator William James Church represented the Twentieth Legislative District in the North Dakota Senate in 1919 and 1921; and,

WHEREAS, the late Senator Nels P. Simonson represented the Sixteenth Legislative District in the North Dakota Senate in 1933; and,

WHEREAS, the late Senator Henry A. Field represented the Twelfth Legislative District in the North Dakota Senate in 1931 and 1933; and,

WHEREAS, the late Senator Henry R. Hartman represented the Eleventh Legislative District in the North Dakota Senate in 1889 and 1900; and,

WHEREAS, the late Frank White represented the Fifteenth Legislative District in the North Dakota House of Representatives in 1891, and the Senate in 1893 and 1894; and whereas he was Governor of the State of North Dakota from 1901 to 1903; and,

WHEREAS, T. J. Kelsch represented the Twenty-fifth Legislative District in the North Dakota Senate in 1933;

WHEREAS, these men represented their respective districts and constituencies with eminent ability; and,

WHEREAS, since the Twenty-sixth Legislative Assembly, the Supreme Ruler of the Universe has seen fit to remove from our midst these well known and esteemed citizens; and,

THEREFORE, BE IT RESOLVED, By the North Dakota Senate that we deeply regret the passing of these men from our midst, because of their contribution to the welfare and upbuilding of the communities in which they lived and the high-level, unselfish service with which they discharged their duties in their respective legislative bodies. Let it be said of each and all of them, they gave to their state an ever abiding faith, loyalty and love.

BE IT THEREFORE RESOLVED, That we offer their families and friends of these, our departed members, our most profound and heartfelt sympathy; and that copies of these resolutions be sent to the families of the deceased members and spread upon the minutes of the Senate in which they so ably and faithfully served.

Senator Dahl moved the adoption of this Joint Memorial Resolution, which motion prevailed on a rising vote and the Resolution was declared adopted.

Rep. Sellens moved that the Joint Assembly do now adjourn,

which motion prevailed and the Joint Assembly stood adjourned.

Rep. Sellens moved that the House do now recess until 1:15 P. M., which motion prevailed and the House stood recessed.

Speaker Symington called the House to order pursuant to recess taken and announced the House would resume business on Standing Committee reports.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 271, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

Rep. Sellens moved that the report be adopted.

Rep. Beede moved a substitute motion that House Bill No. 271 do pass, which motion prevailed.

Mr. Speaker: Your Committee on Game and Fish to whom was referred House Bill No. 249, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

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

Mr. Speaker: Your Committee on Military Affairs, to whom was referred House Bill No. 258, have had the same under consideration and return the same without recommendation.

H. G. SEVERSON, Chairman.

Rep. Nelson of Sargent moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that House Bill No. 258 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was re-referred House Bill No. 127 with amendments as approved by the Committee of the Whole, have had the same under consideration and recommend that the same be further amended as follows:

In Section 2, line 4 after the word "receive" strike out the following "the same mileage" and insert in lieu thereof the following "the sum of five cents per mile actually and necessarily traveled".

Strike out all of line 7 and in line 8 strike out the following "the year 1939."

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

Rep. W. H. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 326, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 10 strike out the following "had an opportunity to".

In line 11 strike out the word "consult" and insert in lieu thereof the word "consulted".

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

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

Mr. Speaker: Your Committee on Agriculture, to whom was referred House Bill No. 300, have had the same under consideration and recommend that the same be amended as follows:

In line 4, Page 4, strike out the word "misleading" and in lieu thereof insert the word "mislabeling".

In line 14, page 4, after the word "known" strike out "prior to January 1,".

In line 15, strike out "1938".

And when so amended recommend the same do pass.

ALEX DALZELL, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 251, have had the same under consideration and recommend that the same be amended as follows:

In line 23, page 2, after word "establishment," strike out balance of line and all of lines 24, 25, 26.

And when so amended recommend the same do pass.

ALEX DALZELL, Chairman.

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

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 304, have had the same under consideration and recommend that the same be referred back to the House without recommendation.

ALEX DALZELL, Chairman.

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

Rep. Levin moved that House Bill No. 304 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Agriculture to whom was referred House Bill No. 252, have had the same under consideration and recommend that the same do pass.

ALEX DALZELL, Chairman.

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

Rep. McInnes moved that House Bill No. 252 be placed on the calendar, which motion prevailed.

Rep. Bolmeier moved that action on House Bill No. 178 be delayed one legislative day, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 317, have had the same under consideration and recommend that the same be indefinitely postponed.

WESLEY L. BOLMEIER, Chairman.

Rep. Erickson of Divide moved that the report be adopted.

Rep. Johnson of Cass moved a substitute motion that House Bill No. 317 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 239, have had the same under

consideration and recommend that the same be indefinitely postponed.

WESLEY L. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 291, have had the same under consideration and recommend that the same be amended as follows:

In the title of the Act in the last part after the word "companies" and before the word "and" strike out the comma and substitute a semi-colon and add the following words "providing penalty for failure to comply herewith,". In the same line strike out the word "repealing" and substitute the word "modifying".

Section 8—Strike out everything in the Section after the word "expiration" and insert the following: "except upon written application of the employer. Any insurance company or association insuring compensation pursuant to the provisions of this act, upon the request of any employer and payment of the premium or premiums therefor, must insure such employees of the employer as are required to be insured under the provisions of the Workmen's Compensation Act."

Section 11 line 1 strike out the word "heretofore".

Section 12 line 30 after the word "be" insert the word "allowed".

Section 15 line 1 beginning with the word "on" strike out the balance of the Section and substitute the following: "Failure or refusal of any such company or association to comply with any of the provisions of this Act shall be ground, upon due notice and hearing, for the cancellation of the license of such company or association to operate in this state under the provisions of this Act."

Section 16 line 3 add the letter "s" to the word "provision".

Section 17—Strike out all of section 17.

And when so amended, recommend the same do pass.

WESLEY L. BOLMEIER, Chairman.

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

Mr. Speaker: Your Committee on Banks and Banking to whom was referred House Bill No. 138, have had the same under consideration and recommend that the same be indefinitely postponed.

A. R. BERGESEN, Chairman.

Rep. Blair moved that the report be adopted.

Rep. Westby moved a substitute motion that House Bill No. 138 be placed in General Orders for amendment, which motion prevailed.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred House Bill No. 288, have had the same under consideration and recommend that the same do pass.

A. R. BERGESEN, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom

was referred House Bill No. 207, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 210, have had the same under consideration and recommend that the same be amended as follows:

In Section 5, Sub-section (b) at the end of line 10 insert the following words "compel the State Geologist to". In Sub-section (c) of the same section, line 23 after the word "acts," strike out the word "including" and insert in lieu thereof the following words "which shall include". In line 34 of the same sub-section after the word "Geologist" strike out the word "may" and insert in lieu thereof the word "shall". In line 39 of the same sub-section after the hyphenated word "authority" insert the following words "and it shall be his duty". Also in line 48 of the same sub-section after the word "to" strike out the word "require" and insert in lieu thereof the word "compel".

In Section 6, Sub-section (b) line 10 after the word "manner" insert the following words "to be held before the said commission or any member thereof, or before the State Geologist, at such time, place and in such manner as may be prescribed by the Commission".

Also in the same sub-section, line 42 after the word "hearing" insert the following words "the commission".

In Section 7, Subsection (a) line 1 at the end of the line after the "comma" insert the following words "or the State Geologist".

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 323, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 36, after the word "bidder" insert the following "on a solvent North Dakota bank,".

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 94, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 146, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Concurrent Resolution No. 4, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 63, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

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

Mr. Speaker: Your Committee on Public Safety to whom was referred House Bill No. 141, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act to amend and re-enact § 578b1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; § 578b2 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as amended by Chapter 139 of the Session Laws of 1927; §§ 578b3, 578b4, 578b5, 578b6, 578b7 and 578b8; and declaring an emergency.

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

1 SECTION 1. AMENDMENT § 578b1. BOARD

1a CREATED.) The

2 State Board of Electricians is hereby created which shall

3 consist of three members appointed by the Governor for

3a per-

4 iods of 2, 4, and 6 years respectively, and the State Insur-

5 ance Commissioner who shall be ex-officio member and

5a Secre-

6 tary of said Board. The three members appointed shall

6a con-

7 sist of one Master Electrician, one Journeyman Elec-

7a trician

8 and one Moving Picture machine operator. The Mas-

8a ter Elec-

9 trician appointed shall have been a resident of the State

9a of

10 North Dakota for the last past three years and shall

10a have

11 been actively engaged as a Master Electrician for the

11a said

12 period of time. The Journeyman so appointed shall have

12a been

13 engaged as a Journeyman in the State of North Dakota

13a and

14 shall have resided therein for a period not less than three

15 consecutive years last past, and the Moving Picture

15a Opera-

16 tor so appointed shall be a projectionist who has resided

17 in, and been engaged in his profession within the State
17a of
18 North Dakota for the last past three consecutive years.
19 Vacancies on said Board shall be filled in the same man-
19a ner
20 and from the same classifications as the retiring mem-
20a ber.

21 The Board shall select from its membership a Presi-
21a dent
22 and Treasurer, prescribe rules for the management of its
23 affairs; shall adopt a seal and may make reasonable
23a rules
24 and regulations. Each member shall receive \$5.00 per
24a day
25 for actual services rendered and in addition thereto, his
25a neces-
26 sary and actual expenses incurred in the discharge of his
27 duties.

28 The Board shall meet at the Capitol for its annual
29 meeting during the month of January of each year and
29a at any
30 other times or place within the State upon ten days
30a notice
31 given by the President for the purpose of conducting
31a exam-
32 inations and performing such other duties as may be
32a brought
33 before them.

34 SECTION 2. § 578b2, AMENDMENT. CLASSIFY-
34a ING ELEC-
35 TRICIANS.) That § 578b2 of the Supplement to the
35a Compiled
36 Laws of North Dakota for 1913 be amended and re-
36a enacted to
37 read as follows:

38 There shall be three classes of licenses, Master,
39 Journeyman, and Moving Picture Machine Operator.
39a For the
40 purposes of this Act, the term Master Electrician shall
40a be

41 construed to mean a person having the necessary
41a qualifica-
42 tions, training, experience and technical knowledge to
43 properly plan, lay out and supervise the installation and
44 repair of electrical wiring, apparatus and equipment for
45 electric light, heat and power in accordance with the
45a stand-

46 ard rules and regulations governing such work. The
46a term

47 Journeyman Electrician for the purpose of this Act
47a shall be

48 considered to mean a person having the necessary
48a qualifica-

49 tions, training, and technical knowledge to wire and
49a install

50 and repair electrical apparatus and equipment in accord-
50a ance

51 with the standard rules and regulations governing such
51a work.

52 The term Moving Picture Operator for the purpose of
53 this Act shall be construed to mean a person having the
54 necessary qualifications, training and experience to
54a operate
55 Moving Picture Machines and switchboards in buildings,
55a parts
56 of buildings or enclosures used for public assemblages.
57 Every person, partnership, company, corporation or
58 association, that undertakes or offers to undertake with
59 another to plan, lay out, supervise, install or make addi-
60 tions, alterations or repairs in the installation of wiring,
61 apparatus or equipment for electric light, heat or power
62 for a fixed sum, price, fee, percentage or other considera-
63 tion shall apply to the Board for License. The Board
63a shall
64 examine the applicant and if he be found upon technical
65 and practical examination to be possessed of the re-
65a quired
66 knowledge and skill and to be versed in the laws of elec-
67 tricity, shall issue a license to the applicant in the
68 class for which he has been examined; such license shall
69 be signed by the President and Secretary of the Board,
69a at-
70 tested by the seal and shall be valid for one year. Li-
71 censes may be renewed without examination upon the
71a payment
72 of the proper fee. If the licensee fails to renew his
73 license for a period of five consecutive years or more, he
74 may be required to appear for re-examination. The
74a Board
75 may upon the recommendation of one Master Electrician
75a and
76 two Journeyman electricians, issue a permit for a
76a Journey-
77 man electrician to engage' in his trade until the next
78 meeting of the Board for the examination of applicants
78a and
79 such permit shall not be renewable.
80 Employees of Public Utilities engaged in the manu-
81 facture and distribution of electrical energy shall not
82 be required to hold a license to engage in such work as
83 directly pertains to the manufacture and distribution of
84 electrical energy, provided, however, for the purposes of
85 this Act, such exemption shall terminate at the first
86 point of service attachment except for the installing or
87 testing of electric meters and measuring devices and the
88 maintenance of their service. Employees of telephone,
88a tel-
89 egraph and radio communication services shall not be re-
90 quired to hold licenses to engage in such work as directly
91 pertains to such services. Every license or permit holder
92 shall report his licensing and renewals thereof to the
93 electrical inspector, if any there be, in the city or vil-
94 lage in which he operates, and any license or permit is-
95 sued hereunder may be revoked after hearing and for
95a cause.

96 SECTION 3. §578b3, AMENDMENT. EXPENSES
96a OF THE

97 BOARD.) That § 578b3 of the Supplement to the
97a Compiled
98 Laws of North Dakota for 1913 be amended and re-
98a enacted to
99 read as follows:
100 All reasonable and necessary expenses incurred in
101 conducting of the business of the Board shall be allowed
102 and paid for by the Board.
103 SECTION 4. §578b4, AMENDMENT. LICENSES.)
103a That
104 § 578b4 of the 1925 Supplement to the Compiled Laws of
104a North
105 Dakota for 1913 be amended and re-enacted to read as
105a fol-
106 lows:
107 Licenses shall be issued for a period of one year.
108 Every applicant for examination for a Master's License
108a shall
109 pay an application fee of \$15.00 and an annual license fee
110 of \$7.00. He shall take oath and submit written evi-
110a dence
111 that he has had three years experience in his trade before
112 taking the examination. If a partnership, company or
112a cor-
113 poration applies for a license, an officer or manager
113a there-
114 of shall make the application, take the oath, and submit
114a evi-
115 dence as to experience before taking the examination.
115a An
116 applicant for a Journeyman's license shall pay an
116a examina-
117 tion fee of \$7.00 and annual license fee thereafter of
118 \$3.00 per year. He shall take oath and submit written
118a evi-
119 dence that he has had three years experience in install-
119a ing
120 and repairing electrical wiring, apparatus and equip-
120a ment.
121 Applicants for Moving Picture Machine Operator License
122 shall pay an examination fee of \$5.00 and an annual li-
123 cense fee of \$3.00 thereafter. He shall take oath and
124 submit written evidence that he has had two years
124a experi-
125 ence in the line of work for which he requests a license.
126 No contract, agreement or undertaking with another
127 for the installation of electrical wiring or the install-
128 ation of electrical parts of other apparatus or equipment,
129 shall be entered into by anyone not a Master Electrician.
129a cian.
130 Before receiving a license as Master Electrician
131 the applicant shall execute and deposit with the Board a
132 surety bond in the sum of \$1,000.00 conditioned upon the
133 faithful performance of all electrical work undertaken by
134 him and for the strict compliance with all the provisions
135 of this Act and the requirements of the Board, and in
135a the
136 cities requiring bond by virtue of city ordinances, such
137 bonds shall not supercede the bond herein provided for.

138 Every person doing electrical work as provided for
 139 herein shall report the same to the Secretary of the
 139a State
 140 Board upon blanks furnished by this Board for such
 140a purpose,
 141 except in cities maintaining inspection service.
 142 SECTION 5. § 578b5, AMENDMENT. EXCEP-
 142a TIONS.)
 143 That § 578b5 of the 1925 Supplement to the Compiled
 143a Laws
 144 for North Dakota for 1913, shall be amended and re-
 144a enacted
 145 to read as follows:
 146 Nothing in this Act shall prevent a person from serving
 147 as an apprentice under a licensed Master Electrician,
 147a and
 148 no Master Electrician shall allow an apprentice to work
 149 on any installation without personal supervision of a
 150 licensed electrician.
 151 SECTION 6. § 578b6, AMENDMENT. PROVIDING
 151a FOR
 152 INSPECTION.) That § 578b6 of the 1925 Supplement
 152a to the
 153 Compiled Laws of North Dakota for 1913 be amended
 153a and
 154 re-enacted to read as follows:
 155 The Board shall have jurisdiction over and provide
 156 inspection for all electrical installations now in use or
 157 to be made hereafter. All electrical wiring, apparatus
 158 or equipment shall comply with the rules and regulations
 159 of this Board, the Public Service Commission, the Insur-
 160 ance Commission and the State Fire Marshal under
 160a authority
 161 of the State statutes and in conformity of the approved
 162 methods of construction for safety to life and property.
 163 The regulations laid down in the National Electrical
 163a Code
 164 and the National Electrical Safety Code as approved by
 164a the
 165 American Engineering Standards Committee shall be
 165a prima-
 166 facie evidence of such approved methods provided,
 166a however,
 167 that nothing herein contained shall prohibit any munici-
 168 pality from making more stringent requirements. No
 168a elec-
 169 trical installation shall be connected for use until proof
 170 has been furnished to the person, firm or corporation
 170a sup-
 171 plying electrical energy that the regulations above cited
 172 have been complied with. Inspectors authorized by the
 173 Board may condemn installations hazardous to life and
 174 property and may order service thereto discontinued,
 174a pro-
 175 vided, however, that such action may not be taken except
 176 after notice to the owner and subject to the right of ap-
 177 peal to the Board by the owner. No condemned installa-
 177a tion
 178 shall be reconnected for service until proof has been fur-

179 nished that the installation has been brought up to the
 180 required standard.
 181 Cities may make provisions for inspection of all
 182 electrical work done within their corporate limits. City
 183 inspectors shall register their names with the Board
 183a with-
 184 in ten days after their appointment. Fees may be charged
 185 by the Board to cover the cost of inspection, such fees
 186 to be paid to the Board by the Master Electrician respon-
 187 sible for the installation. All fees from any source
 188 shall be used solely for conducting the duties of the
 189 Board and for furthering the improvement of electric
 189a work
 190 within the State. The Board shall file an annual report
 191 with the Governor as provided by law.
 192 SECTION 7. § 578b7, AMENDMENT. PENALTY.)
 192a That
 193 § 578b7 of the 1925 Supplement to the Compiled Laws of
 194 North Dakota for 1913 be amended and re-enacted to
 194a read
 195 as follows:
 196 Any person who shall undertake or offer to under-
 197 take for a valuable consideration installation or repair
 198 of electrical wiring, apparatus, or equipment without
 198a hav-
 199 ing complied with the terms of this Act or who shall vio-
 200 late any of the provisions hereof, shall be guilty of a
 201 misdemeanor and shall be punished by a fine not less
 201a than
 202 \$25.00 or more than \$100.00 or by a jail sentence of 30
 203 days or both. It shall be the duty of the Board to prose-
 204 cute any violations of the provisions of this Act reported
 205 or found by it or its inspectors.
 206 SECTION 8. § 578b8, AMENDMENT. PROVISIONS
 206a OF
 207 THIS ACT SEVERABLE.) That § 578b8 of the 1925
 207a Supplement
 208 to the Compiled Laws of 1913 for North Dakota, be
 208a amended
 209 and re-enacted to read as follows:
 210 The sections and provisions of this Act are sever-
 211 able and it is the intention to confer the whole or any
 212 part of the powers herein, and if any sections or pro-
 212a vision
 213 or part thereof is for any reason held to be unconstitu-
 214 tional, void or inoperative, it is the intention hereof
 215 that the remaining sections or parts thereof shall remain
 216 in full force and effect.
 217 SECTION 9. EMERGENCY.) This Act is hereby de-
 218 clared to be an emergency measure and shall be in full
 219 force and effect from and after the date of its passage
 220 and approval.

And when so amended recommend the same do pass.

A. I. SHARPE, Chairman.

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

Mr. Speaker: Your Committee on Delayed Bills to whom was referred House Bill No. 332, House Bill No. 333

and House Bill No. 334 recommend that the same be introduced.

REP. SAUMUR, Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

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

House Bill No. 263.

House Bill No. 230.

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

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

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

House Bill No. 172.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

FIRST READING OF HOUSE BILLS

Introduced by Reps. McGinnis and Beede—App. by Comm. on Delayed Bills:

House Bill No. 332. A Bill for an Act Declaring a Land Use Policy Relative to Agricultural Lands Obtained by the County on Tax Deed Proceedings, and Empowering the Board of County Commissioners to Conform to such Policy in the Sale and Lease of Such Lands. Declaring an Emergency.

Was read the first time and referred to the Committee on Counties.

Introduced by Reps. Johnson of Cass and Boulden—App. by Comm. on Delayed Bills:

House Bill No. 333. A Bill for an Act Providing for the Operation of Motor Vehicles Within this State by Non-Resident Owners Authorizing the Motor Vehicle Registrar to Enter Into Reciprocal Agreements With Authorized Officials of Other States; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Introduced by Reps. Johnson of Richland and Bolmeier—App. by Comm. on Delayed Bills:

House Bill No. 334. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly.

Was read the first time and referred to the Committee on Public Printing.

Rep. Morland requested that the House be on the Seventh Order of Business, which request was granted and Rep. Morland moved that the House reconsider its action taken on House Bill No. 266, which motion prevailed.

Rep. Morland moved that House Bill No. 266 be placed on the calendar for Monday, February 24th, which motion prevailed.

Rep. Shure moved that the House reconsider its action taken on House Bill No. 308, which motion prevailed.

Rep. Shure moved that House Bill No. 308 be placed in General Orders for amendment, which motion prevailed.

Rep. Blair moved that the House request the Senate to return Senate Bill No. 44 for further consideration, which motion was lost.

Rep. Benno moved that the House reconsider its action taken on House Bill No. 240, which motion prevailed.

Rep. Benno moved that House Bill No. 240 be placed on the calendar, which motion prevailed.

Rep. Morland moved that the absent members be excused, which motion prevailed.

Rep. Swanson moved that the House reconsider its action taken on House Bill No. 163, which motion was lost.

Rep. Swanson demanded a roll call on his motion, which was granted.

Rep. Twichell moved that action on House Bill No. 163 be deferred until Monday, February 24th, which motion prevailed.

Rep. Haugen moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FORTY-SEVENTH DAY

Bismarck, February 22, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Karl Gieser, Bismarck.

Roll Call disclosed all members present except Reps. Aker, Boulden, Glas, Myers, Nelson of Sargent and Severson.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the 46th day and recommend that the same be corrected as follows:

On page 636, strike out lines 7, 8, and 9 from the bottom of the page.

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

And the Speaker signed the same in the presence of the House.

GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration House Bill No. 302.

In Section 3, line 7, after the word "chiropodists," insert the following words "poultry improvement board,".

Also in the same section, at the end of line 8, strike out the "period" and add the following words "operating without legislative appropriation."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the further following amendments:

In the title of the bill, and in the third line thereof, commencing with the word "excepting" strike all subsequent language in the title and insert in lieu thereof the following: "exempting certain funds from the operation of this act and abolishing special funds except as provided".

In line 7, in Section 1 of the printed bill, at the end of such line seven, insert the words "and shall be". In line 9 of Section 1 of the printed bill, strike the word "legislature" and insert in lieu thereof the words "legislative assembly".

In line 2 of Section 2 of the printed bill and after the words "applicable to funds" insert "of the State Game and Fish Department,". In line 11 of Section 2 on page 3 of the printed bill, strike the comma after the words "Retail Sales Tax Act" and insert the words "and the". In line 12 of Section 2 of the printed bill, after the words "Gasoline Tax Law," insert "and funds to which the same are allocated,". After the word "Government" in line 14 of Section 2 of the printed bill, insert the words "and funds collected by any state department or appropriated by the state for the purposes of matching federal funds or required as a condition precedent to the securing of federal monies."

In section 3 of the printed bill, as amended by the Standing Committee, and at the end of line 11 thereof, strike the period after "monies" and insert the following: "nor shall it be construed to affect contingent or revolving funds now authorized by law in the various institutions and departments of the state".

At the end of line 7 of Section 4 of the printed bill, strike the period after the word "Fund", insert a comma, and add "and where an appropriation from a special fund is limited only by the amount of departmental collections and not by a specific amount, the appropriation from the general fund shall be limited by such collections."

In line two of Section 5 of the printed bill, after the words "special funds" insert a comma and the following language: "including funds which are now carried by the State Auditor and State Treasurer as ear-marked funds within the general

fund,". In line 3 of Section 5 of the printed bill, strike out the words "or before".

In Section 6, strike out the word "REPEAL" and all language in such section thereafter and insert in lieu thereof the words "SPECIAL FUNDS ABOLISHED. Except such as herein exempted from the operation of this act, all special funds, including so-called ear-marked funds within the general fund, are hereby abolished."

Since preparing the foregoing, the following amendment has been suggested. In Section 2 after the proposed insertion "of the State Game and Fish Department," add "the State Board of Auditors,".

And when so amended recommend the same do pass.

Senate Bill No. 100.

Strike out all words after the words "A Bill" and add the following amendment:

For an Act to permit Sales of total assets and reorganizations of corporations when authorized by a two-thirds vote of stockholders or members, to validate past sales and reorganizations where such two-thirds vote has authorized same and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. A private corporation organized under the laws of this state may sell, lease, exchange or otherwise dispose of all or substantially all of its property and assets including its good will, upon such terms and conditions and for such considerations, which may be money, stocks, bonds, or other instruments for the payment of money or other property, or considerations, as its Board of Directors deems expedient, when and as authorized by a two-thirds affirmative vote of the issued and outstanding stock, both preferred and common as separate classes, or its members, given at a regular or special meeting of such stockholders or members. The authority granted hereby shall be construed to include the transfer or conveyance of such property or assets to carry out any plan for the reorganization of the corporation, whether such reorganization contemplates the organization of a new corporation or contemplates a merger or consolidation with an existing corporation or corporations.

Section 2. Any such proceedings heretofore had or authorized by such two-thirds vote shall be in all things deemed legal and binding upon all stockholders or members unless within ninety days after this Act takes effect, non-assenting stockholders or members shall by action to enjoin or by other appropriate judicial process question the legality of the sale or authorization.

Section 3. This Act is hereby declared to be an emergency measure and shall be in full force and effect immediately upon its passage and approval.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 165.

Strike out everything after the word "A Bill" and insert the following:

For an Act to amend and re-enact Section 36 of Chapter 162 of the Session Laws of North Dakota for the year 1927 as amended by Chapter 190 of the Session Laws of North Dakota for the year 1931, as amended by Chapter 163 of the Session Laws of North Dakota for the year 1933 as amended by Chapter 185 of the Session Laws of North Dakota for the year 1935, prescribing and relating to the size of motor vehicles and loads of motor vehicles upon the highways; and amending and re-enacting subdivision (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the year 1931 as amended by Chapter 161 of the Session Laws of North Dakota for the year 1933, providing for registration fees for trucks on a gross weight basis; providing a license for house trailers and lights or reflectors for all trailers; regulating the designation and display of plates and the issuance of and payment for "In Transit" permits.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. AMENDMENT. That Section 1 of
 1a Chapter 185 of the
 2 Session Laws for the year 1935, be and the same is
 2a hereby amended
 3 and re-enacted to read as follows:
 4 (a) VEHICLE SIZE, LOADS. No vehicle shall
 4a exceed a total
 5 outside width, including load thereon, of eight (8) feet
 5a excepting
 6 that this limitation shall not apply to contractor's
 6a equipment nor
 7 to implements of husbandry temporarily propelled or
 7a moved upon the
 8 highways of this state between sunrise and sunset.
 9 (b) No vehicle loaded or unloaded shall exceed a
 9a height of
 10 twelve feet, six inches (12', 6").
 11 (c) No vehicle, including the load thereon, shall
 11a exceed a
 12 length of thirty-five (35) feet. No combination of
 12a vehicles, in-
 13 cluding the load thereon, shall exceed a length of forty
 13a (40) feet.
 14 Not more than two units shall be used in a combination.
 14a A tractor
 15 truck and semi-trailer shall be considered as two units.
 15a The pro-
 16 vision hereof shall not apply to carriage of equipment
 16a of the Army
 17 or the defense forces of the United States Government
 17a or the Nation-
 18 al Guard of the State of North Dakota; structural
 18a material of the
 19 telephone, power and telegraph companies which neces-
 19a sarily must be
 20 transported on the highways on account of the location
 20a of their lines
 21 adjacent to said highways. Other structural material
 21a which otherwise

22 could not be transported over the highways of this state
22a on account
23 of the provision of this act, may be transported upon
23a obtaining a
24 temporary permit from the highway commissioner, or
24a from any employee
25 designated by the said highway commissioner for said
25a purposes, upon
26 showing of reasonable necessity and that the transport-
26a ing of such
27 structural material will not damage the highways to be
27a used.
28 (d) No motor vehicle which carries any load extend-
28a ing more than
29 three (3) feet beyond the front thereof and no passenger
29a vehicle
30 which carries any load extending beyond the lines of
30a the left fender
31 of such vehicle, nor extending more than twelve (12)
31a inches beyond
32 the line of the fenders on the right side thereof, shall
32a be operated
33 upon the highways.
34 (e) No single axle shall carry a gross weight in
34a excess of
35 18,000 pounds nor a wheel load to exceed 9,000 pounds.
35a No wheel
36 shall carry a gross weight in excess of 550 pounds for
36a each inch of
37 tire width. Provided, that the gross weight of any single
37a vehicle
38 shall in no event exceed 35,000 pounds and the gross
38a weight of any
39 combination of vehicles shall in no event exceed 40,000
39a pounds. Pro-
40 vided further, that axles spaced forty (40) inches apart
40a or less,
41 shall be considered as one (1) axle; provided further,
41a that for axles
42 spaced over forty (40) inches and under eight (8) feet,
42a the axle load
43 shall not exceed 14,000 pounds per axle. The wheel
43a load, in any in-
44 stance, shall not exceed one-half the allowable axle load.
44a Spacing
45 between axles shall be measured from axle center to
45a axle center.
46 Gross weight shall be defined as the total of the
46a unloaded weight of
47 vehicle, or combination of vehicles and the load carried
47a thereon.
48 (f) All applicants for registration shall state on the
48a applica-
49 tion required by the Registrar of Motor Vehicles, the
49a size or sizes
50 of tires used on each vehicle so registered.

1 Section 2. AMENDMENT. That subdivision B of
1a Section 25 of

2 Chapter 186 of Session Laws of North Dakota for 1931
 2a as amended by
 3 Chapter 161 of the Session Laws for the year 1933, be
 3a and the same
 4 is hereby amended and re-enacted to read as follows:
 5 (b) (1) Every motor truck or combination of truck
 5a or trailer
 6 operating on the highways of this state shall have paid
 6a thereon one
 7 of the following schedules of registration fees to be
 7a determined as
 8 hereinafter set out:

9 SCHEDULE A

10	Gross Weight in Pounds	License Fees
11	4,000, and under	\$ 20
12	6,000	25
13	8,000	30
14	10,000	35
15	12,000	40
16	14,000	45
17	16,000	50
18	17,000	55
19	18,000	60
20	20,000	65
21	22,000	70
22	24,000	75
23	26,000	80
24	28,000	85
25	30,000	115
26	32,000	150
27	34,000	190
28	36,000	240
29	38,000	290
30	40,000	340

31 SCHEDULE B

32	Gross Weight in Pounds	License Fee
33	6,000, and under	\$18.50
34	8,000	20.00
35	10,000	22.50
36	12,000	25.00
37	14,000	27.50
38	16,000	30.00
39	18,000	32.50
40	20,000	35.00
41	22,000	40.00
42	24,000	45.00

43 Provided that for registrations under Schedule B
 43a of gross
 44 weights over 24,000 pounds, the fee schedule of Schedule
 44a A shall be
 45 applied.

46 (b) (2) The above schedules shall apply to the first
 46a year in
 47 which the vehicle is licensed. The registration fee for
 47a years sub-
 48 sequent to the year in which the vehicle is first licensed,
 48a shall be

49 the basic fee or major fraction thereof, as herein deter-
49a mined, less
50 ten per cent of the basic fee for each successive year
50a until the tax
51 equals \$5.00 for vehicles licensed under Schedule B,
51a and until the
52 tax equals seventy percent of the original basic fee for
52a vehicles
53 licensed under Schedule A, which shall be the annual
53a fee thereafter;
54 provided further, that those vehicles which in 1941 were
54a licensed for
55 less than \$5.00 shall be reduced ten percent per year
55a of its original
56 basic fee until it reaches a minimum of \$3.00, which
56a will be the an-
57 nual fee thereafter.

58 (b) (3) All motor vehicles to be registered pursuant
59 to the provisions of this act and used for the first time
59a upon the highways of
60 this state after July 1, shall be entitled to a fifty per-
60a cent reduc-
61 tion of that year's fee for such vehicle; and all such
61a motor vehicles
62 used for the first time upon the highways of this state
62a after October
63 1, shall be entitled to a seventy-five percent reduction
63a of that
64 year's fee for such vehicle; provided, that the Registrar
64a is satisfied
65 with the proof given as to such fact.

66 (b) (4) For motor vehicles, or for any lawful combi-
66a nations of
67 motor vehicles used for the transportation of property,
67a the registra-
68 tion and license fee shall be based upon the gross weight
68a of such
69 motor vehicle or combination of vehicles. The minimum
69a gross weight
70 for which such motor vehicles or combination of motor
70a vehicles can be
71 licensed shall be double the unloaded weight of such
71a motor vehicle or
72 such combination of vehicles and, subject to such mini-
72a mum, the owner
73 of any motor vehicles or combination of vehicles shall
73a in his applica-
74 tion for license, set out the gross weight for which he
74a desires li-
75 cense. Such licensed weight shall be stenciled on both
75a sides of the
76 truck or tractor truck, as the case may be, in letters
76a and figures
77 not less than two inches in height, as follows; N. D.
77a Legal Gross
78 Wt. (here follows figures designating the licensed
78a weight in pounds.)
79 The tare, or unloaded weight, of each truck, tractor
79a truck, semi-

80 trailer or full trailer, shall be stenciled upon both sides
80a of each
81 unit in letters and figures not less than one inch in
81a height.
82 (b) (5) It shall be unlawful to operate any motor
82a vehicle or
83 combination of motor vehicles upon the highways of
83a this state when
84 the gross weight exceeds the gross weight for which
84a the vehicle or
85 combination of vehicles was licensed.
86 (b) (6) Gross weight shall be defined as the total
86a of the un-
87 loaded weight of the vehicle, or combination of vehicles,
87a and the
88 load carried thereon.
89 (b) (7) Motor vehicles which operate exclusively
89a within the cor-
90 porate or recognized limits of any city or village, or
90a within two
91 miles thereof, shall be licensed on double the unloaded
91a weight of such
92 vehicle.
93 (b) (8) Any owner of a motor vehicle who has
93a licensed such ve-
94 hicle under Schedule B or any gross weight limitations
94a may change such
95 registration to Schedule A and/or to a higher gross
95a weight limitation
96 by the payment of the difference between fee required
96a for the new
97 registration and the fee paid for the registration under
97a which time the
98 vehicle is being operated, and provided further, that if
98a such owner
99 makes application for such change of registration subse-
99a quent to July
100 1 of any year, he shall pay fifty percent of the addi-
100a tional increase
101 in license fees and after October 1 of any year, twenty-
101a five percent
102 of such increase.
103 (b) (9) It shall be unlawful for any person to haul
103a on the high-
104 ways of this state a house trailer without displaying
104a a license plate,
105 to be issued by and under such regulations as determined
105a by the Reg-
106 istrar, for which a fee shall be charged in the sum of
106a \$5.00, unless
107 licensed in another state.
108 (b) (10) All house trailers and other trailers shall be
108a equipped
109 with approved reflectors not less than three (3) inches
109a in diameter
110 or tail lights and it shall be unlawful to transport or
110a operate such
111 trailer without such equipment.

112 (e) (1) Motor vehicles which are used by the owner
 112a of such ve-
 113 hicle for the transportation of farm or agricultural
 113a products of such
 114 owner from the farm where such products are produced
 114a or grown to the
 115 market, or the transportation of goods of the owner of
 115a such vehicle
 116 from the market to the farm of such owner; and motor
 116a vehicles which
 117 are used for the transportation of any and all property
 117a between the
 118 farms and the usual local trading places of the person
 118a for whom such
 119 transportation is performed or between farms locally;
 119a and motor
 120 vehicles which operate exclusively within the corporate
 120a limits of any
 121 city or village, or within two miles thereof; shall pay
 121a the registra-
 122 tion fees provided for in Schedule B herein. All other
 122a trucks, in-
 123 cluding commercial and non-commercial trucks, and
 123a excluding vehicles
 124 for the transportation of passengers, shall pay the
 124a license fees pro-
 125 vided for in Schedule A herein.
 126 (e) (2) The Registrar of motor vehicles may design
 126a and issue a
 127 distinctive type of license plate for each classification
 127a of motor
 128 vehicle, as he may determine.
 129 (e) (3) Motor vehicles, or combinations of motor
 129a vehicles, li-
 130 censed under the statutes of this state shall at all times
 130a display
 131 one plate upon the front of such vehicles, or combina-
 131a tion of vehicles,
 132 and while operated on the highways of this state, one
 132a license plate
 133 on the rear of such vehicles, or combination of vehicles,
 133a in the
 134 manner determined by the Registrar of motor vehicles.
 135 (e) (4) It shall be unlawful to transport or tow but
 135a not to
 136 operate any motor vehicle upon the highways of this
 136a state for the pur-
 137 pose of resale without an "in transit" permit to be
 137a issued by the
 138 Registrar upon the payment of \$2.00 for each such
 138a motor vehicle so
 139 transported or towed.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Rep. Swanson moved the adoption of the report of the Committee of the Whole, which motion prevailed.

Rep. Twichell moved that the House do now recess for a ten-minute period, which motion prevailed.

Subsequent to recess taken, the Speaker called the House to order and announced that the House would continue on the Fifteenth Order of Business.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration:

House Bill No. 4.

Line 3, strike out "\$219,020.00", and insert in lieu thereof "\$192,020.00".

Line 7, strike out "\$28,000.00", and insert in lieu thereof "\$26,520.00".

Line 8, strike out "\$2,500.00", and insert in lieu thereof "\$2,000.00".

Line 9, strike out "\$900.00", and insert in lieu thereof "\$800.00".

Line 10, strike out "\$800.00", and insert in lieu thereof "\$400.00".

Line 11, strike out "\$2,000.00", and insert in lieu thereof "\$1,500.00".

Line 12, strike out "\$7,000.00", and insert in lieu thereof "\$3,500.00".

Line 13, strike out "\$4,500.00", and insert in lieu thereof "\$3,000.00".

Line 14, strike out "\$135,000.00", and insert in lieu thereof "\$125,000.00".

Line 15, strike out "\$30,000.00", and insert in lieu thereof "\$25,000.00".

Line 16, strike out "\$5,000.00", and insert in lieu thereof "\$1,500.00".

Line 17, strike out "\$400.00", and insert in lieu thereof "\$200.00".

Line 18, strike out "\$2,500.00", and insert in lieu thereof "\$2,000.00".

Line 20, strike out "\$219,200.00", and insert in lieu thereof "\$192,020.00".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 3.

Line 3, strike out "\$192,300.00", and insert in lieu thereof "\$183,630.00".

Line 8, strike out "\$6,600.00", and insert in lieu thereof "\$6,000.00".

Line 10, strike out "\$27,000.00", and insert in lieu thereof "\$21,080.00".

Line 13, strike out "\$2,000.00", and insert in lieu thereof "\$1,500.00".

Line 15, strike out "\$3,000.00", and insert in lieu thereof "\$2,000.00".

Line 16, strike out "\$3,600.00", and insert in lieu thereof "\$3,000.00".

Line 18, strike out "\$1,000.00", and insert in lieu thereof "\$750.00".

Line 20, strike out "\$600.00", and insert in lieu thereof "\$1,800.00".

Line 21, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 22, strike out "\$2,500.00" and insert in lieu thereof "\$1,700.00".

Line 24, strike out "\$192,300.00", and insert in lieu thereof "\$183,530.00".

And recommend the adoption of the Standing Committee amendments.

House Bill No. 121.

In Section 7, line 1, strike out everything after the second "period" and insert in lieu thereof the following:

"This Act is hereby declared to be in full force and effect from and after January 1, 1942."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 16.

Line 3, strike out "\$31,230.00", and insert in lieu thereof "\$24,240.00".

Line 10, after the word "Inspectors" insert a "dash" and the word "three"; strike out "\$12,000.00", and insert "\$9,000.00".

Line 13, strike out "\$750.00", and insert in lieu thereof "\$500.00".

Line 14, strike out "\$1,240.00", and insert in lieu thereof "\$500.00".

Line 15, strike out "\$10,000.00", and insert in lieu thereof "\$7,000.00".

Line 16, strike out "\$31,230.00", and insert in lieu thereof "\$24,240.00".

Add Sec. 2 as follows:

17 "SECTION 2. In addition to the sums above approp-
17a riated,
18 there is hereby appropriated, for the purpose of ad-
18a ministration
19 of the affairs of said Licensing Department, out of the
20 Attorney General's Inspection Fund, the proceeds of the
20a sales
21 of property seized and confiscated by inspectors of the
21a State
22 Licensing Department, and sold under order of the
22a District
23 Court, as provided by Chapter 227, Session Laws of 1929."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 270.

And recommend that action on House Bill No. 270 be deferred until Monday, February 24th.

House Bill No. 218.

And recommend that action on House Bill No. 218 be deferred until Monday, February 24th.

House Bill No. 157.

In Section 5, line 10, after the word "hearings," strike out the word "and" and insert in lieu thereof a "comma," and after the word "directing" insert the following "and approving."

In line 12 after the word "commission" insert the following: "and secure its approval."

In lines 15 and 16, strike out the following: "designations and appointments of orthopedic surgeons, medical supervisor."

In Section 6, line 3, after the word "advice" insert a comma and the word "approval," and after the word "commission" insert a period.

In lines 3, 4, 5, 6, 7, and 8, strike out the following: "and the State Agency is hereby authorized in addition to the powers and duties authorized by Chapter 221, Laws of 1935, to pay the actual and necessary expenses incurred by the Commission or any member thereof in carrying out the purposes of this act."

In line 9, after the word "Commission," strike out the "comma" and the word "however" and the "comma."

In line 10, after the word "services" insert a "period" and strike out the balance of line 10 and all of lines 11 and 12.

In Section 7, line 3, after the word "advice" insert the following: "and approval."

In line 11 after subdivision "(c)" strike out the word "Take" and insert the following "With approval of the Commission to take."

In Section 8, line 1a after the word "Within," strike out the word "three" and insert in lieu thereof the word "thirty."

In Section 8, line 16, after the word "agency" insert the following: "failing to make such report and any person or agency."

In Section 9, line 13, strike out the "period" and insert "as provided in Section 5 of this act."

And recommend that action on House Bill No. 157 be deferred until Monday, February 24th.

House Bill No. 228.

In Section 12, line 3, strike out "association, club".

In line 8, strike out "club, association".

And recommend the Standing Committee amendments be stricken and recommend the adoption of the following amendments:

In Sec. 1, lines 3 and 8, after the word "corporation" insert "except any fraternal lodge."

And when so amended recommend the same do pass.

House Bill No. 295.

And recommend that the same be withdrawn.

House Bill No. 279.

Strike out the Standing Committee amendments.

And recommend that the same be amended as follows:

Sec. 1, line 4, after the word "Patrol" insert a comma and the following: "when on duty" and a comma after the word "duty".

And when so amended recommend the same do pass.

House Bill No. 250.

In the title of the printed bill at the end of line "3," insert following the word "Tax," "Prohibiting Discounts, Rebates or Gifts and Providing for Violations and Penalties therefor."

In Section 1, line 13, strike out "10%" and insert in lieu thereof "11%."

In line 16, strike out "10%" and insert in lieu thereof "11%."

And recommend the adoption of the Standing Committee amendments.

And recommend the further amendment to the Standing Committee amendments to line 16:

Strike out "11%" as inserted by the Standing Committee and insert in lieu thereof "12½%."

And when so amended recommend the same do pass.

House Bill No. 245.

Line 43 after the first word "Section" strike out the figure "3" and insert in lieu thereof the figure "2".

Also strike out all of Sec. 2.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 286.

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act Authorizing the Board of University and School Lands to sell lands belonging to the Permanent School or Institutional Funds but not a part of the Federal Grant Lands to bona fide farmers, Fixing the Manner and terms of sale, Interest Rate on Deferred and Delinquent payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1.) The Board of University and School
1a Lands is

2 hereby authorized to sell to bona fide farmers only, any
3 of the lands within its control and belonging to any of
4 the permanent school or institutional funds exclusive of
5 Federal Grant Lands in the manner and upon the terms
6 herein provided.

7 (1) Manner of Sale:

8 All such lands shall be appraised by the Commissioner
9 of University and School Lands or his deputy or repre-

10 sentatives such appraisal to be approved by the Board of
11 University and School Lands and shall be sold for not
12 less than the appraised value and not less than the
13 amount of the permanent school funds invested therein
14 to the highest bidder at public sale conducted at the
15 front door of the Court House in the county seat of the
16 county wherein the lands to be sold lie between the hours
17 of nine (9) o'clock in the forenoon and four (4) o'clock
18 in the afternoon.

19 (2) Notice of Sale:

20 The Board of University and School Lands shall cause
21 to be published once each week for a period of two weeks
22 prior to the day of sale, in a legal newspaper published
23 within the county in which said land is situated, a notice
24 of such sale, properly describing said land, together with
25 the appraised value thereof, and the terms and conditions
26 of sale. The last publication of said notice shall be at
27 least seven (7) days prior to the date of sale. In case
28 there is no legal newspaper published within said county,
29 such notice shall be published in the legal newspaper
30 which is published closest to the county seat at which
30a such

31 sale is to be made. The former owner and the former
31a renter,
32 if any, shall be notified by the Department of such a sale.

33 (3) When Lands to be Sold:

34 The Board of University and School Lands may, of its
35 own motion, or upon the application of a bona fide
35a bidder,

36 offer any or all of the said lands within any county for
37 sale. Any person desiring to purchase any tract or
37a tracts

38 of said lands may make application to said Board to have
39 such tract or tracts advertised for sale. Such person
40 shall, with such application, deposit with the Commis-
40a sioner

41 of University and School Lands his bona fide bid for such
42 lands as he desires to have offered for sale, together with
43 cash in the amount of four (4%) per cent of the amount
44 of his said bid. In case such person is the highest bidder
45 at said sale, the amount so deposited shall be held and
46 applied upon the cash payment required by the terms of
47 sale hereinafter provided; otherwise, such amount shall
48 be returned to him. Such person shall also deposit with
48a his

49 said application, such amount as said Commissioner shall
50 determine to be the probable actual cost of giving notice
51 of, and of holding, such sale. In case such person is not
52 the successful bidder at said sale, said amount so de-
52a posited

53 to cover cost of notice of and of holding said sale, shall
54 be refunded to him. In case such person is the success-
54a ful

55 bidder, any excess of the amount so deposited to cover
55a costs

56 of notice of and of holding such sale over the actual cost
57 thereof shall be refunded to him upon his executing a
58 contract for purchase of said lands and if he is not the

59 successful bidder the successful bidder shall pay the
59a expense

60 of the sale in addition to the amount of his said bid.

61 (4) Terms of Sale:

62 The terms of sale of lands so sold shall be as follows:

63 Ten per cent (10%) of the purchase price shall be paid
64 at the time the contract is executed; the annual pay-
64a ments

65 shall be six per cent (6%) of the original purchase price.

66 An amount equal to three per cent (3%) of the unpaid
66a princi-

67 pal shall be credited to interest and the balance shall be

68 applied as payment on principal as credit on purchase
68a price.

69 The purchaser may pay all or any installment or in-
69a stallments

70 not yet due at any interest paying date. If the purchaser
70a so

71 desires, he may pay the entire balance due on his con-
71a tract

72 with interest to date of payment at any time and he will
72a then

73 be entitled to proper conveyance.

74 (5) Contract of Sale:

75 The successful bidder for each tract so sold shall enter
76 into a contract for the purpose of such tract with the

77 State of North Dakota within Thirty (30) days after the
78 day of such sale, such contract to be in form prescribed

79 by the Board of Unversty and School Lands. Sad
79a contract

80 shall be executed in duplicate, and shall be executed in
81 the name of the State of North Dakota for and on

81a behalf of

82 the Board of University and School Lands by the Com-
82a missioner

83 of University and School Lands. Such contract shall
83a not be

84 assigned without the consent of the Board of University
84a and

85 School Lands.

86 (6) Conveyance:

87 When the purchase price together with interest on
87a defer-

88 red payments, has been paid in full the lands purchased
89 shall be conveyed to the purchaser, his heirs or assigns,

90 by good and sufficient deed executed in the name of the
91 State of North Dakota by the Governor and such

91a execution

92 attested by the Secretary of State under the Great
92a Seal of

93 the State of North Dakota.

94 (7) Notice to Auditor:

95 The Commissioner of University and School Lands
95a shall

96 immediately notify the County Auditor of the County
96a wherein

97 any land sold on contract lies, of such on contract and
98 such lands shall be placed upon the rolls of the said

99 county and shall be assessed in the name of such
99a contract
100 purchaser on the first day of April next succeeding, and
101 shall be taxable in the name of such contract purchaser,
102 his heirs or assigns, thereafter to the same extent as
103 original grant lands sold on contract are now taxable
103a under
104 existing law.

105 (8) Cancellation of Contracts:

106 In case the purchaser fails to pay either the principal,
107 interest or taxes in accordance with the provisions of said
108 contract, the Board of University and School Lands
108a may in
109 its discretion by resolution declare such contract null and
110 void and cancelled and of no further force or effect; and
111 in case of such declaration shall notify the holder
111a thereof,
112 of such declaration, by written notice mailed to his post-
113 office address as it appears upon said contract. A
113a certified
114 copy of said resolution shall be forwarded by mail to the
115 County Auditor and to the Register of Deeds of the
115a county in
116 which such land is situated. The Register of Deeds shall
117 record such certified copy of said resolution in the proper
118 records of his office, and said resolution, when so
118a recorded,
119 shall operate as a complete and final cancellation of said
120 contract without any order or decree of the Court. When
121 such contract has been cancelled, such land shall not
121a here-

122 after be listed for taxation.

123 (9) Collection of Taxes:

124 Taxes assessed and levied upon lands so sold shall be
125 collected and payment enforced in like manner as taxes
126 assessed and levied against privately owned land. Such
127 lands may be sold for delinquent taxes as other lands are
128 sold, and the purchaser shall only acquire, by virtue of
129 such purchase, the right to be substituted in the place of
130 the holder and owner of such contract of sale, as the
130a assignee
131 thereof; and upon the production to the Commissioner of
132 University and School Lands of the Tax certificate given
132a upon
133 such tax sale, in case such land has not been redeemed,
133a such
134 tax purchaser shall have the right to have his name sub-
135 stituted in place of the then holder and owner of such
136 contract upon his payment of all principal and interest, if
137 any, then in default upon such contract of sale, but no
137a such
138 substitution shall take place until three (3) years after
139 the date of such tax certificate. If such land be sold for
140 taxes to the county, the county may at any time assign
140a its
141 tax certificate and its assignee shall have like rights to
142 those herein given the holder of a tax certificate issued
143 upon sale for taxes to an individual. No tax deed shall
143a be

144 issued upon any tax certificate procured, while the legal
 145 title of said land remains in the State of North Dakota.
 146 (10) Redemption after Cancellation:
 147 In all cases where a contract entered into as herein
 148 provided is cancelled as above provided, the purchaser,
 149 his heirs and assigns may, before the sale at public
 149a auction
 150 of the land described in such contract, redeem the land
 151 described in such contract by paying all past due, de-
 151a ferred
 152 and interest payments, and all costs which may have
 152a been
 153 incurred in the cancellation of such contract, together
 154 with interest on such sums from their due date at the
 154a rate
 155 of four (4%) per cent per annum, but no such redemp-
 155a tion
 156 shall be made where the name of the holder of a tax sale
 157 certificate has been substituted in place of the contract
 158 holder as hereinabove provided. Such redemption shall
 159 operate to reinstate the original contract and to restore
 160 all rights and obligations of both the State and the
 161 purchaser thereunder.

1 SECTION 2. BOARD MAY MAKE RULES AND
 1a REGULATIONS.)

2 The Board of University and School Lands is hereby
 2a auth-
 3 orized to make such rules and regulations as shall be by
 4 it deemed necessary for the manner, place and time of
 5 payment of principal, deferred and interest payments,
 5a and
 6 for such other conduct of the business of selling and
 7 disposing of lands other than Federal Grant Lands,
 7a not in
 8 conflict herewith or with other provisions of law.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 273.

In Title, in line 1, following "Regulating" add "comma establishing".

In Title, in line 3, following semi-colon add "Exempting Certain Plants semi-colon Providing an appropriation semi-colon."

Section 1, line 3, following animals add "and wild animals".

Section 1, line 4, following "first" strike out remainder of section 1.

Section 1, line 4, following "first" add "filing an application with the North Dakota Livestock Sanitary Board for a license to do so, subject to the provisions of this Chapter and the regulations of said Board."

Strike out Section 2 and insert in lieu thereof following section: "Section 2. Upon the receipt of said application, the North Dakota Livestock Sanitary Board shall cause an inspection to be made of any establishment for which a license is requested, including its equipment, vehicles, and manner

of conduct of its business, with reference and due regard of danger of disease transmission and dissemination.

If said inspection fails to reveal any danger of disease transmission, said Board shall issue the license applied for upon payment of a fee of fifty dollars (\$50.00). Such license shall remain valid for a period of one year from the date of issuance or until revoked for cause by said Board."

Section 5, line 11, strike the period and add "comma or other disinfectant as prescribed by the Board period."

Section 4, line 6, strike the period following "ground" and add "nor shall such be discharged so as to contaminate or make unfit for human or livestock use any water supply period."

Following Section 8 insert the following sections: "Section 9. Provided that any rendering done in connection with regular packing plant operations under Federal Inspection will be exempt from the provisions of this act."

"Section 10. Money collected under this act shall be deposited with the State Treasurer to the credit of the North Dakota Livestock Sanitary Board, and there shall be appropriated to the North Dakota Livestock Sanitary Board the sum of four hundred dollars for the biennium period."

"Section 11. No plant now in existence, if located within three miles of any city, village, or town shall be rebuilt. Hereafter, no rendering plant shall be constructed within three miles of the limits of any city, village, or town, nor within one mile of any farmstead."

Renumber sections 9 and 10 as 12 and 13.

Section 9, line 6, strike "less" and add "more".

In the following places strike out word "trucks" and substitute in lieu thereof word "vehicles": Section 4, line 7; Section 5, lines 1, 9, 13, 17, 21; Section 6, line 2; Section 7, line 1.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 36.

Strike out everything after the word "A BILL" and substitute therefore the following:

For an Act to amend and re-enact Section 2346a25 of the 1925 Supplement to the Compiled Laws of North Dakota, as amended by Chapter 241 of the Session Laws of 1937, relating to taxation of Corporations and providing the rate of tax to be paid on net income and to repeal Sub-section 7 of Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota as amended by Chapter 283 of the Session Laws of 1937 and as amended by Chapter 228 of the Session Laws of 1939; making a Saving Clause and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) That Section 2346a25 of the Supplement to the Compiled Laws of 1913, as amended by Chapter 241 of the Session Laws of 1937, is hereby amended and re-enacted as follows:

SECTION 2346a25. ANNUAL TAX. There shall be levied, collected and paid for the year ending December 31, 1940, and annually thereafter, upon the net income of every domestic and every foreign corporation received from sources as are described in Article II, Sections 7 and 8, a tax upon such net income as follows:

For the first \$5,000.00 of net income at the rate of 3%;
On all net income above \$5,000.00 and up to \$6,000.00 at the rate of 4%;

On all net income above \$6,000.00 and up to \$8,000.00 at the rate of 5%;

On all net income over \$8,000.00 and up to \$10,000.00 at the rate of 7%;

On all net income over \$10,000.00 and up to \$15,000.00 at the rate of 8%;

On all net income over \$15,000.00 at the rate of 10%.

SECTION 2. SAVING CLAUSE. Should the Courts of this State or of the United States declare any of the provisions of this Chapter unconstitutional, illegal or void, such decision shall not invalidate any other provision herein contained.

SECTION 3. REPEAL. That Sub-section 7 of Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as amended by Chapter 283 of the Session Laws of 1931, and as amended by Chapter 228 of the Session Laws of 1939, and all other Acts or parts of Acts in conflict herewith are hereby repealed.

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 recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 319.

On line 13, after the word "purposes" strike out balance of line and in line 14 strike out "from the levy herein provided for." insert in lieu the following: "and shall present to the County Treasurer a tax receipt showing such payment, the County Treasurer is authorized to cancel the per capita school tax levied against such tax debtor for the year in which payment is shown in such tax receipt."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

H. W. McINNES, Chm., Committee of the Whole.

Rep. Swanson moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 21, 1941.

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State the following:

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same County When Deemed to Be for the Best Interests of the County; and Declaring an Emergency.

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

House Bill No. 129. A Bill for an Act to Repeal Chapter 119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

JOHN MOSES, Governor.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 22, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 124. A Bill for an Act to Prohibit the Sale, Offering or Exposing for Sale of Fireworks, and to Regulate the Manner of Their Use, and to Provide Penalties for the Violation of the Provisions of This Act.

Senate Bill No. 139. A Bill for an Act to Provide a Method for the Satisfaction of Chattel Mortgages, Crop Mortgages, Conditional Sale Contracts and Other Liens Filed in the Office of the Register of Deeds and Specifying the Form of Such Satisfaction, and Declaring an Emergency.

Senate Bill No. 173. A Bill for an Act Conferring Additional Powers Upon Cities and Park Districts; Authorizing the Leasing or Rental of Public Property Thereof; Limiting the Terms of Such Leases or Rental Agreements; Validating Certain Acts of Municipalities.

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Section 6789, of the Compiled Laws of North Dakota, for the Year 1913; and Repealing Section 6786, of the Compiled Laws of North Dakota for the Year 1913, Relating to the Sale of Pledged Securities.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Repeal, and Declaring an Emergency.

Senate Bill No. 194. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 197. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Food and Drugs Act and the North Dakota Cosmetic Act; Prevent Adulteration and Misbranding of Foods, Drugs and Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

Senate Bill No. 201. A Bill for an Act Specifying the Duties of the Clerks of the District Court and of the County Court with Increased Jurisdiction Relating to the Furnishing of Information to the State Registrar of Vital Statistics.

Senate Bill No. 202. A Bill for an Act Providing for Proof of Birth, the Correction of Birth Records, the Issuance by the State Registrar of Vital Statistics of a Certification of the Record of the Proof of Birth, Providing that All Records of State Registrar of Vital Statistics are Confidential, Repealing Chapter 109 of the Session Laws for the Year 1939 and Declaring an Emergency.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws of 1935, and Declaring an Emergency.

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 22, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 22, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 65. A Bill for an Act to Amend and Re-

enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 22, 1941.

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. 120, Senators Fowler, Stucke and Aandahl.

W. J. TROUT, Secretary.

Mr. Speaker: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

House Concurrent Resolution "N".

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 22, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 116. A Bill for an Act Authorizing the Seizure and Confiscation of Vehicles or Other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property Which Is the Subject Matter of Any Felony; Providing for a Proceeding to Release Such Property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds Arising from Sale; Declaring an Emergency.

House Bill No. 199. A Bill for an Act to Provide Punishment for the Taking and Operating of an Automobile or Other Motor Vehicle, or Causing the Same to Be Taken and Operated Without the Consent of the Owner.

House Bill No. 263. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and by Chapter 283 of the Laws of 1935; Repealing All Acts; and Declaring an Emergency.

House Concurrent Resolution "S". A Concurrent Resolution Providing that House Bill No. 289, Being a Complete Revision of the Military Code of the State of North Dakota, Be Not Printed in the Session Laws.

House Bill No. 184. A Bill for an Act Authorizing the Board of University and School Lands to Transfer and Convey Certain Acreage of State School Lands to the Game and Fish Department in Exchange for Other Land, to Be

Used and Maintained for Wildlife-Restoration Projects, and Declaring an Emergency.

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3178 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain; Repeal; Declaring an Emergency; and Providing a Penalty.

House Bill No. 306. A Bill for an Act to Amend and Re-enact Sub-section (1) of Section 2, Sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, Relating to Electric Cooperative Corporations, Their Powers, Incorporation, Corporate Names, Amendment of By-Laws and Articles of Incorporation, Quorum and Voting Requirements, Qualifications of Directors, Exemptions from Certain Statutory Requirements; and Providing for the Extension of Chapter 115 of the Session Laws of 1937 to Certain Foreign Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 21. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 330. A Bill for an Act to Amend Section 189b29 of Chapter 137, Session Laws of 1933 Providing for the Abatement of Hail Indemnity Tax; Correction of Records and Reduction from the Surplus; Declaring an Emergency.

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 5631 of the 1913 Compiled Laws of North Dakota, Relating to Descent of Homestead Estate and Exemption; Repealing Section 5632 of the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Which the House has passed and your favorable consideration is respectfully requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 22, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2186 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 241, Session Laws of 1929, and Chapter 279, Session Laws of 1931, Relating to Taxation. Repeal.

House Bill No. 315. A Bill for an Act to Amend and Re-enact Chapter 220 of the Session Laws of 1935, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or Any of Its Subdivisions, While Upon Public Expense Account; Providing for a Penalty for Violation Thereof, and Declaring an Emergency. Repeal.

House Bill No. 265. A Bill for an Act to License Certain Types of Coin-Operated Amusement Devices and Providing for the Division and Distribution of the Revenue Derived Therefrom.

House Bill No. 284. A Bill for an Act to Provide for the Abatement of Places Where Intoxicating Liquors Are Sold

and Where Persons Engaged in Such Retail Sale of Intoxicating Liquors Have Been Convicted as a Second Offense of Committing or Knowingly Permitting in Said Place of Business or in Connection Therewith Any Violation of Any State Law; and Providing Procedure and Penalties.

Which the House has passed and your favorable consideration is respectfully requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 22, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax, and Declaring an Emergency.

Which the House has amended.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 22, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Chiropractic License Renewals; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers. Repeal.

House Bill No. 2. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 111. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for 1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor; Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

House Bill No. 123. A Bill for an Act Reserving to the Counties of the State Mineral, Gas and Oil Rights; and Declaring an Emergency.

House Bill No. 294. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Coun-

ties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders for Livestock Owners in Such Townships, Fixing Penalty for Violation.

House Bill No. 303. A Bill for an Act Requiring Departmental Budgets and Biennial Reports by the State Highway Commissioner and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 237. A Bill for an Act Providing for Retention by County Auditors of a Part of the Resident and Non-resident Hunting License and Non-resident Fishing License Fees, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 301. A Bill for an Act Relating to the State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of All Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions Upon Which Renewal of Licenses Shall Be Issued and Requirements Prerequisite to the Granting of Such Renewal Licenses; Providing for Penalties and Suspension of License for Failure to Reregister; Providing for Reinstatement After Suspension.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 22, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 321. A Bill for an Act to Amend and Re-enact Section 25 of Chapter 97 of the Session Laws of North Dakota for 1933, as amended by Chapter 123 of the Session Laws of North Dakota for 1935, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners; Repeal; Emergency.

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

House Bill No. 19. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 17. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 206. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Mill and Elevator Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Mill and Elevator Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act.

House Bill No. 15. A Bill for an Act Making an Appropria-

tion for Administration and Expenses for the Liquor Control Act.

House Bill No. 274. A Bill for an Act Fixing the Maximum Annual Compensation Which May Be Paid to Persons Holding Administrative or Supervisory Positions Under the State Welfare Board or Any State Agency Which Is Its Successor.

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, **Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.**

House Bill No. 213. A Bill for an Act to Amend and Re-enact §§ 5 and 8 of Chapter 165 of the Session Laws of 1939, **Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; and Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.**

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

Rep. Swanson moved that the House do now recess until 7:30 p. m., which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Delayed Bills to whom was referred House Bills No. 335 and House Bill No. 336, have had the same under consideration and recommend that the same be introduced.

REP. SAUMUR, Acting Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF HOUSE BILLS

The Committee on Appropriations introduced:

House Bill No. 335. A Bill for an Act to Transfer to the General Fund \$20,000 from the Balance on July 1, 1941, Into the "Auto Transportation Fund".

Was read the first time and referred to the Committee on Ways and Means.

Representatives Levin and Collette introduced:

House Bill No. 336. A Bill for an Act Making an Appropriation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 103, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill" and insert the following:

For an Act appropriating the sum of \$27,845.92 to the State Highway Commissioner out of any funds in the State Treasury available to the State Highway Department for the purpose of paying a Judgment that may be obtained by the Northern Improvement Company, of Fargo, North Dakota.

WHEREAS, The Northern Improvement Company, of Fargo, North Dakota, entered into a contract with the North Dakota State Highway Department for the construction of an overpass at Minot, North Dakota; and

WHEREAS, A dispute has arisen whereby the Northern Improvement Company claims an indebtedness from the State Highway Department in the sum of \$27,845.92; and

WHEREAS, The controversy is now being litigated and is in the Courts of this State;

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. There is hereby appropriated the sum of
 2 Twenty-seven Thousand Eight Hundred Forty-five and
 2a 92/100
 3 (\$27,845.92) Dollars to the State Highway Commissioner
 4 out of any funds in the State Treasury available to the
 5 State Highway Department, to be available for the
 5a payment
 6 of any final Judgment that shall be obtained by the
 7 Northern Improvement Company, a foreign corporation,
 8 against the State Highway Department and/or the State
 9 Highway Commissioner. Provided however, that said
 9a sum,
 10 or any part thereof, shall not be paid to said Northern
 11 Improvement Company, nor shall the same be available to
 12 the State Highway Commissioner, until final determina-
 12a tion
 13 be had and final Judgment obtained in favor of said
 14 Northern Improvement Company in any and all actions,
 15 controversies or appeals now pending in the Courts of
 15a this

- 16 State or to be hereinafter instituted between said
 17 Northern Improvement Company, a foreign corporation,
 17a and
 18 the said State Highway Department and/or the State
 18a Highway
 19 Commissioner, arising out of said Minot overpass job.

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking, to whom was referred House Bill No. 46, have had the same under consideration and recommend that the same be amended as follows:

In the next to the last line in the title following the word "interest" insert the following: "and forbidding the purchase of such bonds from private purchasers except under certain conditions;"

Section 1, line 1, strike out the word "Bonds" and substitute the word "Plans"; strike out the word "offered" and substitute the word "submitted."

Section 1, line 2, before the word "Before" insert the words "At least thirty days."

Section 1, line 8, beginning with the word "offer" strike out the balance of the section and substitute the following: "submit the plan or program for the issuance and retirement of said bonds to the Board of University and School Lands and to the Industrial Commission of the State of North Dakota for advice and suggestion. Such plan or program shall be accompanied by a financial statement of the issuing corporation, stating fully and fairly the assets and liabilities of the corporation, the assessed valuation of its taxable property, its history of tax collection for the current and preceding three years and such other information as may be helpful in determining the desirability of such bond issue, which statement shall be verified by its recording officer. Such further information shall be furnished, likewise, as may be duly requested by said board or commission. One copy of such plan or program and accompanying papers shall be filed with the Commissioner of the University and School Lands and three copies with the Secretary of the Industrial Commission."

Section 2, line 1, beginning with the word "How" strike out all of the Section and substitute the following: "If the Board of University and School Lands deems said bonds so offered to be a desirable investment of the funds under its control, it shall cause its Secretary to notify the recording officer of the corporation concerned that said Board will purchase such bonds and the amount and terms on which it will purchase the same, and shall submit its advice and suggestions with reference thereto.

If the Industrial Commission deems said bonds so offered to be a desirable investment by any of the agencies or departments of the State having trust funds to invest, its Secretary shall promptly notify the Secretaries or recording officers of the several agencies or departments having such funds to invest in such offer.

Said agencies or departments shall, on receiving such notice, promptly notify the recording officer of the corporation offering such bonds whether such agency or department is willing to purchase the bonds and the terms on which it will purchase the same and its advice and suggestions with reference thereto.

The governing board of such corporation, if it deems it advisable, may accept the lowest and best offer so received."

Strike out all of Section 3 and substitute the following:

SECTION 3. Should the terms and conditions of the offer or offers so received be not acceptable to such corporation, then, after the expiration of thirty days from the date of such filings, the governing body of such corporation may cause notice for sealed bids for the sale of such bonds to be advertised in accordance with law, provided, however, that notice of the rejection of such offer or offers have first been mailed to the offering Board, Agency or Department, and provided further, that a copy of such notice for sealed bids shall first be mailed to the Board of University and School Lands and a copy thereof to the Industrial Commission. All such mailings shall be by registered mail. The Secretary of the Industrial Commission shall thereupon promptly notify said several agencies and departments. Should the said Board or any of said agencies and departments desire to purchase said bonds, or any portion thereof, a bid or bids may be submitted in accordance with law and the terms of such notice. Should the said Board, or any of said several agencies or departments be as low as or lower than any other or private bidder, the governing board of such corporation must sell such bonds to said Board, or agency or department as the successful bidder or bidders, there being reserved to the governing body, however, the right to reject any and all bids.

Should the said Board or any of said agencies or departments fail to submit an offer or bid for such bonds, it shall not thereafter purchase the same or any part thereof. Should said Board or any of said agencies or departments offer or bid for such bonds but not be the successful purchaser or bidder, it shall not thereafter purchase said bonds or any part thereof, except at a price no greater than that paid by the successful bidder for the same.

SECTION 4, line 1, beginning with the word "If" strike out the balance of line 1 and all of line 1a, lines 2, 3, 4 and in line 5 strike out the words "herewith, he" and substitute the following: "Any person who knowingly participates in the purchase or sale of bonds, without compliance herewith."

And when so amended recommend the same do pass.

A. R. BERGESEN, Chairman.

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 102, have had the same under consideration and return the same without recommendation.

TARGIE TRYDAHL, Chairman.

Rep. Culver moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Beede moved that House Bill No. 102 be placed on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 221. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20 of Chapter 148 of the Session Laws of 1931, as Amended by Section 1 of Chapter 144 of the Session Laws of 1935, Relating to Game and 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, 75; nays, 6; absent and not voting, 30.

Those voting in the affirmative were:

Aker	Gainor	Nelson, Steele
Allen	Haag	Nystrom
Anderson	Halvorson	Olson, Bowman
Arneson	Haugen	Panko
Beede	Heckman	Peterson, Ransom
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg
Bjella	Holm	Sandness
Blair	Ireland	Sellens
Bolmeier	Juhola	Sharpe
Braun, McLean	Kee	Shure
Brusseau	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Stormon
Dalzell	Lillehaugen	Swanson
Devlin	Lunde	Trydahl
Dittmer	McIntee	Twichell
Drovdal	Moe	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fuglestad	Nelson, Ramsey	Wolf, Morton
Gackle	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Bingenheimer	Fraser	Schwartz
Bubel	Nelson, Morton	Tuff

Absent and not voting:

Arndt	Fleck	Nicholsen
Austad	Glas	Ohnstad
Belzer	Gress	Olson, Barnes
Black	Haugland	Peterson, Bottineau
Boulden	Jennings	Sagehorn
Braun, Stark	Johnson, Cass	Saumur
Collette	Johnson, Richland	Schmidt
Crockett	McInnes	Semerad
Culver	McIntyre	Severson
Fitch	Myers	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Arneson moved that the vote by which House Bill No.

221 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 312. A Bill for an Act Prohibiting the Sale, Giving Away and Consumption of Intoxicating Liquors as a Beverage in Any Place or on Any Premise Within the State of North Dakota Where Gasoline, Oil, or Other Petroleum Products Are Sold at Retail, and Providing Penalty for Violation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 34; absent and not voting, 27.

Those voting in the affirmative were:

Aker	Haugen	Ohnstad
Allen	Haugland	Olson, Bowman
Anderson	Heckman	Peterson, Ransom
Arneson	Hofstrand	Rohde
Beede	Hogoboom	Rygg
Bergesen	Holm	Sandness
Bjella	Ireland	Saumur
Bymers	Kindem	Sellens
Coghlan	Larson	Shure
Devlin	Levin	Singleton
Drovdal	Moe	Smart
Erickson, Divide	Mollet	Stormon
Erickson, Williams	Morland	Swanson
Falconer	Morrison	Trydahl
Fitzharris	Nelson, Ramsey	Twichell
Fuglestad	Nelson, Sargent	Mr. Speaker
Gainor	Nelson, Steele	

Those voting in the negative were:

Benno	Haag	Panko
Bingenheimer	Halvorson	Schwartz
Blair	Juhola	Sharpe
Bolmeier	Kee	Starck
Braun, McLean	Langley	Tuff
Brusseau	Lillehaugen	Wambheim
Bubel	Lunde	Welder
Carlson	McIntee	Westby
Dalzell	Nelson, Cass	Williams, Stutsman
Dittmer	Nelson, Morton	Wolf, McIntosh
Fraser	Nystrom	Wolf, Morton
Gackle		

Absent and not voting:

Arndt	Fitch	Myers
Austad	Fleck	Nicholsen
Belzer	Glas	Olson, Barnes
Black	Gress	Peterson, Bottineau
Boulden	Jennings	Sagehorn
Braun, Stark	Johnson, Cass	Schmidt
Collette	Johnson, Richland	Semerad
Crockett	McInnes	Severson
Culver	McIntyre	Williams, Richland

So the bill was declared lost.

Rep. Lillehaugen voted "no" for the purpose of reconsideration.

House Bill No. 327. A Bill for an Act Requiring the Filing of Monthly Reports of Expenditures and Balances, Collections and Disposal of Same, with the Governor, by the Head of Each State Department, Officer, Board or Commission in Charge of Any Educational, Charitable, Penal or Other Institution or Undertaking Supported Wholly or in Part by Appropriation by Legislative Action; and Also the Filing of Complete Financial Statement for the Eighteen Month Period and, Also the Biennial Period; Requiring the Governor to Make Monthly Compilations; Requiring the State Budget Board to File Financial Statements of Income and Expenditures; Providing for Penalty and Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 52; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Heckman	Nystrom
Allen	Hofstrand	Peterson, Ransom
Arneson	Holm	Saumur
Benno	Ireland	Sharpe
Bjella	Johnson, Richland	Shure
Blair	Kee	Smart
Bolmeier	Kindem	Stormon
Carlson	Langley	Trydahl
Coghlan	Lunde	Twichell
Collette	Moe	Wambheim
Dalzell	Morland	Westby
Fitzharris	Nelson, Cass	Williams, Stutsman
Fuglestad	Nelson, Steele	Mr. Speaker
Haugland		

Those voting in the negative were:

Anderson	Fraser	Ohnstad
Beede	Gackle	Olson, Bowman
Belzer	Gainor	Panko
Bergesen	Haag	Peterson, Bottineau
Bingenheimer	Halvorson	Rohde
Braun, McLean	Haugen	Rygg
Brusseau	Hogoboom	Sandness
Bubel	Juhola	Schmidt
Bymers	Larson	Schwartz
Culver	Levin	Sellens
Devlin	Lillehaugen	Singleton
Dittmer	McIntee	Starck
Drovdal	Mollet	Swanson
Erickson, Divide	Morrison	Tuff
Erickson, Williams	Nelson, Morton	Welder
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fleck		

Absent and not voting:

Arndt	Gress	Nicholsen
Austad	Jennings	Olson, Barnes

Black	Johnson, Cass	Sagehorn
Boulden	McInnes	Semerad
Braun, Stark	McIntyre	Severson
Crockett	Myers	Williams, Richland
Glas		

So the bill was declared lost.

Rep. Welder moved that the vote by which House Bill No. 327 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 200b12 and Section 200b14 of the 1925 Supplement to the Compiled Laws of North Dakota; Providing for the Cancellation of Liability of the State Bonding Fund for Acts of Employees and Furnishing of Other Bonds; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 74; nays, 16; absent and not voting, 21.

Those voting in the affirmative were:

Arneson	Fraser	Ohnstad
Beede	Fuglestad	Olson, Bowman
Benno	Gackle	Panko
Bergesen	Gainor	Peterson, Bottineau
Bingenheimer	Halvorson	Peterson, Ransom
Bjella	Haugen	Rohde
Blair	Heckman	Rygg
Bolmeier	Hofstrand	Sandness
Brusseau	Hogoboom	Saumur
Bubel	Holm	Schmidt
Bymers	Ireland	Sellens
Carlson	Johnson, Richland	Sharpe
Coghlan	Kee	Shure
Collette	Kindem	Singleton
Culver	Langley	Smart
Dalzell	Lunde	Stormon
Devlin	Moe	Swanson
Dittmer	Mollet	Trydahl
Drovdal	Morland	Tuff
Erickson, Divide	Morrison	Twichell
Erickson, Williams	Nelson, Cass	Wambheim
Falconer	Nelson, Ramsey	Westby
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Mr. Speaker
Fleck	Nystrom	

Those voting in the negative were:

Aker	Juhola	Nelson, Morton
Allen	Larson	Starck
Anderson	Levin	Welder
Belzer	Lillehaugen	Wolf, McIntosh
Braun, McLean	McIntee	Wolf, Morton
Haugland		

Absent and not voting:

Arndt	Haag	Olson, Barnes
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Austad	Gress	Nicholsen
Black	Jennings	Sagehorn
Boulden	Johnson, Cass	Schwartz
Braun, Stark	McInnes	Semerad
Crockett	McIntyre	Severson
Glas	Myers	Williams, Richland

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Wambheim moved that the vote by which House Bill No. 328 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 3163a1, Compiled Laws of North Dakota, as Amended by Chapter 136 Session Laws of 1939, Defining a Public Dancing Place, Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 60; nays, 33; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Drovdal	Nelson, Steele
Allen	Erickson, Williams	Nystrom
Anderson	Falconer	Ohnstad
Arneson	Fitch	Panko
Beede	Fitzharris	Peterson, Bottineau
Belzer	Fleck	Saumur
Benno	Fraser	Schmidt
Bergesen	Gackle	Sellens
Black	Gainor	Shure
Bolmeier	Haag	Singleton
Braun, McLean	Halvorson	Smart
Brusseau	Haugland	Starck
Bubel	Heckman	Swanson
Carlson	Hogoboom	Wambheim
Coghlan	Juhola	Welder
Collette	Kee	Westby
Culver	Levin	Williams, Stutsman
Dalzell	Lunde	Wolf, McIntosh
Devlin	Morrison	Wolf, Morton
Dittmer	Nelson, Morton	Mr. Speaker

Those voting in the negative were:

Austad	Kindem	Olson, Bowman
Bingenheimer	Langley	Peterson, Ransom
Bjella	Larson	Rohde
Blair	Lillehaugen	Rygg
Bymers	McIntee	Sandness
Erickson, Divide	Moe	Schwartz
Fuglestad	Mollet	Sharpe
Haugen	Morland	Stormon
Hofstrand	Nelson, Cass	Trydahl
Holm	Nelson, Ramsey	Tuff
Ireland	Nelson, Sargent	Twichell

Absent and not voting:

Arndt	Jennings	Nicholsen
Boulden	Johnson, Cass	Olson, Barnes

Braun, Stark	Johnson, Richland	Sagehorn
Crockett	McInnes	Semerad
Glas	McIntyre	Severson
Gress	Myers	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 241 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 17; passed, 1.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fraser	Nelson, Steele
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Austad	Gainor	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Sharpe
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Stormon
Collette	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McIntee	Tuff
Devlin	Moe	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker

Absent and not voting:

Arndt	Jennings	Olson, Barnes
Boulden	Johnson, Cass	Sagehorn
Crockett	McInnes	Semerad
Fitch	McIntyre	Severson
Glas	Myers	Williams, Richland
Gress	Nicholsen	

Passed:

Twichell

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Ireland moved that House Bill No. 201 be withdrawn, which motion prevailed.

Rep. Shure moved that the rules be suspended and that Senate Bill No. 100 be placed on Second Reading and Final Passage, which motion prevailed.

Rep. Shure requested unanimous consent to amend Senate Bill No. 100, which consent was granted.

Rep. Shure moved the following amendment to Senate Bill No. 100:

In Section 1, line 11, after the word "members" strike out the period and insert "called for that purpose."

Which motion prevailed.

Rep. Shure moved that the rules be suspended and that Senate Bill No. 100 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 100. A Bill for an Act to Prohibit Sales of Total Assets and Reorganizations of Corporations Unless Authorized by a Two-thirds Vote of Stockholders or Members, and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 3; absent and not voting, 18.

Those voting in the affirmative were:

Allen	Fraser	Nelson, Steele
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Austad	Gainor	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Schwartz
Bolmeier	Ireland	Sellens
Braun, McLean	Johnson, Richland	Sharpe
Brusseau	Juhola	Shure
Bubel	Kee	Singleton
Bymers	Kindem	Smart
Carlson	Langley	Starck
Coghlan	Larson	Stormon
Collette	Levin	Swanson
Culver	Lillehaugen	Trydahl
Dalzell	Lunde	Tuff
Devlin	McIntee	Twichell
Dittmer	Mollet	Wambheim
Drovdal	Morland	Welder

Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Aker	Moe	Schmidt
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Absent and not voting:

Arndt	Gress	Nicholsen
Boulden	Jennings	Olson, Barnes
Braun, Stark	Johnson, Cass	Sagehorn
Crockett	McInnes	Semerad
Fitch	McIntyre	Severson
Glas	Myers	Williams, Richland

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Shure moved that the vote by which Senate Bill No. 100 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 271 was read the second time.

Rep. Fitch moved that further consideration of House Bill No. 271 be indefinitely postponed, which motion was lost.

SECOND READING OF HOUSE BILLS

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section 6073 of the 1925 Supplement as Amended by Chapter 274, Session Laws of 1927, Chapter 140 of the Session Laws of 1933 and Chapter 159 of the Session Laws of 1935, Defining Usury; and Providing Penalties; Repeal.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 47; absent and not voting, 16.

Those voting in the affirmative were:

Anderson	Haag	Nelson, Sargent
Austad	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Bingenheimer	Heckman	Rohde
Braun, McLean	Hofstrand	Rygg
Brusseau	Ireland	Sandness
Bubel	Kindem	Schmidt
Bymers	Larson	Schwartz
Culver	Levin	Singleton
Devlin	Lillehaugen	Smart
Drovdal	McIntee	Starck
Erickson, Divide	Moe	Stormon
Erickson, Williams	Mollet	Tuff
Falconer	Morrison	Welder
Fraser	Nelson, Morton	Wolf, McIntosh
Fuglestad	Nelson, Ramsey	Wolf, Morton

Those voting in the negative were:

Aker	Fitzharris	Nystrom
Allen	Fleck	Ohnstad
Arneson	Gackle	Olson, Bowman
Beede	Gainor	Peterson, Ransom
Benno	Haugland	Saumur

Bergesen	Hogoboom	Sellens
Bjella	Holm	Sharpe
Black	Johnson, Richland	Shure
Blair	Juhola	Swanson
Bolmeier	Kee	Trydahl
Carlson	Langley	Twichell
Coghlan	Lunde	Wambheim
Collette	McInnes	Westby
Dalzell	Morland	Williams, Stutsman
Dittmer	Nelson, Cass	Mr. Speaker
Fitch	Nelson, Steele	

Absent and not voting:

Arndt	Jennings	Olson, Barnes
Boulden	Johnson, Cass	Sagehorn
Braun, Stark	McIntyre	Semerad
Crockett	Myers	Severson
Glas	Nicholsen	Williams, Richland
Gress		

So the bill was declared lost.

Rep. Beede voted "no" for the purpose of reconsideration. House Bill No. 249 was read the second time.

Rep. Benno requested unanimous consent to amend House Bill No. 249, which consent was granted.

Rep. Benno moved the following amendment to House Bill No. 249:

In Section 2, page 3, line 23, after the word "Commissioner" strike out the word "may" and insert in lieu thereof the word "shall" and in the same line strike out the words and figures "for a fee of twenty-five (25) cents".

Which motion prevailed.

Rep. Swanson moved that the rules be suspended and that House Bill No. 249 be considered properly engrossed, and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 10322a51 of the Supplement of 1925 and Chapter 118, Laws 1933 Relative to Going Afield With Guns Before the Hunting Season and Illegal Possession of Game and Fish After the Hunting Season.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 47; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Arneson	Gackle	Olson, Bowman
Austad	Gainor	Sandness
Benno	Haugland	Saumur
Bergesen	Hofstrand	Sellens
Bjella	Holm	Sharpe
Blair	Johnson, Richland	Shure
Bolmeier	Kee	Smart
Bymers	Kindem	Starck
Carlson	Levin	Swanson
Coghlan	McInnes	Trydahl

Collette	Morland	Twichell
Dalzell	Nelson, Cass	Wambheim
Falconer	Nelson, Morton	Westby
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck	Nelson, Steele	
Those voting in the negative were:		
Allen	Fraser	Nelson, Ramsey
Anderson	Haag	Ohnstad
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Bingenheimer	Heckman	Peterson, Ransom
Black	Hogoboom	Rohde
Braun, McLean	Ireland	Rygg
Brusseau	Juhola	Schmidt
Bubel	Langley	Schwartz
Crockett	Larson	Singleton
Culver	Lillehaugen	Stormon
Devlin	Lunde	Tuff
Dittmer	McIntee	Welder
Drovdal	Moe	Williams, Stutsman
Erickson, Divide	Mollet	Wolf, McIntosh
Erickson, Williams	Morrison	Wolf, Morton
Absent and not voting:		
Arndt	Jennings	Olson, Barnes
Boulden	Johnson, Cass	Sagehorn
Braun, Stark	McIntyre	Semerad
Fitch	Myers	Severson
Glas	Nicholsen	Williams, Richland
Gress		

So the bill was declared lost.

Rep. Bingenheimer moved that the vote by which House Bill No. 249 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 258. A Bill for an Act Preserving the Rights to Benefits Under the North Dakota Unemployment Compensation Act to Persons Entering the Military or Naval Service of the United States During the Period of Such Service; Repeal; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 2; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fraser	Nelson, Sargent
Anderson	Fuglestad	Nelson, Steele
Arneson	Gackle	Nystrom
Austad	Gainor	Ohnstad
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Bergesen	Haugen	Peterson, Bottineau
Bingenheimer	Haugland	Peterson, Ransom
Bjella	Heckman	Rohde
Black	Hofstrand	Rygg
Blair	Hogoboom	Sandness

Bolmeier	Holm	Saumur
Braun, McLean	Ireland	Schmidt
Brusseau	Johnson, Richland	Schwartz
Bubel	Juhola	Sellens
Bymers	Kee	Sharpe
Carlson	Kindem	Shure
Coghlan	Langley	Singleton
Collette	Larson	Smart
Crockett	Levin	Starck
Culver	Lillehaugen	Stormon
Dalzell	Lunde	Trydahl
Devlin	McInnes	Tuff
Dittmer	McIntee	Twitchell
Drovdal	Moe	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker

Those voting in the negative were:

Swanson Wolf, McIntosh

Absent and not voting:

Arndt	Jennings	Olson, Barnes
Benno	Johnson, Cass	Sagehorn
Boulden	McIntyre	Semerad
Braun, Stark	Myers	Severson
Glas	Nicholsen	Williams, Richland
Gress		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Fitch moved that the vote by which House Bill No. 258 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Benno moved that the House reconsider its action taken on House Bill No. 249, which motion prevailed.

Rep. Benno moved that House Bill No. 249 be placed on Second Reading and Final Passage, which motion prevailed.

House Bill No. 249 was placed on Second Reading.

Rep. Benno requested the unanimous consent of the House to amend House Bill No. 249, which consent was granted.

Rep. Benno moved that House Bill No. 249 be amended as follows:

In Section 2, line 21, before the word "animal" insert the word "game".

Which motion prevailed.

Rep. Benno moved that the rules be suspended and that House Bill No. 249 be considered properly re-engrossed and placed on second reading and final passage as amended, which motion prevailed.

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 10322a51 of the Supplement of 1925 and Chapter 118, Laws 1933 Relative to Going Afield With Guns Before the Hunting Season and Illegal Possession of Game and Fish After the Hunting Season.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 65; nays, 30; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Arneson	Haugland	Olson, Bowman
Austad	Heckman	Panko
Benno	Hofstrand	Peterson, Ransom
Bergesen	Holm	Rygg
Bjella	Ireland	Sandness
Black	Johnson, Richland	Saumur
Blair	Kee	Sellens
Bolmeier	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Dalzell	Lunde	Stormon
Devlin	McInnes	Swanson
Dittmer	Morland	Trydahl
Falconer	Morrison	Twichell
Fitch	Nelson, Cass	Wambheim
Fitzharris	Nelson, Ramsey	Westby
Fleck	Nelson, Sargent	Williams, Stutsman
Fuglestad	Nelson, Steele	Mr. Speaker
Gackle	Nystrom	

Those voting in the negative were:

Allen	Erickson, Divide	Mollet
Anderson	Erickson, Williams	Nelson, Morton
Beede	Fraser	Peterson, Bottineau
Belzer	Haag	Rohde
Bingenheimer	Halvorson	Schmidt
Braun, McLean	Haugen	Schwartz
Brusseau	Hogoboom	Tuff
Bubel	Juhola	Welder
Crockett	McIntee	Wolf, McIntosh
Drovdal	Moe	Wolf, Morton

Absent and not voting:

Arndt	Jennings	Olson, Barnes
Boulden	Johnson, Cass	Sagehorn
Braun, Stark	McIntyre	Semerad
Culver	Myers	Severson
Glas	Nicholsen	Williams, Richland
Gress		

So the bill passed and the title was agreed to.

House Bill No. 304 was read the second time.

Rep. Crockett moved that House Bill No. 304 be indefinitely postponed, which motion was lost.

House Bill No. 304. A Bill for an Act Relating to the Eradication of the Weed Indian Hemp, and Providing for the Growth Thereof for Commercial Purposes Under License Issued by the Commissioner of Agriculture, with Penalties Provided.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 66; nays, 28; absent and not voting, 17.

Those voting in the affirmative were:

Aker	Fitzharris	Morrison
Allen	Fleck	Nelson, Cass
Arneson	Fuglestad	Nelson, Morton
Austad	Gackle	Nelson, Ramsey
Benno	Gainor	Nelson, Sargent
Bergesen	Halvorson	Nelson, Steele
Bingenheimer	Haugen	Nystrom
Bjella	Haugland	Ohnstad
Black	Heckman	Olson, Bowman
Blair	Hofstrand	Peterson, Ransom
Bolmeier	Hogoboom	Sandness
Brusseau	Holm	Saumur
Bubel	Ireland	Sellens
Bymers	Johnson, Richland	Sharpe
Carlson	Kee	Shure
Coghlan	Kindem	Singleton
Collette	Langley	Smart
Culver	Larson	Stormon
Dalzell	Levin	Swanson
Dittmer	Lunde	Westby
Drovdal	Moe	Williams, Stutsman
Fitch	Morland	Mr. Speaker

Those voting in the negative were:

Anderson	Juhola	Schmidt
Beede	Lillehaugen	Schwartz
Belzer	McInnes	Starck
Braun, McLean	McIntee	Trydahl
Crockett	Mollet	Tuff
Devlin	Panko	Wambheim
Erickson, Divide	Peterson, Bottineau	Welder
Falconer	Rohde	Wolf, McIntosh
Fraser	Rygg	Wolf, Morton
Haag		

Absent and not voting:

Arndt	Jennings	Sagehorn
Boulden	Johnson, Cass	Semerad
Braun, Stark	McIntyre	Severson
Erickson, Williams	Myers	Twichell
Glas	Nicholsen	Williams, Richland
Gress	Olson, Barnes	

So the bill passed and the title was agreed to.

House Bill No. 252. A Bill for an Act Establishing Standards and Definitions of Milk and Milk Products and Butter; and Amending Section 2852 of the Compiled Laws of 1913 and Section 2855a1 of the 1925 Supplement of the Compiled Laws of 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith, Providing for the Enforcement of the Provision of This Act and for Penalties for the Violation Thereof 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, 92; nays, 1; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arneson	Gainor	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Brusseau	Juhola	Sharpe
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Levin	Stormon
Culver	Lillehaugen	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Tuff
Dittmer	McIntee	Wambheim
Drovdal	Moe	Welder
Erickson, Divide	Mollet	Westby
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck	Nelson, Sargent	

Those voting in the negative were:

Benno

Absent and not voting:

Arndt	Jennings	Olson, Barnes
Boulden	Johnson, Cass	Sagehorn
Braun, Stark	McIntyre	Semerad
Crockett	Morland	Severson
Glas	Myers	Twichell
Gress	Nicholsen	Williams, Richland

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Johnson of Richland moved that action on House Bill No. 317 be deferred until Monday, February 24th, which motion prevailed.

House Bill No. 288. A Bill for an Act to Amend and Re-enact Subdivision "c" of Division 15 of Section 7 of Chapter 94, Session Laws of 1931; Section 14 of Chapter 94, Session Laws of 1931, as Amended by Chapter 101, Session Laws of 1939; and Section 23 of Chapter 94, Session Laws of 1931, Providing for Investments by Building and Loan Associations; Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, Banks, Eleemosyn-

ary, Educational, Public and Municipal Corporations and Public Officials; and Pertaining to Bonds of Directors, Officers, Agents 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, 78; nays, 13; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Falconer	Nelson, Cass
Allen	Fitch	Nelson, Morton
Anderson	Fitzharris	Nelson, Ramsey
Arneson	Fleck	Nelson, Sargent
Austad	Fuglestad	Nelson, Steele
Beede	Gackle	Nystrom
Benno	Gainor	Ohnstad
Bergesen	Halvorson	Peterson, Ransom
Bingenheimer	Haugen	Rygg
Bjella	Haugland	Sandness
Black	Heckman	Saumur
Blair	Hofstrand	Sellens
Bolmeier	Hogoboom	Sharpe
Brusseau	Holm	Shure
Bymers	Ireland	Singleton
Carlson	Johnson, Richland	Smart
Coghlan	Kee	Starck
Collette	Kindem	Stormon
Crockett	Langley	Swanson
Culver	Larson	Trydahl
Dalzell	Levin	Twichell
Devlin	Lunde	Wambheim
Dittmer	McInnes	Westby
Drovdal	Moe	Williams, Stutsman
Erickson, Divide	Morland	Wolf, Morton
Erickson, Williams	Morrison	Mr. Speaker

Those voting in the negative were:

Belzer	Lillehaugen	Schwartz
Braun, McLean	McIntee	Tuff
Fraser	Peterson, Bottineau	Welder
Haag	Schmidt	Wolf, McIntosh
Juhola		

Absent and not voting:

Arndt	Johnson, Cass	Panko
Boulden	McIntyre	Rohde
Braun, Stark	Mollet	Sagehorn
Bubel	Myers	Semerad
Glas	Nicholsen	Severson
Gress	Olson, Barnes	Williams, Richland
Jennings	Olson, Bowman	

So the bill passed and the title was agreed to.

House Bill No. 207. A Bill for an Act Providing for the Refunding of the Real Estate Bonds of the State of North Dakota, the Issuance of Refunding Bonds by the Industrial Commission, Prescribing the Terms and Conditions Hereof, Providing for Their Sale, Exchange and Delivery, Establish-

ing the "Refunding Bond Fund" and the "Refunding Bond Interest Fund," Providing for Annual Tax Levies, Providing for the Retirement and Payment of North Dakota's Outstanding Real Estate Bonds, Chapter 154 of the Session Laws of 1919 (Sections 2290b1 to 2290b16 Inclusive, 1925 Supplement to the 1913 Compiled Laws), Chapter 292 Session Laws of 1923 (Sections 2290c1 to 2290c15, Inclusive, 1925 Supplement to the Compiled Laws), Chapter 182, Session Laws of 1929, Chapters 101 and 102 Session Laws of 1931, Chapter 90, Session Laws of 1933, and Amendments to the Same, Transferring Assets and Funds Securing North Dakota Bonds for the Use of Refunding Bonds and Interest Thereon; Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Enactment; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 5; absent and not voting, 17.

Those voting in the affirmative were:

Allen	Fraser	Nelson, Steele
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Austad	Haag	Olson, Bowman
Beede	Haugen	Panko
Belzer	Haugland	Peterson, Bottineau
Benno	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sandness
Black	Ireland	Schwartz
Blair	Johnson, Richland	Sellens
Bolmeier	Juhola	Sharpe
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Stormon
Collette	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck	Nelson, Sargent	

Those voting in the negative were:

Aker	Halvorson	Schmidt
Fuglestad	Saumur	

Absent and not voting:

Arndt	Gress	Olson, Barnes
Boulden	Jennings	Sagehorn

Braun, McLean	Johnson, Cass	Semerad
Braun, Stark	McIntyre	Severson
Crockett	Myers	Williams, Richland
Glas	Nicholsen	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Bymers moved that the House do now recess until 10:30 A. M., Monday, February 24th, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FORTY-SEVENTH DAY AFTER RECESS
AND FORTY-NINTH DAY

Bismarck, February 24, 1941.

The Speaker called the House to order pursuant to recess.
The House re-assembled pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 3
House Bill No. 4
House Bill No. 16
House Bill No. 36
House Bill No. 121
House Bill No. 228
House Bill No. 245
House Bill No. 250
House Bill No. 273
House Bill No. 279
House Bill No. 286
House Bill No. 302
House Bill No. 319
House Bill No. 165

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 146
House Bill No. 176

And find the same correctly enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 105, have had the same under consideration and recommend that the same be amended as follows:

Line 43, strike out the figures "\$300.00," and substitute in lieu thereof the figures "\$100.00."

Line 48, strike out the figures "\$4,000.00," and substitute in lieu thereof the figures "\$4,988.70."

Line 50, strike out the figures "\$3,000.00," and substitute in lieu thereof the figures "\$2,211.30."

The total is unchanged.

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 106, have had the same under consideration and recommend that the same be amended as follows:

Line 2, strike out "\$12,000.00" and insert in lieu thereof "\$23,000.00".

Line 4, strike out "\$50,712.00", and insert in lieu thereof "\$39,712.00".

Line 32, after the numeral "17." insert the word "Farm" and a comma.

Line 36, after the word "Project" insert a dash and the word "Emergency".

The total is unchanged.

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 107, have had the same under consideration and recommend that the same be amended as follows:

After line 53, add line "53a Automatic Forced Feed Equipment for Furnaces, (to be paid for out of savings on appropriated item for Fuel)." No change in amount appropriated.

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Singleton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 108, have had the same under consideration and recommend that the same be amended as follows:

Returning to Line 4, strike out the figures "\$144,075," and insert in lieu thereof the figures "\$141,536.00."

Line 12, strike out the figures "\$175,678.00," and substitute in lieu thereof the figures "\$180,678.00."

Line 13, strike out the figures "\$185,078.00," and substitute in lieu thereof the figures "\$190,078.00."

Line 19, strike out the figures "\$11,115.00," and substitute in lieu thereof the figures "\$8,600.00."

Line 31, strike out the figures "\$5,500.00," and insert in lieu thereof the figures "\$5,000.00."

Line 34, strike out the figures "\$463,003.00," and insert in lieu thereof the figures "\$464,988.00."

Line 37, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$800.00."

Line 43, strike out the figures "\$4,758.00," and insert in lieu thereof the figures "\$3,758.00."

Strike out Line 44.

Line 47, strike out the figures "\$500.00," and insert in lieu thereof the figures "\$790.00."

Line 48, strike out the figures "\$1,114.00," and insert in lieu thereof the figures "\$2,000.00."

Line 52, strike out the figures "\$489,075.00," and insert in lieu thereof the figures "\$486,536.00."

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 109, have had the same under consideration and recommend that the same be amended as follows:

Line 6, strike out the figures "\$330,190.00," and insert in lieu thereof the figures "\$327,090.00."

Add Line 15-a, "4. Parol Officer & Travel Expense \$6,000.00".

Line 16, strike out the figures "\$96,620.00" and insert in lieu thereof the figures "\$102,620.00."

Line 31, strike out the figures "\$15,000.00," and insert in lieu thereof the figures "\$12,000.00."

Line 34, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00."

Line 38, strike out the figures "\$319,220.00," and insert in lieu thereof the figures "\$321,220.00."

Line 41, after the word "Plumbing" add "& Water System", and strike out the figures "\$7,500.00" and insert in lieu thereof the figures "\$11,000.00."

Strike out Line 42.

Line 44, strike out the word "Stove" and insert "Equipment".

Line 48, strike out the figures "\$400.00," and insert in lieu thereof the figures "\$300.00."

Strike out Line 49.

Line 56, strike out the figures "\$350,070.00," and insert in lieu thereof the figures "\$346,970.00."

Line 66, strike out the figures "\$363,190.00," and insert in lieu thereof the figures "\$360,090.00."

Line 69, strike out the figures "\$421,190.00," and insert in lieu thereof the figures "\$418,090.00."

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to

was referred House Bill No. 110, have had the same under consideration and recommend that the same be amended as follows:

Line 4, strike out the figures "\$272,887.00" and insert in lieu thereof "\$261,252.00."

Following line 11, add line "11-a Overlapping & Inventory "\$225.00".

Line 12, strike out "\$22,360.00" and insert in lieu thereof "\$20,000.00".

Line 13, strike out "\$51,669.00" and insert in lieu thereof "\$41,669.00".

Line 14, strike out "\$85,837.00" and insert in lieu thereof "\$73,702.00".

Line 20, strike out "\$13,000.00" and insert in lieu thereof "\$9,000.00".

Line 27, strike out "\$6,000.00" and insert in lieu thereof "\$5,000.00".

Line 32, strike out "\$12,500.00" and insert in lieu thereof "\$11,000.00".

Line 36, strike out "\$255,787.00" and insert in lieu thereof "\$236,152.00."

Line 64, strike out "\$287,887.00" and insert in lieu thereof "\$261,252.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Schmidt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 331, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Culver moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking, to whom was referred House Bill No. 196, have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the title strike out the words "State Examiner" and insert in lieu thereof the language "Bank of North Dakota".

In line 7 of the title, strike out the words "State Examiner" and insert in lieu thereof the language "Bank of North Dakota".

In line 7 of the title, strike out the word "State" and insert in lieu thereof the words "Bank of"; in line 8 of the title, strike out the word "Examiner" and insert in lieu thereof the words "North Dakota".

In line 5 of subsection "h" of Section I strike out the word "State" and insert in lieu thereof the words "Bank of"; in line 6 of the same, strike out the word "Examiner" and insert in lieu thereof the words "North Dakota".

In lines 5 and 6 strike out the language, "provided for in Chapter 71 of the Session Laws of North Dakota for the years 1933".

In line 17 strike out the words "State Examiner" and insert in lieu thereof the words "Bank of North Dakota".

In line 19, strike out the word "State" and insert in lieu thereof the words "Bank of"; in line 20, strike out the word "Examiner" and insert in lieu thereof the words "North Dakota".

In line 37, strike out the word "State" and insert in lieu thereof the words "Bank of"; in line 38, strike out the word "Examiner" and insert in lieu thereof the words "North Dakota".

In line 41, strike out the words "State Examiner" and insert in lieu thereof the words "Bank of North Dakota".

In line 42, strike out the words "State Examiner" and insert in lieu thereof the words "Bank of North Dakota".

And when so amended recommend the same do pass.

A. R. BERGESEN, Chairman.

Rep. Nelson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration

House Bill No. 127—P701.

In Section 2, line 4 after the word "receive" strike out the following "the same mileage" and insert in lieu thereof the following "the sum of five cents per mile actually and necessarily traveled".

Strike out all of line 7 and in line 8 strike out the following "the year 1939."

And recommend the adoption of the Standing Committee amendments.

And recommend the following amendment to the Standing Committee amendments:

The amendment referring to "Section 2" in the Standing Committee amendments is to refer to "Section 3" of the amended bill instead of "Section 2".

And when so amended recommend the same do pass.

House Bill No. 326.

In Section 1, line 10 strike out the following "had an opportunity to".

In line 11 strike out the word "consult" and insert in lieu thereof the word "consulted".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 300.

In line 4, Page 4, strike out the word "misleading" and in lieu thereof insert the word "mislabeling".

In line 14, page 4, after the word "known" strike out "prior to January 1,".

In line 15, strike out "1938".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 251.

In line 23, page 2, after the word "establishment," strike out the balance of line and all lines 24, 25, 26.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 138.

And recommend the following amendment to House Bill No. 138:

In Section 1, line 14, following the comma after the word "paid" insert the following: "together with the 25 per cent of the principal".

And when so amended recommend the same do pass.

House Bill No. 291.

And recommend that the same be indefinitely postponed.

House Bill No. 210.

In Section 5, Sub-section (b) at the end of line 10 insert the following words "compel the State Geologist to". In Sub-section (c) of the same section, line 23 after the word "acts," strike out the word "including" and insert in lieu thereof the following words "which shall include". In line 34 of the same sub-section after the word "Geologist" strike out the word "may" and insert in lieu thereof the word "shall". In line 39 of the same sub-section after the hyphenated word "authority" insert the following words "and it shall be his duty". Also in line 48 of the same sub-section after the word "to" strike out the word "require" and insert in lieu thereof the word "compel".

In Section 6, Sub-section (b) line 10 after the word "manner" insert the following words "to be held before the said commission or any member thereof, or before the State Geologist, at such time, place and in such manner as may be prescribed by the Commission".

Also in the same sub-section, line 42 after the word "hearing" insert the following words "the commission".

In Section 7, Subsection (a) line 1 at the end of the line after the "comma" insert the following words "or the State Geologist".

And when so amended recommend the same do pass.

And recommend the adoption of the Standing Committee amendments.

And recommend the following further amendment.

On page 7, line 48, sub-section C, after the figure "(3)" strike out the word "To" and insert in lieu thereof the word "Shall".

And recommend the following correction to the Standing Committee amendments. The amendment recommended for "Sub-section b", line 42, is to be corrected to refer to "Sub-section (e)" instead.

House Bill No. 323.

In Section 1, line 36, after the word "bidder" insert the following "on a solvent North Dakota bank,".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 141.

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act to amend and re-enact § 578b1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; § 578b2 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as amended by Chapter 139 of the Session Laws of 1927; §§ 578b3, 578b4, 578b5, 578b6, 578b7 and 578b8; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT § 578b1. BOARD

1a CREATED.) The

2 State Board of Electricians is hereby created which shall

3 consist of three members appointed by the Governor for

3a per-

4 iods of 2, 4, and 6 years respectively, and the State Insur-

5 ance Commissioner who shall be ex-officio member and

5a Secre-

6 tary of said Board. The three members appointed shall

6a con-

7 sist of one Master Electrician, one Journeyman Elec-

7a trician

8 and one Moving Picture machine operator. The Mas-

8a ter Elec-

9 trician appointed shall have been a resident of the State

9a of

10 North Dakota for the last past three years and shall

10a have

11 been actively engaged as a Master Electrician for the

11a said

12 period of time. The Journeyman so appointed shall have

12a been

13 engaged as a Journeyman in the State of North Dakota

13a and

14 shall have resided therein for a period not less than three

15 consecutive years last past, and the Moving Picture

15a Opera-

16 tor so appointed shall be a projectionist who has resided

17 in, and been engaged in his profession within the State

17a of

18 North Dakota for the last past three consecutive years.

19 Vacancies on said Board shall be filled in the same man-

19a ner

20 and from the same classifications as the retiring mem-

20a ber.

21 The Board shall select from its membership a Presi-
 21a dent
 22 and Treasurer, prescribe rules for the management of its
 23 affairs; shall adopt a seal and may make reasonable
 23a rules
 24 and regulations. Each member shall receive \$5.00 per
 24a day
 25 for actual services rendered and in addition thereto, his
 25a neces-
 26 sary and actual expenses incurred in the discharge of his
 27 duties.

28 The Board shall meet at the Capitol for its annual
 29 meeting during the month of January of each year and
 29a at any
 30 other times or place within the State upon ten days
 30a notice
 31 given by the President for the purpose of conducting
 31a exam-
 32 inations and performing such other duties as may be
 32a brought
 33 before them.

34 SECTION 2. § 578b2, AMENDMENT. CLASSIFY-

34a ING ELEC-
 35 TRICIANS.) That § 578b2 of the Supplement to the
 35a Compiled
 36 Laws of North Dakota for 1913 be amended and re-
 36a enacted to
 37 read as follows:

38 There shall be three classes of licenses, Master,
 39 Journeyman, and Moving Picture Machine Operator.
 39a For the

40 purposes of this Act, the term Master Electrician shall
 40a be

41 construed to mean a person having the necessary
 41a qualifica-
 42 tions, training, experience and technical knowledge to
 43 properly plan, lay out and supervise the installation and
 44 repair of electrical wiring, apparatus and equipment for
 45 electric light, heat and power in accordance with the
 45a stand-
 46 ard rules and regulations governing such work. The
 46a term

47 Journeyman Electrician for the purpose of this Act
 47a shall be

48 considered to mean a person having the necessary
 48a qualifica-
 49 tions, training, and technical knowledge to wire and
 49a install

50 and repair electrical apparatus and equipment in accord-
 50a ance

51 with the standard rules and regulations governing such
 51a work.

52 The term Moving Picture Operator for the purpose of
 53 this Act shall be construed to mean a person having the
 54 necessary qualifications, training and experience to
 54a operate

55 Moving Picture Machines and switchboards in buildings,
 55a parts

56 of buildings or enclosures used for public assemblages.

57 Every person, partnership, company, corporation or
58 association, that undertakes or offers to undertake with
59 another to plan, lay out, supervise, install or make addi-
60 tions, alterations or repairs in the installation of wiring,
61 apparatus or equipment for electric light, heat or power
62 for a fixed sum, price, fee, percentage or other considera-
63 tion shall apply to the Board for License. The Board
63a shall
64 examine the applicant and if he be found upon technical
65 and practical examination to be possessed of the re-
65a quired
66 knowledge and skill and to be versed in the laws of elec-
67 tricity, shall issue a license to the applicant in the
68 class for which he has been examined; such license shall
69 be signed by the President and Secretary of the Board,
69a at-
70 tested by the seal and shall be valid for one year. Li-
71 censes may be renewed without examination upon the
71a payment
72 of the proper fee. If the licensee fails to renew his
73 license for a period of five consecutive years or more, he
74 may be required to appear for re-examination. The
74a Board
75 may upon the recommendation of one Master Electrician
75a and
76 two Journeyman electricians, issue a permit for a
76a Journey-
77 man electrician to engage in his trade until the next
78 meeting of the Board for the examination of applicants
78a and
79 such permit shall not be renewable.

80 Employees of Public Utilities engaged in the manu-
81 facture and distribution of electrical energy shall not
82 be required to hold a license to engage in such work as
83 directly pertains to the manufacture and distribution of
84 electrical energy, provided, however, for the purposes of
85 this Act, such exemption shall terminate at the first
86 point of service attachment except for the installing or
87 testing of electric meters and measuring devices and the
88 maintenance of their service. Employees of telephone,
88a tel-

89 egraph and radio communication services shall not be re-
90 quired to hold licenses to engage in such work as directly
91 pertains to such services. Every license or permit holder
92 shall report his licensing and renewals thereof to the
93 electrical inspector, if any there be, in the city or vil-
94 lage in which he operates, and any license or permit is-
95 sued hereunder may be revoked after hearing and for
95a cause.

96 SECTION 3. §578b3, AMENDMENT. EXPENSES
96a OF THE

97 BOARD.) That § 578b3 of the Supplement to the
97a Compiled
98 Laws of North Dakota for 1913 be amended and re-
98a enacted to
99 read as follows:

100 All reasonable and necessary expenses incurred in
101 conducting the business of the Board shall be allowed

102 and paid for by the Board.
103 SECTION 4. §578b4, AMENDMENT. LICENSES.)
103a That
104 § 578b4 of the 1925 Supplement to the Compiled Laws of
104a North
105 Dakota for 1913 be amended and re-enacted to read as
105a fol-
106 lows:
107 Licenses shall be issued for a period of one year.
108 Every applicant for examination for a Master's License
108a shall
109 pay an application fee of \$15.00 and an annual license fee
110 of \$7.00. He shall take oath and submit written evi-
110a dence
111 that he has had three years experience in his trade before
112 taking the examination. If a partnership, company or
112a cor-
113 poration applies for a license, an officer or manager
113a there-
114 of shall make the application, take the oath, and submit
114a evi-
115 dence as to experience before taking the examination.
115a An
116 applicant for a Journeyman's license shall pay an
116a examina-
117 tion fee of \$7.00 and annual license fee thereafter of
118 \$3.00 per year. He shall take oath and submit written
118a evi-
119 dence that he has had three years experience in install-
119a ing
120 and repairing electrical wiring, apparatus and equip-
120a ment.
121 Applicants for Moving Picture Machine Operator License
122 shall pay an examination fee of \$5.00 and an annual li-
123 cense fee of \$3.00 thereafter. He shall take oath and
124 submit written evidence that he has had two years
124a experi-
125 ence in the line of work for which he requests a license.
126 No contract, agreement or undertaking with another
127 for the installation of electrical wiring or the install-
128 ation of electrical parts of other apparatus or equipment,
129 shall be entered into by anyone not a Master Electrician.
129a
130 Before receiving a license as Master Electrician
131 the applicant shall execute and deposit with the Board a
132 surety bond in the sum of \$1,000.00 conditioned upon the
133 faithful performance of all electrical work undertaken by
134 him and for the strict compliance with all the provisions
135 of this Act and the requirements of the Board, and in
135a the
136 cities requiring bond by virtue of city ordinances, such
137 bonds shall not supercede the bond herein provided for.
138 Every person doing electrical work as provided for
139 herein shall report the same to the Secretary of the
139a State
140 Board upon blanks furnished by this Board for such
140a purpose,
141 except in cities maintaining inspection service.

142 SECTION 5. § 578b5, AMENDMENT. EXCEP-
142a TIONS.)

143 That § 578b5 of the 1925 Supplement to the Compiled
143a Laws

144 for North Dakota for 1913, shall be amended and re-
144a enacted

145 to read as follows:

146 Nothing in this Act shall prevent a person from serving
147 as an apprentice under a licensed Master Electrician,
147a and

148 no Master Electrician shall allow an apprentice to work
149 on any installation without personal supervision of a
150 licensed electrician.

151 SECTION 6. § 578b6, AMENDMENT. PROVIDING
151a FOR

152 INSPECTION.) That § 578b6 of the 1925 Supplement
152a to the

153 Compiled Laws of North Dakota for 1913 be amended
153a and

154 re-enacted to read as follows:

155 The Board shall have jurisdiction over and provide
156 inspection for all electrical installations now in use or
157 to be made hereafter. All electrical wiring, apparatus
158 or equipment shall comply with the rules and regulations
159 of this Board, the Public Service Commission, the Insur-
160 ance Commission and the State Fire Marshal under
160a authority

161 of the State statutes and in conformity of the approved
162 methods of construction for safety to life and property.

163 The regulations laid down in the National Electrical
163a Code

164 and the National Electrical Safety Code as approved by
164a the

165 American Engineering Standards Committee shall be
165a prima-

166 facie evidence of such approved methods provided,
166a however,

167 that nothing herein contained shall prohibit any munici-
168 pality from making more stringent requirements. No

168a elec-

169 trical installation shall be connected for use until proof
170 has been furnished to the person, firm or corporation

170a sup-

171 plying electrical energy that the regulations above cited
172 have been complied with. Inspectors authorized by the

173 Board may condemn installations hazardous to life and
174 property and may order service thereto discontinued,

174a pro-

175 vided, however, that such action may not be taken except
176 after notice to the owner and subject to the right of ap-

177 peal to the Board by the owner. No condemned installa-
177a tion

178 shall be reconnected for service until proof has been fur-
179 nished that the installation has been brought up to the

180 required standard.

181 Cities may make provisions for inspection of all
182 electrical work done within their corporate limits. City

183 inspectors shall register their names with the Board
183a with-

184 in ten days after their appointment. Fees may be charged
 185 by the Board to cover the cost of inspection, such fees
 186 to be paid to the Board by the Master Electrician respon-
 187 sible for the installation. All fees from any source
 188 shall be used solely for conducting the duties of the
 189 Board and for furthering the improvement of electric
 189a work
 190 within the State. The Board shall file an annual report
 191 with the Governor as provided by law.

192 SECTION 7. § 578b7, AMENDMENT. PENALTY.)

192a That

193 § 578b7 of the 1925 Supplement to the Compiled Laws of
 194 North Dakota for 1913 be amended and re-enacted to
 194a read

195 as follows:

196 Any person who shall undertake or offer to under-
 197 take for a valuable consideration installation or repair
 198 of electrical wiring, apparatus, or equipment without
 198a hav-

199 ing complied with the terms of this Act or who shall vio-
 200 late any of the provisions hereof, shall be guilty of a
 201 misdemeanor and shall be punished by a fine not less
 201a than

202 \$25.00 or more than \$100.00 or by a jail sentence of 30
 203 days or both. It shall be the duty of the Board to prose-
 204 cute any violations of the provisions of this Act reported
 205 or found by it or its inspectors.

206 SECTION 8. § 578b8, AMENDMENT. PROVISIONS

206a OF

207 THIS ACT SEVERABLE.) That § 578b8 of the 1925
 207a Supplement

208 to the Compiled Laws of 1913 for North Dakota, be
 208a amended

209 and re-enacted to read as follows:

210 The sections and provisions of this Act are sever-
 211 able and it is the intention to confer the whole or any
 212 part of the powers herein, and if any sections or pro-
 212a vision

213 or part thereof is for any reason held to be unconstitu-
 214 tional, void or inoperative, it is the intention hereof
 215 that the remaining sections or parts thereof shall remain
 216 in full force and effect.

217 SECTION 9. EMERGENCY.) This Act is hereby de-
 218 clared to be an emergency measure and shall be in full
 219 force and effect from and after the date of its passage
 220 and approval.

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following amendments to the Standing Committee amendments.

Strike out all of Section 7 as inserted in the re-written bill by the Standing Committee and insert in lieu thereof the following Section 7 as it appears in the present statute:

"Section 7. PENALTIES.) Any person who shall engage as a profession in the installing or repairing of electrical wires or apparatus or the operating of moving picture machines or switch boards without having complied with the provisions of this act shall be guilty of a misdemeanor, the

minimum punishment whereof shall be a fine of ten dollars (\$10.00) and a maximum of one hundred dollars (\$100.00) in the discretion of the court. Any violation of the provisions of this act shall be reported to the state's attorney in the county in which said violation occurs."

In Section 2, of the re-written bill of the Standing Committee beginning with line 57, strike out lines 57, 58, 59, 60, 61, 62 and 63 up to and including the word "License," and insert the following in lieu thereof:

"Every person not already a licensed electrician who shall hereinafter engage in the occupation of installing or repairing electrical wires or apparatus which are being or have been installed inside a building shall apply to the board for a license."

And when so amended recommend the same do pass.

House Bill No. 308.

And recommend that action be deferred.

K. A. FITCH, Chm., Committee of the Whole.

Rep. Westby moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

Rep. Moe moved that the House do now recess until 1:30 P. M., which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Delayed Bills, to whom was referred House Bill No. 337, have had the same under consideration and recommend that the same be introduced.

REP. SAUMUR, Acting Chairman.

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF HOUSE BILLS

Representatives Johnson of Richland and Bolmeier introduced (Approved by Delayed Bills Committee):

House Bill No. 337. A Bill for an Act to Amend and Re-enact Section 53, Chapter 3, Article 4, Political Code, Compiled Laws of 1913, Relating to the Printing of Journals of Each Branch of the Legislative Assembly.

Was read the first time and referred to the Comm. on Public Printing.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Insurance to whom was referred House Bill No. 178, have had the same under consideration and recommend that the same be indefinitely postponed.

WESLEY L. BOLMEIER, Chairman.

Rep. Mollet moved that the report be adopted.

Rep. Nelson of Cass moved a substitute motion that House Bill No. 178 do pass, which motion was lost.

The question being on the motion of Rep. Mollet that House Bill No. 178 be indefinitely postponed, the motion prevailed.

Rep. Crockett moved that the vote by which House Bill No. 178 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 151, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out "\$4,496,200.00" and insert in lieu thereof "\$3,668,400.00".

Line 12, strike out "\$86,200.00" and insert in lieu thereof "\$75,200.00".

Line 13, strike out "\$40,000.00" and insert in lieu thereof "\$33,200.00".

Line 14, strike out "\$1,000,000.00" and insert in lieu thereof "\$500,000.00".

Line 15, strike out "\$1,100,000.00" and insert in lieu thereof "\$1,200,000.00".

Line 16, strike out "\$1,770,000.00" and insert in lieu thereof "\$900,000.00".

Line 17, strike out "\$500,000.00" and insert in lieu thereof "\$960,000.00".

Line 18, strike out "\$4,496,200.00" and insert in lieu thereof "\$3,668,400.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Culver moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 150, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 149, have had the same under consideration and recommend that the same be amended as follows.

Section 1, Line 4, strike out "\$2,095,625.00" and insert in lieu thereof "\$2,174,025.00".

Section 2, Line 1, strike out "\$2,095,625.00" and insert in lieu thereof "\$2,174,025.00".

Line 2, strike out "\$55,625.00" and insert in lieu thereof "\$134,025.00".

Line 6, strike out "\$38,250.00" and insert in lieu thereof "\$38,000.00".

Line 8, strike out "\$750.00" and insert in lieu thereof "\$450.00".

Line 19, insert "\$3,950.00".

Line 20, add the following "Revolving Fund "\$75,000.00".

Line 21, strike out "\$55,625.00" and insert in lieu thereof "\$134,025.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 148, have had the same under consideration and recommend that the same be amended as follows:

Section 1, Line 4, strike out "\$814,035.00" and insert in lieu thereof "\$959,625.00".

Section 2, Line 2, strike out "\$623,175.00" and insert in lieu thereof "\$800,055.00".

Section 3, Line 2, strike out "\$85,605.00" and insert in lieu thereof "\$52,755.00".

Section 4, Line 2, strike out "\$25,690.00" and insert in lieu thereof "\$26,815.00".

Section 5, Line 2, strike out "\$79,565.00" and insert in lieu thereof "\$80,000.00".

Section 6, Line 2, strike out "\$814,035.00" and insert in lieu thereof "\$959,625.00".

Line 3, strike out "\$56,715.00" and insert in lieu thereof "\$135,305.00".

Line 7, strike out "\$41,720.00" and insert in lieu thereof "\$41,470.00".

Line 9, strike out "\$995.00" and insert in lieu thereof "\$695.00".

Line 11, strike out "\$1,085.00" and insert in lieu thereof "\$1,040.00".

Line 19, strike out "\$565.00" and insert in lieu thereof "\$980.00".

Line 20, insert "\$4,185.00".

Following Line 20, add line "20a Revolving Fund \$75,000.00".

Line 21, strike out "\$56,715.00" and insert in lieu thereof "\$135,305.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Kee moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 147, have had the same under consideration and recommend that the same be amended as follows:

Section 1, Line 4, strike out "\$2,057,550.00" and insert in lieu thereof "\$1,157,550.00".

Section 3, Line 1, strike out "\$2,057,550.00" and insert in lieu thereof "\$1,157,550.00".

Line 2, strike out "\$62,250.00" and insert in lieu thereof "\$61,150.00".

Line 16, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 18, strike out "\$10,400.00" and insert in lieu thereof "\$9,600.00".

Line 25, strike out "\$62,250.00" and insert in lieu thereof "\$61,150.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Culver moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: A Majority of Your Committee on Ways and Means to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same be indefinitely postponed.

Signed:

MANFERD OHNSTAD

W. E. SELLENS

HARVEY BRUSSEAU

WALTER BUBEL

A. U. KINDEM

M. W. GACKLE

DUNCAN FRASER

PETER PETERSON of Bottineau

M. B. HOGOBOOM

L. W. BELZER

BJORN FUGLESTAD

A. W. BENNO

Rep. Fuglestad moved that the report be adopted.

Mr. Speaker: A minority of Your Committee on Ways and Means to whom was referred House Bill No. 139, have had the same under consideration and recommend that the same be placed in General Orders,

Signed:

WM. B. FALCONER

Rep. Falconer moved a substitute motion that the report of the minority be adopted recommending that House Bill No. 139 be placed in General Orders, which motion prevailed.

Mr. Speaker: Your Committee on Counties, to whom was referred House Bill No. 332, have had the same under consideration and recommend that the same do pass.

P. K. HOLM, Chairman.

Rep. Coghlan moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 333, have had the same under consideration and recommend that the same be returned to the house without recommendation.

L. L. TWICHELL, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that House Bill No. 333 do pass, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 335, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 336, have had the same under consideration and recommend that the same do pass.

Rep Crocket moved that the report be adopted, which motion prevailed and the report was adopted.

GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Fitch to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 270.

On page 1, Section 2, line 3, strike out the figures 15% and insert in lieu thereof the figures 25%.

On page 2, line 16, after the words "passed by a" strike out the words "vote of not less than two-thirds of the board" and insert in lieu thereof the following words: "Majority vote of the full board."

On page 4, line 18, strike out the entire section (c) through and including line 27. Subsection (d) on line 28 will be changed to (c), subsection (e) on line 33 will be changed to (d) and subsection (f) on line 36 will be changed to (e).

On page 8, line 22, after the word "fix," insert in lieu thereof the following words: "With the approval of the county board."

On page 9, line 23, after the word "officers," insert in lieu thereof the words: Both elective and appointive.

On page 20, line 91, strike out entire subsection (n) of Section 17 and substitute the following amended subsection (n): (n) County Commissioner.) The Board of County Commissioners shall consist of three or five members as is now provided by general statute. County Commissioners holding office at the time this form of government goes into effect shall continue to hold office until the expiration of their term; thereafter, they shall be elected in the manner now or hereafter provided by general statute.

Vacancies in the board of county commissioners shall be filled by the remaining members, the county judge, except in case of tie the county superintendent of schools shall be a member of the appointed board.

On page 22 of the printed bill, after the word "void" in line 14, add the following:

"Section 20. Election as to Retention of the Plan.) At any time after said County Manager plan shall have been in force in any county for the period of four years the county commissioners may, and upon petition signed by twenty-five per cent of the legal voters as provided in Section 2 of this Act at a general election or an election to be called for that purpose within thirty days after the filing of the petition, the question of whether or not said county manager plan shall be retained, and if fifty-five per cent of the legal votes cast at such election shall be against retaining said plan, then said county shall revert to the plan therefore in force therein and the provisions of this law shall thereafter not be ap-

plicable thereto save after another compliance with its terms; the county commissioners shall fix the date at which the plan shall cease to be operative therein, which shall not be less than three months nor more than six months after the election.

Section 21. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following amendment to the Standing Committee amendments as follows:

Strike out Section 20 as inserted by the Standing Committee and insert in lieu thereof the following Section 20:

"Section 20. Election as to Retention of the Plan.) At any time after said County Manager plan shall have been in force in any county for a period of four years, the county commissioners may, and shall, when petitioned by 25% of the legal voters, as provided in Section 2 of this Act, ninety days before any primary election, submit the question of whether or not said county manager plan shall be retained at any primary election, and if 55% of the legal votes cast at such primary election shall be against retaining such plan, then said county shall revert to the plan theretofore in force therein and the provisions of this law shall not be applicable thereto save after another compliance with its terms. Provided that when such petition shall have been filed, candidates for all county offices required by the plan theretofore in force may file nominating petitions, and if 55% of the legal votes cast at such primary election shall be against retaining the county manager plan, then the candidates nominated shall be voted upon at the general election and successful candidates elected in accordance with the general election laws. And provided further that said County Manager plan when so rejected by a 55% vote shall cease to be operative on the first Monday of January next succeeding such primary election, and that the terms of office of all officers elected as herein provided shall commence on said first Monday of January."

And when so amended recommend the same do pass.
House Bill No. 218.

On page 1, Section 2, and line 3, strike out the figures "15%" and insert in lieu thereof the figures "25%."

On page 2, line 16, after the word "a" strike out the words "vote of not less than two-thirds of the board" and insert in lieu thereof the following words: "Majority vote of the full board."

On page 8, line 22, after the word "officers," insert in lieu thereof the words: "Both elective and appointive."

On page 16, line 105, after the word "shall" insert the word "not."

On page 20, line 72, strike out entire subsection (n) of Section 17 and substitute the following amended subsection (n): (n) County Commissioner.) The Board of County Commissioners shall consist of three or five members as is now provided by general statute. County Commissioners holding office at the time this form of government goes into effect

shall continue to hold office until the expiration of their term; thereafter, they shall be elected in the manner now or hereafter provided by general statute.

Vacancies in the board of county commissioners shall be filled by the remaining members, the county judge, superintendent of schools and sheriff.

On page 22 of the printed bill, after the word "void" in line 13, add the following:

"Section 20. Elections as to the Retention of the Plan.) At any time after said County Manager plan shall have been in force in any county for the period of four years the county commissioners may, and upon petition signed by twenty-five per cent of the legal voters as provided in Section 2 of this Act at a general election or an election to be called for that purpose within thirty days after the filing of the petition, the question of whether or not said county manager plan shall be retained, and if fifty-five per cent of the legal votes cast at such election shall be against retaining said plan, then said county shall revert to the plan theretofore in force therein and the provisions of this law shall thereafter not be applicable thereto save after another compliance with its terms; the county commissioners shall fix the date at which the plan shall cease to be operative therein, which shall not be less than three months nor more than six months after the election.

Section 21. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And recommend the adoption of the Standing Committee amendments:

And recommend the adoption of the following amendment to the Standing Committee amendments:

Strike out Section 20 as inserted by the Standing Committee and insert in lieu thereof the following Section 20:

"Section 20. Elections as to the Retention of the Plan.) At any time after said County Manager plan shall have been in force in any county for a period of four years, the county commissioners may, and shall, when petitioned by 25% of the legal votes as provided in Section 2 of this Act, ninety days before any primary election, submit the question of whether or not said county manager shall be retained at any primary election, and if 55% of the legal votes cast at such primary election shall be against retaining said plan, then said county shall revert to the plan theretofore in force therein and the provisions of this law shall not be applicable thereto save after another compliance with its terms. Provided that when such petition shall have been filed, candidates for all county offices required by the plan theretofore in force may file nominating petitions, and if 55% of the legal votes cast at such primary election shall be against retaining the county manager plan, then the candidates nominated shall be voted upon at the general election and successful candidates elected in accordance with the general election laws. And provided further that said County Manager plan when so rejected by a 55% vote shall cease to be operative on the first Monday of January next suc-

ceeding such primary election, and that the terms of office of all officers elected as herein provided shall commence on said first Monday of January."

And when so amended recommend the same do pass.

House Bill No. 157.

In Section 5, line 10, after the word "hearings," strike out the word "and" and insert in lieu thereof a "comma," and after the word "directing" insert the following "and approving."

In line 12 after the word "commission" insert the following: "and secure its approval."

In lines 15 and 16, strike out the following: "designations and appointments of orthopedic surgeons, medical supervisor."

In Section 6, line 3, after the word "advice" insert a comma and the word "approval," and after the word "commission" insert a period.

In lines 3, 4, 5, 6, 7, and 8, strike out the following: "and the State Agency is hereby authorized in addition to the powers and duties authorized by Chapter 221, Laws of 1935, to pay the actual and necessary expenses incurred by the Commission or any member thereof in carrying out the purposes of this act."

In line 9, after the word "Commission," strike out the "comma" and the word "however" and the "comma."

In line 10, after the word "services" insert a "period" and strike out the balance of line 10 and all of lines 11 and 12.

In Section 7, line 3, after the word "advice" insert the following: "and approval."

In line 11 after subdivision "(c)" strike out the word "Take" and insert the following: "With approval of the Commission to take."

In Section 8, line 1a after the word "Within," strike out the word "three" and insert in lieu thereof the word "thirty."

In Section 8, line 16, after the word "agency" insert the following: "failing to make such report and any person or agency."

In Section 9, line 13, strike out the "period" and insert "as provided in Section 5 of this act."

And recommend that the Standing Committee amendments be stricken and recommend the adoption of the following amendments in lieu thereof:

In Section 5, lines 15 and 16, strike out the following "designations and appointments of orthopedic surgeons, medical supervisor,".

In Section 6, line 3, after the word "Commission" strike out the "comma" and insert a "period".

In lines 3, 4, 5, 6, 7 and 8, strike out the following: "and the State Agency is hereby authorized in addition to the powers and duties authorized by Chapter 221, Laws of 1935, to pay the actual and necessary expenses incurred by the Commission or any member thereof in carrying out the purposes of this act,".

In line 9, after the word "Commission", strike out the "comma" and the word "however" and the "comma".

In line 10, after the word "services", insert a "period" and strike out the balance of line 10 and all of lines 11 and 12.

And when so amended recommend the same do pass.

House Bill No. 103.

For an Act appropriating the sum of \$27,845.92 to the State Highway Commissioner out of any funds in the State Treasury available to the State Highway Department for the purpose of paying a Judgment that may be obtained by the Northern Improvement Company, of Fargo, North Dakota.

WHEREAS, The Northern Improvement Company, of Fargo, North Dakota, entered into a contract with the North Dakota State Highway Department for the Construction of an overpass at Minot, North Dakota; and

WHEREAS, A dispute has arisen whereby the Northern Improvement Company claims an indebtedness from the State Highway Department in the sum of \$27,845.92; and

WHEREAS, The controversy is now being litigated and is in the Courts of this State;

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. There is hereby appropriated the sum of
 2 Twenty-seven Thousand Eight Hundred Forty-five and
 2a 92/100
 3 (\$27,845.92) Dollars to the State Highway Commissioner
 4 out of any fund in the State Treasury available to the
 5 State Highway Department, to be available for the
 5a payment
 6 of any final Judgment that shall be obtained by the
 7 Northern Improvement Company, a foreign corporation,
 8 against the State Highway Department and/or the State
 9 Highway Commissioner. Provided however, that said
 9a sum,
 10 or any part thereof, shall not be paid to said Northern
 11 Improvement Company, nor shall the same be available to
 12 the State Highway Commissioner, until final determina-
 12a tion
 13 be had and final Judgment obtained in favor of said
 14 Northern Improvement Company in any and all actions,
 15 controversies or appeals now pending in the Courts of
 15a this
 16 State or to be hereinafter instituted between said
 17 Northern Improvement Company, a foreign corporation,
 17a and
 18 the said State Highway Department and/or the State
 18a Highway
 19 Commissioner, arising out of said Minot overpass job.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 46.

In the next to the last line in the title following the word "interest" insert the following: "and forbidding the purchase

of such bonds from private purchasers except under certain conditions;"

Section 1, line 1, strike out the word "Bonds" and substitute the word "Plans"; strike out the word "offered" and substitute the word "submitted."

Section 1, line 2, before the word "Before" insert the words "At least thirty days."

Section 1, line 8, beginning with the word "offer" strike out the balance of the section and substitute the following: "submit the plan or program for the issuance and retirement of said bonds to the Board of University and School Lands and to the Industrial Commission of the State of North Dakota for advice and suggestion. Such plan or program shall be accompanied by a financial statement of the issuing corporation, stating fully and fairly the assets and liabilities of the corporation, the assessed valuation of its taxable property, its history of tax collection for the current and preceding three years and such other information as may be helpful in determining the desirability of such bond issue, which statement shall be verified by its recording officer. Such further information shall be furnished, likewise, as may be duly requested by said board or commission. One copy of such plan or program and accompanying papers shall be filed with the Commissioner of the University and School Lands and three copies with the Secretary of the Industrial Commission."

Section 2, line 1, beginning with the word "How" strike out all of the Section and substitute the following: "If the Board of University and School Lands deems said bonds so offered to be a desirable investment of the funds under its control, it shall cause its Secretary to notify the recording officer of the corporation concerned that said Board will purchase such bonds and the amount and terms on which it will purchase the same, and shall submit its advice and suggestions with reference thereto.

If the Industrial Commission deems said bonds so offered to be a desirable investment by any of the agencies or departments of the State having trust funds to invest, its Secretary shall promptly notify the Secretaries or recording officers of the several agencies or departments having such funds to invest in such offer.

Said agencies or departments shall, on receiving such notice, promptly notify the recording officer of the corporation offering such bonds whether such agency or department is willing to purchase the bonds and the terms on which it will purchase the same and its advice and suggestions with reference thereto.

The governing board of such corporation, if it deems it advisable, may accept the lowest and best offer so received."

Strike out all of Section 3 and substitute the following:

SECTION 3. Should the terms and conditions of the offer or offers so received be not acceptable to such corporation, then, after the expiration of thirty days from the date of such filings, the governing body of such corporation may cause notice for sealed bids for the sale of such bonds to be advertised in accordance with law, provided, however, that notice of the reaction of such offer or offers have first been mailed to the offering Board, Agency or Department,

and provided further, that a copy of such notice for sealed bids shall first be mailed to the Board of University and School Lands and a copy thereof to the Industrial Commission. All such mailings shall be by registered mail. The Secretary of the Industrial Commission shall thereupon promptly notify said several agencies and departments. Should the said Board or any of said agencies and departments desire to purchase said bonds, or any portion thereof, a bid or bids may be submitted in accordance with law and the terms of such notice. Should the said Board, or any of said several agencies or departments be as low as or lower than any other or private bidder, the governing board of such corporation must sell such bonds to said Board, or agency or department as the successful bidder or bidders, there being reserved to the governing body, however, the right to reject any and all bids.

Should the said Board or any of said agencies or departments fail to submit an offer or bid for such bonds, it shall not thereafter purchase the same or any part thereof. Should said Board or any of said agencies or departments offer or bid for such bonds but not be the successful purchaser or bidder, it shall not thereafter purchase said bonds or any part thereof, except at a price no greater than that paid by the successful bidder for the same.

SECTION 4, line 1, beginning with the word "If" strike out the balance of line 1 and all of line 1a, lines 2, 3, 4 and in line 5 strike out the words "herewith, he" and substitute the following: "Any person who knowingly participates in the purchase or sale of bonds, without compliance herewith."

And when so amended recommend the same do pass.

And recommend the adoption of the Standing Committee amendments.

And recommend the following amendment to the Standing Committee amendments:

In the last paragraph of the new Section 3 as inserted by the Standing Committee, in the second line thereof, strike out the comma following the word "bonds" and the words "it shall" and in the next line strike out the words "not thereafter purchase the same or any part thereof" and the period. Before the word "Should" insert the word "or" and change the capital "S" on the word "Should" to a small "s".

And when so amended recommend the same do pass.

House Bill No. 308.

And recommend the adoption of the following amendments:

On page 2, Section 1, line 17, strike out the words "General Fund of the" and in line 17a strike out the word "State" and insert in lieu thereof the following: "State Treasury, and shall be credited by the State Treasurer into a special fund to be designated as the "Permit Fund" which fund shall constitute a special trust fund, to be earmarked and disbursed only in paying disbursements authorized under the Old Age Assistance Act."

On page 2, line 15 after the comma following the word "Auditors" insert the following: "holders of liquor license,".

And when so amended recommend the same do pass.

House Bill No. 139.

And recommend the adoption of the following amendments:

On page 2, Section 1, line 6, strike out the comma after the word "claimant" and insert the following "provided the District Court upon proper application with due notice to the Workmen's Compensation Board approves such appeal" and a period.

On page 2, line 12, beginning with the word "Such" strike out the balance of the line and all of lines 13, 14, 15, 16, 17, 18, 19, and line 20 up to and including the word "effective".

And when so amended recommend the same do pass.

K. A. FITCH, Chm., Comm. of the Whole.

Rep. Bolmeier moved the adoption of the report of the Committee of the Whole, which motion prevailed, and the report was declared adopted.

The House Reverted to the Fifth Order of Business.

Mr. Speaker: Your Committee on Public Printing to whom was referred House Bill No. 334, have had the same under consideration and recommend that the same be amended as follows:

Section 2, line 13, following the word "printed" insert the following words: "in the manner provided for by Section 3 of this act".

Insert a new section following line 55 as follows:

"Section 3. PRINTING OF BILLS.) All House bills after first reading shall be referred to the proper committee and if a majority of such committee recommends the passage of the bill, and such report is adopted by the House, then copies of the bill shall be printed as provided for in Section Two of this Act. A bill may also be ordered printed by an affirmative vote of one-third of the members of the House present."

And when so amended recommend the same do pass.

W. E. SELLENS, Chairman.

Rep. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Printing to whom was referred House Bill No. 337, have had the same under consideration and recommend that the same do pass.

W. E. SELLENS, Chairman.

Rep. Devlin moved that the report be adopted, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 14, have had the same under consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 10, have had the same under consideration and recommend that the same be amended as follows:

Line 25, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 27, strike out "\$1,200.00" and insert in lieu thereof "\$900.00".

Line 28, strike out "\$2,000.00" and insert in lieu thereof "\$1,570.00".

Line 29, strike out "\$3,000.00" and insert in lieu thereof "\$2,500.00".

Line 30, strike out "\$8,000.00" and insert in lieu thereof "\$3,800.00".

Line 34, strike out "\$38,200.00" and insert in lieu thereof "\$32,470.00".

Line 47, strike out "\$1,200.00" and insert in lieu thereof "\$750.00".

Line 48, strike out "\$450.00" and insert in lieu thereof "\$400.00".

Line 49, strike out "\$650.00" and insert in lieu thereof "\$350.00".

Line 50, strike out "\$150.00" and insert in lieu thereof "\$100.00".

Line 51, strike out "\$69,400.00" and insert in lieu thereof "\$68,450.00".

Line 61, strike out "\$4,900.00" and insert in lieu thereof "\$3,000.00".

Line 62, strike out "\$13,495.00" and insert in lieu thereof "\$11,595.00".

Line 72, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 75, strike out "\$3,000.00" and insert in lieu thereof "\$1,500.00".

Line 77, strike out "\$400.00" and insert in lieu thereof "\$200.00".

Line 78, strike out "\$2,500.00" and insert in lieu thereof "\$2,250.00".

Line 79, strike out "\$1,000.00" and insert in lieu thereof "\$750.00".

Add the following after line 80 "80a Register of Deeds Recording Fees for foreign corporations \$400.00".

Line 81, strike out "\$29,200.00" and insert in lieu thereof "\$26,960.00".

Line 87, strike out "\$8,000.00" and insert in lieu thereof "\$6,000.00".

Line 91, strike out "\$19,400.00" and insert in lieu thereof "\$17,400.00".

Line 96, strike out "\$4,480.00" and insert in lieu thereof "\$4,000.00".

Line 97, strike out "\$21,000.00" and insert in lieu thereof "\$19,500.00".

Strike out Line 99.

Line 102, strike out "\$1,500.00" and insert in lieu thereof "\$750.00".

Line 104, strike out "\$1,000.00" and insert in lieu thereof "\$850.00".

Line 105, strike out "\$2,500.00" and insert in lieu thereof "\$1,500.00".

Line 106, strike out "Gas Tax Enforcement," and strike out "\$750.00" and insert in lieu thereof "\$500.00".

Strike out Line 107.

Line 108, strike out "\$1,000.00" and insert in lieu thereof "\$800.00".

Line 109, after the word "Machine" add "comma available on passage & approval".

Line 100, strike out "\$59,576.00" and insert in lieu thereof "\$41,960.00".

Line 112, strike out words "STATE AUDITOR" and "LICENSING".

Strike out all of line 113 and insert in lieu thereof "Licensing and Collections \$25,000.00".

Strike out all of lines 114 to 122 inclusive.

Line 127, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Add the following after Line 127 "127a Chief Clerk & Bookkeeper \$3,360.00".

Line 128, strike out "\$25,680.00" and insert in lieu thereof "\$17,200.00".

Add the following after Line 128 "128a Revenue Clerks (2) \$4,800.00".

Line 129, strike out "\$1,904.00" and insert in lieu thereof "\$1,500.00".

Line 130, strike out "\$5,000.00" and insert in lieu thereof "\$4,500.00".

Line 131, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 132, strike out "\$1,000.00" and insert in lieu thereof "\$750.00".

Line 133, strike out "\$2,500.00" and insert in lieu thereof "\$2,000.00".

Line 135, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 136, strike out "\$400.00" and insert in lieu thereof "\$300.00".

Line 139, strike out "\$47,630.00" and insert in lieu thereof "\$44,916.00".

Line 144, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Strike out line 145 and add the following "Actuary 4,800.00".

Add the following after Line 145 "145a Chief Clerk and Stenographer \$3,000.00".

Add the following after Line 145a "145b Bookkeeper \$2,520.00".

Line 147, strike out "\$1,300.00" and insert in lieu thereof "\$1,000.00".

Line 148, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 150, strike out "\$5,000.00" and insert in lieu thereof "\$3,500.00".

Line 151, strike out "\$1,500.00" and insert in lieu thereof "\$500.00".

Line 152, strike out "\$1,500.00" and insert in lieu thereof "\$1,000.00".

Strike out line 155.

Line 157, strike out "\$36,010.00" and insert in lieu thereof "\$28,170.00".

Line 160, strike out last "s" in word "Marshals". Strike out "(2)" after the word "Marshals", strike out "\$7,200.00" and insert in lieu thereof "\$3,600.00".

Add the following after Line 160 "160a Assistant Deputy \$3,600.00".

Line 162, strike out "\$3,000.00" and insert in lieu thereof "\$2,600.00".

Line 164, strike out "\$350.00" and insert in lieu thereof "\$250.00".

Line 165, strike out "\$175.00" and insert in lieu thereof "\$125.00".

Line 166, strike out "\$100.00" and insert in lieu thereof "\$50.00".

Line 167, strike out "\$200.00" and insert in lieu thereof "\$100.00".

Line 168, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Strike out Line 170 and 171.

Line 176, strike out "\$17,675.00" and insert in lieu thereof "\$15,675.00".

Line 181, strike out "\$10,192.00" and insert in lieu thereof "\$10,080.00".

Line 188, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 189, strike out "\$1,000.00" and insert in lieu thereof "\$800.00".

Line 190, strike out "\$1,750.00" and insert in lieu thereof "\$500.00".

Line 192, strike out "\$1,000.00" and insert in lieu thereof "\$800.00".

Line 194, strike out "\$56,300.00" and insert in lieu thereof "\$51,438.00".

Line 199, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 202, strike out "\$1,200.00" and insert in lieu thereof "\$600.00".

Line 203, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 204, strike out "\$12,000.00" and insert in lieu thereof "\$10,000.00".

Line 205, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 206, strike out "\$1,750.00" and insert in lieu thereof "\$1,500.00".

Line 208, strike out "\$37,881.91" and insert in lieu thereof "\$33,991.91".

Line 216, strike out "\$14,500.00" and insert in lieu thereof "\$14,000.00".

Line 217, strike out "\$275.00" and insert in lieu thereof "\$200.00".

Line 219, strike out "\$1,500.00" and insert in lieu thereof "\$1,000.00".

Line 220, strike out \$27,149.71" and insert in lieu thereof "\$26,074.71".

Line 227, strike out "\$700.00" and insert in lieu thereof "\$400.00".

Line 230, strike out "\$11,200.00" and insert in lieu thereof "\$10,900.00".

Line 241, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 243, strike out "\$1,000.00" and insert in lieu thereof "\$750.00".

Line 244, strike out "\$700.00" and insert in lieu thereof "\$500.00".

Line 246, strike out "\$2,500.00" and insert in lieu thereof "\$1,500.00".

Line 247, strike out "\$1,080.00" and insert in lieu thereof "\$800.00".

Line 249, strike out "\$1,250.00" and insert in lieu thereof "\$1,000.00".

Line 251, strike out "\$26,070.00" and insert in lieu thereof "\$23,550.00".

Line 262, strike out "\$2,000.00" and insert in lieu thereof "\$1,500.00".

Line 264, strike out "\$400.00" and insert in lieu thereof "\$200.00".

Line 265, strike out "\$1,500.00" and insert in lieu thereof "\$1,200.00".

Line 266, strike out "\$500.00" and insert in lieu thereof "\$300.00".

Line 268, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 269, strike out "\$47,820.00" and insert in lieu thereof "\$46,520.00".

Strike out Lines 274 to 285 inclusive.

Strike out Line 294.

Line 295, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 298, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 299, strike out "\$10,870.00" and insert in lieu thereof "\$10,570.00".

Line 303, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 304, strike out "\$1,500.00" and insert in lieu thereof "\$1,400.00".

Line 309, strike out "\$4,000.00" and insert in lieu thereof "\$3,580.00".

Line 310, strike out "\$51,308.00" and insert in lieu thereof "\$47,500.00".

Line 311, strike out "\$2,000.00" and insert in lieu thereof "\$1,500.00".

Line 312, strike out "\$1,750.00" and insert in lieu thereof "\$1,500.00".

Line 313, strike out "\$900.00" and insert in lieu thereof "\$500.00".

Line 314, strike out "\$2,000.00" and insert in lieu thereof "\$1,500.00".

Line 315, strike out "\$1,500.00" and insert in lieu thereof "\$1,300.00".

Line 320, strike out "\$14,000.00" and insert in lieu thereof "\$12,000.00".

Line 323, strike out "\$99,358.00" and insert in lieu thereof "\$91,280.00".

Line 329, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 330, strike out "\$250.00" and insert in lieu thereof "\$150.00".

Line 331, strike out "\$350.00" and insert in lieu thereof "\$150.00".

Line 332, strike out "\$900.00" and insert in lieu thereof "\$500.00".

Line 333, strike out "\$500.00" and insert in lieu thereof "\$250.00".

Line 335, strike out "\$17,900.00" and insert in lieu thereof "\$16,650.00".

Line 340, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 347, strike out "\$600.00" and insert in lieu thereof "\$300.00".

Line 348, strike out "\$27,000.00" and insert in lieu thereof "\$26,000.00".

Strike out line 354 and insert in lieu thereof "Two or three Land Sales under Chapter 224—Session Laws of 1939 \$1,000.00".

Line 355, strike out "\$135,504.00" and insert in lieu thereof "\$134,764.00".

Line 369, strike out "\$2,250.00" and insert in lieu thereof "\$1,950.00".

Line 374, strike out "\$99,750.00" and insert in lieu thereof "\$99,450.00".

Line 385, strike out "\$6,000.00" and insert in lieu thereof "\$5,200.00".

Add the following after Line 387 "387a Cigarettes, Stamps \$5,000.00".

Line 388, strike out "\$192,000.00" and insert in lieu thereof "\$196,200.00".

Line 393, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 395, strike out "\$800.00" and insert in lieu thereof "\$600.00".

Line 398, strike out "\$1,200.00" and insert in lieu thereof "\$1,000.00".

Line 399, strike out "\$1,500.00" and insert in lieu thereof "\$900.00".

Line 400, strike out "\$3,000.00" and insert in lieu thereof "\$2,000.00".

Add the following after Line 401 "401a H. A. Thompson & Sons \$126.27".

Line 402, strike out "\$61,220.00" and insert in lieu thereof "\$58,906.27".

Line 405, strike out "\$86,000.00" and insert in lieu thereof "\$83,000.00".

Line 407, strike out "\$15,000.00" and insert in lieu thereof "\$14,000.00".

Line 410, strike out "\$7,500.00" and insert in lieu thereof "\$6,000.00".

Line 417, strike out "\$3,480.00" and insert in lieu thereof "\$3,000.00".

Line 420, strike out "\$161,510.00" and insert in lieu thereof "\$155,530.00".

Line 434, strike out "\$1,140.00" and insert in lieu thereof "\$840.00".

Line 437, strike out "\$100.00" and insert in lieu thereof "\$50.00".

Line 438, strike out "\$75.00" and insert in lieu thereof "\$50.00".

Line 440, strike out "\$200.00" and insert in lieu thereof "\$50.00".

Line 441, strike out "\$1,665.00" and insert in lieu thereof "\$1,140.00".

Line 446, strike out "\$10,300.00" and insert in lieu thereof "\$9,700.00".

Line 447, strike out "\$800.00" and insert in lieu thereof "\$600.00".

Line 448, strike out "\$600.00" and insert in lieu thereof "\$500.00".

Line 450, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 451, strike out "\$600.00" and insert in lieu thereof "\$440.00".

Line 452, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 453, strike out "\$200.00" and insert in lieu thereof "\$100.00".

Line 454, strike out "\$4,000.00" and insert in lieu thereof "\$3,500.00".

Line 456, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 457, strike out "\$21,500.00" and insert in lieu thereof "\$19,540.00".

Strike out Lines 458 to 471 inclusive.

Line 475, strike out "\$1,800.00" and insert in lieu thereof "\$1,920.00".

Strike out Line 476.

Line 479, strike out "\$220.00" and insert in lieu thereof "\$100.00".

Line 481, strike out "\$250.00" and insert in lieu thereof "\$144.00".

Line 482, strike out "\$300.00" and insert in lieu thereof "\$180.00".

Line 483, strike out "\$7,210.00" and insert in lieu thereof "\$6,834.00".

Line 486, strike out "\$4,800.00" and insert in lieu thereof "\$4,600.00".

Line 488, strike out "\$4,440.00" and insert in lieu thereof "\$3,592.00".

Line 489, strike out "\$11,040.00" and insert in lieu thereof "\$6,600.00".

Line 490, strike out "\$500.00" and insert in lieu thereof "\$250.00".

Line 491, strike out "\$600.00" and insert in lieu thereof "\$350.00".

Line 492, strike out "\$300.00" and insert in lieu thereof "\$150.00".

Line 493, strike out "\$500.00" and insert in lieu thereof "\$250.00".

Line 495, strike out "\$300.00" and insert in lieu thereof "\$75.00".

Line 496, strike out "\$22,780.00" and insert in lieu thereof "\$16,167.00".

Strike out Line 499 and insert in lieu thereof "Maintenance \$70,000.00".

Strike out line 500 and insert in lieu thereof "Emergency Fund, available on Governor's approval \$25,000.00".

Strike out Lines 501 and insert in lieu thereof "Total \$95,000.00".

Strike out Lines 502 to 506 inclusive.

Line 516, strike out "\$20,000.00" and insert in lieu thereof "\$15,000.00".

Line 518, strike out "\$7,500.00" and insert in lieu thereof "\$6,000.00".

Line 519, strike out "\$119,500.00" and insert in lieu thereof "\$113,000.00".

Line 523, strike out "\$1,200.00" and insert in lieu thereof "\$900.00".

Add the following after Line 523 "523a Investigations \$1,000.00".

Line 524, strike out "\$1,800.00" and insert in lieu thereof "\$2,500.00".

Strike out Line 530, 531, 532.

Line 541, after the word "Clerkhire:" insert "\$54,360.00".

Strike out Lines 542, 543, 544.

Line 545, strike out "\$1,500.00" and insert in lieu thereof "\$1,750.00".

Line 546, strike out "\$1,000.00" and insert in lieu thereof "\$700.00".

Line 547, strike out "\$600.00" and insert in lieu thereof "\$300.00".

Line 548, strike out "\$1,200.00" and insert in lieu thereof "\$800.00".

Line 549, strike out "\$1,200.00" and insert in lieu thereof "\$875.00".

Line 550, strike out "\$23,000.00" and insert in lieu thereof "\$22,000.00".

Line 551, strike out "\$900.00" and insert in lieu thereof "\$750.00".

Line 552, strike out "\$88,560.00" and insert in lieu thereof "\$86,335.00".

Strike out Line 555 and insert in lieu thereof "Salaries \$1,200.00".

Line 556, strike out "\$300.00" and insert in lieu thereof "\$250.00".

Line 557, strike out "\$150.00" and insert in lieu thereof "\$100.00".

Line 558, strike out "\$300.00" and insert in lieu thereof "\$150.00".

Add the following after Line 560 "560a Investigations \$1,500.00".

Line 561, strike out "\$2,050.00" and insert in lieu thereof "\$4,500.00".

Strike out Line 564.

Line 569, strike out "\$800.00" and insert in lieu thereof "\$600.00".

Line 570, strike out "\$500.00" and insert in lieu thereof "\$300.00".

Line 571, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 572, strike out "\$1,000.00" and insert in lieu thereof "\$500.00".

Line 573, strike out "\$800.00" and insert in lieu thereof "\$550.00".

Line 574, strike out the abbreviated words "Comm'r &" and strike out "\$1,200.00" and insert in lieu thereof "\$1,000.00".

Line 576, strike out "\$7,000.00" and insert in lieu thereof "\$5,000.00".

Line 577, strike out "\$5,000.00" and insert in lieu thereof "\$3,000.00".

Line 579, after the word "Emergency" add the following: "Fund for Educational Institutions" and strike out "\$20,000.00" and insert in lieu thereof "\$15,000.00".

Line 580, strike out "\$56,630.00" and insert in lieu thereof "\$40,180.00".

Line 585, strike out "\$1,976,755.62" and insert in lieu thereof "\$1,825,356.89".

TARGIE TRYDAHL, Chairman.

Rep. Culver moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 13, have had the same under consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Dalzell moved that the vote by which House Bill No. 13 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Nelson of Cass moved that the absent members be excused, which motion prevailed.

Rep. Nelson of Cass moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FORTY-NINTH DAY

Bismarck, February 24, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Syminton presiding.

Prayer was offered by Rev. Hildebrand Eickhoff, Mandan.

Roll Call disclosed all members present except Reps. Blair, Boulden, Coghlan, Johnson of Richland and Saumur.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-Seventh day and recommends that the same be corrected as follows:

On page 715, in Section 1, line 1a, of the rewritten House Bill No. 165, strike out the figure "285" and insert the figure "185" in lieu thereof.

In line 14, of the same section, strike out the first word "No" and insert in lieu thereof the word "Not".

On page 699 in the Memorial Resolution, line 16, correct the date to read "January 6, 1941" and after the word "County" in the same line add the following dates: "1909, 1911,".

On page 712, before the motion for adjournment, insert the following:

"Rep. Swanson moved that the House reconsider its action taken on House Bill No. 163, which motion was lost.

Rep. Swanson demanded a roll call which was granted.

Rep. Twitchell moved that action on House Bill No. 163 be deferred until Monday, February 24th, which motion prevailed."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced the Speaker was about to sign

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

SECOND READING OF HOUSE BILLS

House Bill No. 266. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of This State, and to Provide a Market for the Gas and Oil Deposits in the State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling and Delivering to the State, County and School Districts of Gas and Oil, Upon Condition That the Seller or Carrier Purchase from Production or Produce in This State an Amount of Gas or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers and Carriers to Make Reports of Its Sales and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof; Repealing All Acts in Conflict.

Was 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, 69; absent and not voting 5.

Those voting in the affirmative were:

Bingenheimer	Hogoboom	Nicholsen
Bjella	Holm	Olson, Bowman
Brusseau	Ireland	Panko
Culver	Juhola	Peterson, Bottineau
Dalzell	Kindem	Peterson, Ransom
Devlin	Larson	Rygg
Dittmer	Levin	Shure
Erickson, Divide	McInnes	Starck
Erickson, Williams	McIntee	Swanson
Fuglestad	Morland	Trydahl

Gainor	Morrison	Williams, Richland
Heckman	Nelson, Steele	Mr. Speaker
Hofstrand		

Those voting in the negative were:

Aker	Fleck	Nystrom
Allen	Fraser	Ohnstad
Arneson	Gackle	Olson, Barnes
Arndt	Glas	Rohde
Austad	Gress	Sagehorn
Beede	Haag	Saumur
Belzer	Halvorson	Schmidt
Benno	Haugen	Schwartz
Black	Haugland	Sellens
Blair	Jennings	Semerad
Bolmeier	Johnson, Cass	Severson
Braun, McLean	Johnson, Richland	Sharpe
Braun, Stark	Kee	Singleton
Bubel	Langley	Smart
Bymers	Lillehaugen	Stormon
Carlson	Lunde	Tuff
Coghlan	McIntyre	Twichell
Collette	Moe	Wambheim
Crockett	Mollet	Welder
Drowdal	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton

Absent and not voting:

Anderson	Boulden	Sandness
Bergesen	Myers	

So the bill was declared lost.

Rep. Crockett changed his vote from "aye" to "no" for the purpose of reconsideration.

Explanations of vote:

Rep. Braun of McLean: We have so much lignite coal in North Dakota and so many people on relief and on W. P. A., I think it is no more than fair to burn our own home products and give some of these people work in the coal mines. I vote "no" on this bill.

Rep. Crockett: I am voting "aye" on this bill for the reason that we are already doing the things that the opponents of this bill say it will do. We are paying the State of Montana for gas most of which is coming out of our North Dakota ground, and for the further reason that it is a Naval Oil Reserve and to encourage development of oil and gas in North Dakota, the Federal Government retains 10% of all royalties. 52½% of this 10% is turned back to the Reclamation Fund to build roads, maintain schools and to build dams for irrigation.

And when an oil company discovers oil and gas, the Federal regulations demand that they do not destroy the gas, and if the bill is passed it will encourage oil companies to drill for oil. And a further reason: it has been brought up on the floor of this House that the miners are against it but I find that the railroads in this Capitol Building and in the hotels are the largest lobbying force against it. And at the same

time the N. P. Depot here in Bismarck is heating its own depot with this same gas.

Rep. Culver: I don't want to vote anybody out of business and the coal people are very much interested. I want to vote "aye" because I do not think this will vote any coal people out of business. I surely would vote against it if I thought it did.

Rep. Falconer: I vote "no" on this bill because I believe this is going to throw a lot of men out of employment. I vote "no" for the further reason that I believe the proper way to force the pipe line companies to use our gas is to put a tax on it. The coal fields of North Dakota have a prior right to heat the homes and public buildings of North Dakota.

Rep. Beede requested that the House be on the Seventh Order of Business, which request was granted and Rep. Beede moved that the House reconsider its action taken on House Bill No. 271, which motion prevailed.

Rep. Fitch moved that the vote by which House Bill No. 271 was declared lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 68; nays, 39; absent and not voting, 4.

Those voting in the affirmative were:

Arneson	Gainor	Olson, Barnes
Arndt	Glasm	Olson, Bowman
Austad	Halvorson	Peterson, Ransom
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Johnson, Cass	Saumur
Bolmeier	Johnson, Richland	Sellens
Bymers	Kee	Severson
Carlson	Kindem	Sharpe
Coghlan	Langley	Shure
Collette	Levin	Singleton
Culver	Lunde	Smart
Dalzell	McInnes	Stormon
Dittmer	McIntyre	Swanson
Erickson, Williams	Morland	Trydahl
Falconer	Morrison	Twichell
Fitch	Nelson, Cass	Wambheim
Fitzharris	Nelson, Ramsey	Westby
Fleck	Nelson, Sargent	Williams, Stutsman

Fuglestad	Nicholsen	Mr. Speaker
Gackle	Nystrom	
Those voting in the negative were:		
Aker	Fraser	Nelson, Morton
Allen	Gress	Ohnstad
Anderson	Haag	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Schmidt
Bingenheimer	Heckman	Schwartz
Braun, McLean	Jennings	Semerad
Braun, Stark	Juhola	Starck
Brusseau	Larson	Tuff
Bubel	Lillehaugen	Welder
Devlin	McIntee	Williams, Richland
Drovdal	Moe	Wolf, McIntosh
Erickson, Divide	Mollet	Wolf, Morton
Absent and not voting:		
Boulden	Myers	Nelson, Steele
Crockett		

So the bill passed and the title was agreed to.

Rep. Bymers moved that the vote by which House Bill No. 240 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 302. A Bill for an Act Requiring That All Public Funds of the State Be Paid Into the General Fund of the State and Be Disbursed Only Upon Legislative Appropriation, Excepting Funds of the Bank of North Dakota, Monies Payable to the State Hail Insurance Fund, State Bonding Fund, State Fire and Tornado Fund, Workmen's Compensation Fund, Funds Under the Jurisdiction of the Board of University and School Lands, Funds of the State Mill and Elevator Association, Funds Required for the Payment of Interest and Principal of Bonds and Other Fixed Obligations of the State, Funds Paid to the Teachers Insurance and Retirement Fund, Monies Received Under the Retail Sales Tax Act, State Gasoline Tax Law, Monies Received from the Motor Vehicle License Fees, and Funds Allocated to the State by the Federal Government; Repealing All Laws Providing for Special Funds with the Exceptions Above Noted and Repealing All Laws or Parts of Laws in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Steele
Allen	Fraser	Nicholsen
Arneson	Fuglestad	Nystrom
Arndt	Gackle	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Gress	Panko
Belzer	Halvorson	Peterson, Ransom
Benno	Haugland	Rohde

Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Twichell
Dittmer	Mollet	Wambheim
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Sargent	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Anderson	Jennings	Peterson, Bottineau
Drovdal	Juhola	Tuff
Haag	Morrison	Welder
Haugen	Ohnstad	Wolf, McIntosh

Absent and not voting:

Boulden	Myers	Westby
Gainor	Nelson, Ramsey	

So the bill passed and the title was agreed to.

Rep. Johnson of Cass moved that the vote by which House Bill No. 302 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett:

Mr. Speaker: I want to call your attention to the fact that Mr. Westby of Stutsman and Mr. Nelson of Morton are both employees of the Northern Pacific Railway Company, and have a personal interest in the passage of the bill, which they so successfully lobbied through the committee, of which they were members. The bill favors the railroads and will practically destroy the trucking industry because of the high fees charged. However, in spite of that fact, I move you now that these members be permitted to cast their vote on the bill, which motion prevailed.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of the State of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws for the Year 1931, and as Amended by Chapter 163 of the Session Laws for the Year 1933, and as Amended by Chapter 185 of the Session Laws for the Year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles That May Be Driven or Moved Upon the Highways of the State of North Dakota; Providing Exemptions; Fixing Fees for the Reg-

istration and Licensing of Motor Vehicles Referred to; Pre-
scribing Penalties for Violation; and Repealing All Acts
or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as
amended, the roll was called and there were ayes, 98; nays,
9; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Rohde
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bergesen	Heckman	Sandness
Bjella	Hofstrand	Saumur
Black	Hogoboom	Schmidt
Blair	Holm	Schwartz
Bolmeier	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Juhola	Severson
Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Stark
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker
Fraser	Nicholsen	

Those voting in the negative were:

Allen	Jennings	Panko
Bingenheimer	Larson	Peterson, Ransom
Braun, McLean	Morrison	Tuff

Absent and not voting:

Boulden	Ireland	Myers
Gainor		

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill
No. 165 was passed be reconsidered and the motion to recon-
sider be laid on the table, which motion prevailed.

Rep. Austad was also granted the privilege of voting on
House Bill No. 165 by the House regardless of a personal
interest in the bill.

Explanation of vote:

Rep. Westby: I vote "aye" on this House Bill No. 165 because I look at this from the standpoint of the taxpayers.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Steele
Allen	Fleck	Nicholsen
Anderson	Fraser	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Schmidt
Blair	Holm	Schwartz
Bolmeier	Ireland	Sellens
Braun, McLean	Jennings	Severson
Braun, Stark	Johnson, Cass	Sharpe
Brusseau	Johnson, Richland	Shure
Bubel	Kee	Singleton
Bymers	Kindem	Smart
Carlson	Langley	Starck
Coghlan	Larson	Stormon
Collette	Levin	Swanson
Crockett	Lillehaugen	Trydahl
Culver	Lunde	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Welder
Dittmer	Moe	Westby
Drovdal	Morland	Williams, Stutsman
Erickson, Divide	Morrison	Wolf, McIntosh
Erickson, Williams	Nelson, Cass	Wolf, Morton
Falconer	Nelson, Morton	Mr. Sneaker
Fitch	Nelson, Ramsey	

Those voting in the negative were:

Gress

Absent and not voting:

Boulden	Mollet	Saumur
Fuglestad	Myers	Semerad
Juhola	Nelson, Sargent	Wambheim
McInnes	Rohde	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Morland moved that the House recess for a ten-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

Rep. Beede moved that Rep. Myers be excused for the balance of the Session, and that the Chief Clerk be instructed to sign the payroll in his name for the balance of the Session, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 24, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 159. A Bill for an Act Amending and Re-enacting Chapter 147, Laws of 1939, Permitting the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial, and Domestic Purposes, Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Licensing Purchasers and Dealers; and Providing Conditions for Licensing; and Providing Penalties for the Violations of This Act.

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 24, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 140. A Bill for an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 24, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact § 1179 of the Compiled Laws for 1913 Relating to Powers of School Districts to Admit Pupils from Other Districts Providing for Payment of Tuition.

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as Amended by Act Approved May 24, 1934, and Acts Amendatory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 24, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

House Concurrent Resolution "N." A Resolution Requesting Congress to Investigate Conditions on the Standing Rock Indian Reservation, and Relieve Needs Existing There.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 24, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 221. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20 of Chapter 148 of the Session Laws of 1931, as Amended by Section 1 of Chapter 144 of the Session Laws of 1935, Relating to Game and Fish.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 200b12 and Section 200b14 of the 1925 Supplement to the Compiled Laws of North Dakota; Providing for the Cancellation of Liability of the State Bonding Fund for Acts of Employees and Furnishing of Other Bonds; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 3163a1, Compiled Laws of North Dakota, as Amended by Chapter 136 Session Laws of 1939, Defining a Public Dancing Place, Repeal.

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

House Bill No. 258. A Bill for an Act Preserving the Rights to Benefits Under the North Dakota Unemployment Compensation Act to Persons Entering the Military or Naval Service of the United States During the Period of Such Service; Repeal; Declaring an Emergency.

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 10322a51 of the Supplement of 1925 and Chapter 118, Laws 1933 Relative to Going Afield With Guns Before the Hunting Season and Illegal Possession of Game and Fish After the Hunting Season.

House Bill No. 304. A Bill for an Act Relating to the Eradication of the Weed Indian Hemp, and Providing for the Growth Thereof for Commercial Purposes Under License Issued by the Commissioner of Agriculture, with Penalties Provided.

House Bill No. 252. A Bill for an Act Establishing Standards and Definitions of Milk and Milk Products and Butter;

and Amending Section 2852 of the Compiled Laws of 1913 and Section 2855a1 of the 1925 Supplement of the Compiled Laws of 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith, Providing for the Enforcement of the Provision of This Act and for Penalties for the Violation Thereof and Declaring an Emergency.

House Bill No. 288. A Bill for an Act to Amend and Re-enact Subdivision "c" of Division 15 of Section 7 of Chapter 94, Session Laws of 1931; Section 14 of Chapter 94, Session Laws of 1931, as Amended by Chapter 101, Session Laws of 1939; and Section 23 of Chapter 94, Session Laws of 1931, Providing for Investments by Building and Loan Associations; Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, Banks, Eleemosynary, Educational, Public and Municipal Corporations and Public Officials; and Pertaining to Bonds of Directors, Officers, Agents and Employees.

House Bill No. 207. A Bill for an Act Providing for the Refunding of the Real Estate Bonds of the State of North Dakota, the Issuance of Refunding Bonds by the Industrial Commission, Prescribing the Terms and Conditions Hereof, Providing for Their Sale, Exchange and Delivery, Establishing the "Refunding Bond Fund" and the "Refunding Bond Interest Fund," Providing for Annual Tax Levies, Providing for the Retirement and Payment of North Dakota's Outstanding Real Estate Bonds, Chapter 154 of the Session Laws of 1919 (Sections 2290b1 to 2290b16 Inclusive, 1925 Supplement to the 1913 Compiled Laws), Chapter 292 Session Laws of 1923 (Sections 2290c1 to 2290c15, Inclusive, 1925 Supplement to the Compiled Laws), Chapter 182, Session Laws of 1929, Chapters 101 and 102 Session Laws of 1931, Chapter 90, Session Laws of 1933, and Amendments to the Same, Transferring Assets and Funds Securing North Dakota Bonds for the Use of Refunding Bonds and Interest Thereon; Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Enactment; and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 24, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 100. A Bill for an Act to Prohibit Sales of Total Assets and Reorganizations of Corporations Unless Authorized by a Two-thirds Vote of Stockholders or Members, and Declaring an Emergency.

Which the House has amended as follows:

Strike out all words after the words "A Bill" and add the following amendment:

For an Act to permit Sales of total assets and reorganizations of corporations when authorized by a two-thirds vote of stockholders or members, to validate past sales and reorganizations where such two-thirds vote has authorized same and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF
THE STATE OF NORTH DAKOTA:

Section 1. A private corporation organized under the laws of this state may sell, lease, exchange or otherwise dispose of all or substantially all of its property and assets including its good will, upon such terms and conditions and for such considerations, which may be money, stocks, bonds, or other instruments for the payment of money or other property, or considerations, as its Board of Directors deems expedient, when and as authorized by a two-thirds affirmative vote of the issued and outstanding stock, both preferred and common as separate classes, or its members, given at a regular or special meeting of such stockholders or members elected for that purpose. The authority granted hereby shall be construed to include the transfer or conveyance of such property or assets to carry out any plan for the reorganization of the corporation, whether such reorganization contemplates the organization of a new corporation or contemplates a merger or consolidation with an existing corporation or corporations.

Section 2. Any such proceedings heretofore had or authorized by such two-thirds vote shall be in all things deemed legal and binding upon all stockholders or members unless within ninety days after this Act takes effect, non-assenting stockholders or members shall by action to enjoin or by other appropriate judicial process question the legality of the sale or authorization.

Section 3. This Act is hereby declared to be an emergency measure and shall be in full force and effect immediately upon its passage and approval.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 24, 1941.

The Senate requests return of House Bill No. 140.

W. J. TROUT, Secretary.

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved:

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the

Expenditure of Money by Contract for Road Improvements and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Procuring Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment Thereof.

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

And the same have been filed with the Secretary of State.

JOHN MOSES, Governor.

SECOND READING OF HOUSE BILLS

House Bill No. 3. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 85; nays, 11; absent and not voting, 15.

Those voting in the affirmative were:

Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Ransom
Beede	Haugen	Rohde
Belzer	Haugland	Rygg
Benno	Heckman	Sagehorn
Bergesen	Hofstrand	Sandness
Bingenheimer	Hogoboom	Saumur
Bjella	Ireland	Schwartz
Black	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Braun, Stark	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Collette	Levin	Starck
Crockett	Lillehaugen	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Mollet	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman

Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fleck	Nicholsen	Mr. Speaker
Fraser		

Those voting in the negative were:

Aker	Fitzharris	Nelson, Steele
Blair	Fuglestad	Stormon
Bolmeier	Holm	Westby
Coghlan	Nelson, Ramsey	

Absent and not voting:

Boulden	Juhola	Olson, Barnes
Brusseau	Lunde	Peterson, Bottineau
Dittmer	McInnes	Schmidt
Gackle	Moe	Severson
Johnson, Richland	Myers	Twichell

So the bill passed and the title was agreed to.

House Bill No. 121 was read the second time.

Rep. Sharpe asked the unanimous consent of the House to amend House Bill No. 121, which consent was granted.

Rep. Sharpe moved that House Bill No. 121 be amended as follows:

On page 2, Section 2, line 5, after the word "Marshall" insert the words "ex officio" and insert the same words after the word "Marshall" in Section 4, page 3, line 2.

Which motion prevailed.

Rep. Sharpe moved that the rules be suspended and House Bill No. 121 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

Rep. Fitch moved that further consideration of House Bill No. 121 be indefinitely postponed, which motion prevailed.

Rep. Fitch moved that the vote by which House Bill No. 121 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 16. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 106; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rohde
Benno	Hofstrand	Rygg
Bergesen	Hogoboom	Sagehorn
Bingenheimer	Holm	Sandness
Bjella	Ireland	Saumur

Black	Jennings	Schmidt
Blair	Johnson, Cass	Schwartz
Bolmeier	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghian	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Morland	Wambheim
Drovdal	Morrison	Welder
Erickson, Divide	Nelson, Cass	Westby
Erickson, Williams	Nelson, Morton	Williams, Richland
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad		

Absent and not voting:

Boulden	Gackle	Myers
Fitch	Mollet	

So the bill passed and the title was agreed to.

House Bill No. 228 was read the second time.

Rep. Schmidt moved that action on House Bill No. 228 be deferred one legislative day, which motion was lost.

House Bill No. 228. A Bill for an Act to Prohibit the Sale of Intoxicating Liquor of an Alcoholic Content Greater Than 4% Alcohol by Volume in Any Place of Business Licensed as a Restaurant Under the Laws of the State of North Dakota; Providing Penalties, and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 35; nays, 72; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Holm	Peterson, Ransom
Allen	Ireland	Rygg
Austad	Kindem	Sandness
Beede	Langley	Sellens
Bjella	Levin	Severson
Devlin	Lillehaugen	Smart
Erickson, Divide	Moe	Stormon
Falconer	Mollet	Trydahl
Fuglestad	Morland	Williams, Richland
Haugen	Morrison	Williams, Stutsman
Heckman	Nicholsen	Mr. Speaker
Hofstrand	Ohnstad	

Those voting in the negative were:

Anderson	Fitch	Nelson, Sargent
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Arneson	Fitzharris	Nelson, Steele
Arndt	Fleck	Nystrom
Belzer	Fraser	Olson, Barnes
Benno	Gackle	Olson, Bowman
Bergesen	Gainor	Panko
Bingenheimer	Glas	Peterson, Bottineau
Black	Gress	Sagehorn
Blair	Haag	Saumur
Bolmeier	Halvorson	Schmidt
Braun, McLean	Haugland	Schwartz
Braun, Stark	Hogoboom	Semerad
Brusseau	Jennings	Sharpe
Bubel	Johnson, Cass	Shure
Bymers	Johnson, Richland	Singleton
Carlson	Juhola	Starck
Coghlan	Kee	Swanson
Collette	Larson	Tuff
Crockett	Lunde	Twichell
Culver	McInnes	Wambheim
Dalzell	McIntee	Welder
Dittmer	McIntyre	Westby
Drovdal	Nelson, Cass	Wolf, McIntosh
Erickson, Williams	Nelson, Ramsey	Wolf, Morton

Absent and not voting:

Boulden	Nelson, Morton	Rohde
Myers		

So the bill was declared lost.

Rep. Braun of McLean moved that the vote by which House Bill No. 228 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Fuglestad: This does not prevent drinking beer in restaurants and all it does is that it takes out hard liquor from restaurants. I think that should be segregated from restaurants.

House Bill No. 279. A Bill for an Act Prohibiting the Use of Intoxicating Liquors in Any Form by the State Highway Patrol Superintendent, His Assistants and All Members of the Division of State Highway Safety and Patrol.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting 4.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn

Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Braun, Stark	Johnson, Richland	Severson
Brusseau	Juhola	Sharpe
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Levin	Stormon
Crockett	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Welder
Erickson, Divide	Mollet	Westby
Erickson, Williams	Morland	Williams, Richland
Falconer	Morrison	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	

Absent and not voting:

Boulden	Nelson, Morton	Schmidt
Myers		

So the bill passed and the title was agreed to.

Rep. Singleton moved that the vote by which House Bill No. 279 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 250 was read the second time.

Rep. Bergesen moved that the rules be suspended for the purpose of amending House Bill No. 250, which motion prevailed.

Rep. Bergesen moved the following amendment to House Bill No. 250:

At the end of Section 1, line 21, add the following paragraph:

"All proceeds from sales under subdivision (a) to the extent of 4% of the sale price, and under subdivision (b) to the extent of 4½% of the sale price shall be placed in a special fund to be known as The Institutional Support Fund and shall be paid over for the benefit of the State Hospital for the Insane, Tuberculosis Sanatorium and Grafton State School and credited to the several counties in the State in proportion to the amount charged to each county for patients in said three institutions during the preceding quarter year."

In the title to the Act, Line 3, after the comma following the word "Tax" insert the following "Providing for Distribution of the Same."

Which motion prevailed.

Rep. Fitch moved the following amendment to House Bill No. 250:

In Section 3, page 4, beginning with line 9 strike out everything up to and including the word "nature" in line 9, and insert in lieu thereof the following:

"provided that all merchandise delivered or used in connection with said sale of as a part therefor or as a sample, deal, discount, rebate or free goods should bear the tax herein imposed at the price as shown by the list and amendment thereto filed under the provisions of Section 3".

Which motion was lost.

Rep. Bergesen moved that the rules be suspended and that House Bill No. 250 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Allen	Gainor	Nicholsen
Anderson	Glas	Nystrom
Arneson	Gress	Ohnstad
Arndt	Haag	Olson, Barnes
Austad	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Belzer	Haugland	Peterson, Bottineau
Benno	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morland	Welder
Falconer	Morrison	Westby
Fitzharris	Nelson, Cass	Williams, Richland
Fleck	Nelson, Morton	Williams, Stutsman
Fraser	Nelson, Ramsey	Wolf, McIntosh

Fuglestad	Nelson, Sargent	Wolf, Morton
Gackle	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Aker	Fitch	Schwartz
Crockett		

Absent and not voting:

Boulden	Myers
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Williams of Richland moved that the vote by which House Bill No. 250 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 245. A Bill for an Act to Amend and Re-enact Sections 26 and 53 and Sub-division (2) of Section 20 of Chapter 148, Laws 1931, Providing for Permit Fee and Providing Penalties for the Illegal Hunting of Big Game.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 33; absent and not voting 3.

Those voting in the affirmative were:

Aker	Fleck	Nicholsen
Allen	Fuglestad	Nystrom
Arneson	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Austad	Gress	Peterson, Ransom
Benno	Haugland	Rygg
Bergesen	Heckman	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Hogoboom	Saumur
Black	Holm	Sellens
Blair	Ireland	Semerad
Bolmeier	Johnson, Cass	Severson
Braun, Stark	Johnson, Richland	Sharpe
Bymers	Kee	Shure
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Collette	Levin	Stormon
Crockett	Lillehaugen	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Twichell
Dittmer	Morland	Wambheim
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Ramsey	Williams, Richland
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Anderson	Halvorson	Ohnstad
Beede	Haugen	Panko
Belzer	Jennings	Peterson, Bottineau
Braun, McLean	Juhola	Rohde
Brusseau	Larson	Schmidt
Bubel	McIntee	Schwartz
Drovdal	McIntyre	Starek
Erickson, Divide	Moe	Tuff

Fraser	Mollet	Welder
Glas	Morrison	Wolf, McIntosh
Haag	Nelson, Morton	Wolf, Morton

Absent and not voting:

Boulden	Culver	Myers
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So the bill passed and the title was agreed to.

Rep. Dalzell moved that the vote by which House Bill No. 245 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 286. A Bill for an Act Authorizing the Board of University and School Lands to Sell Lands Belonging to the Permanent School or Institutional Funds But Not a Part of the Federal Grant Lands to Bona Fide Farmers, Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107, nays, 1; absent and not voting 3.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman

Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad	Nicholsen	

Those voting in the negative were:
Johnson, Cass

Absent and not voting:
Boulden Crockett Myers

So the bill passed and the title was agreed to.

Rep. Halvorson moved that the vote by which House Bill No. 286 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Beede: I think this is a very good bill and it is an improvement on the cash purchase price plan that we have had heretofore but I am voting "aye" with the understanding it is not a repeal measure and that it in no way repeals House Bill No. 186 which we passed two years ago.

Rep. Johnson of Cass moved that the House recess until 7:30 P. M., which motion prevailed.

The Speaker called the House to order pursuant to recess taken and the House resumed business on First Reading of Senate Bills.

FIRST READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as Amended by Act Approved May 24, 1934, and Acts Amendatory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 245 of the Session Laws of North Dakota for the Year 1939, Relating to Bounty for Tree Planting.

Was read the first time and referred to the Comm. on Agriculture.

Senate Bill No. 109. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for the Repeal of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Judiciary.

Senate Bill No. 119. A Bill for an Act Amending and Re-enacting Section 2 of Article II, Chapter 164 of the Session Laws of 1933 Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby; Providing Safety and Sanitary Regulations for the Operation of Motor Propelled Vehicles Used for the Purpose of Transporting Persons and Property for Compensation Over Any Public Highway; Providing for the Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof.

Was read the first time and referred to the Comm. on Highways and Bridges.

Senate Bill No. 124. A Bill for an Act to Prohibit the Sale, Offering or Exposing for Sale of Fireworks, and to Regulate the Manner of Their Use, and to Provide Penalties for the Violation of the Provisions of This Act.

Was read the first time and referred to the Comm. on Public Safety.

Senate Bill No. 125. A Bill for an Act Amending Article 2889b6, 1925 Supplement to the 1913 Compiled Laws of North Dakota Known as the North Dakota Food and Drugs Act and Chapter 132 of 1937 Laws of North Dakota; to Regulate the Sale of Dangerous Drugs; and to Provide for the Control of New Drugs.

Was read the first time and referred to the Comm. on Public Health.

Senate Bill No. 139. A Bill for an Act to Provide a Method for the Satisfaction of Chattel Mortgages; Crop Mortgages, Conditional Sale Contracts and Other Liens Filed in the Office of the Register of Deeds and Specifying the Form of Such Satisfaction, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Judiciary.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Subsection (E) of Chapter 279 of the Session Laws of 1931, the Same Being an Amendment of Section 2166 C. L. 1913 as Amended by Section 3 of Chapter 241 of the Session

Laws of 1929, Relating to Collection of Personal Property Taxes by County Sheriff, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 159. A Bill for an Act Amending and Re-enacting Chapter 147, Laws of 1939, Permitting the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial, and Domestic Purposes, Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Licensing Purchasers and Dealers; and Providing Conditions for Licensing; and Providing Penalties for the Violations of This Act.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact § 1179 of the Compiled Laws for 1913 Relating to Powers of School Districts to Admit Pupils from Other Districts Providing for Payment of Tuition.

Were read the first time and referred to the Comm. on Education.

Senate Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 304 of the Session Laws of 1931 Relating to Validating Certain Deeds, Judgment, Mortgage Foreclosures, and Other Transactions of Real Property.

Was read the first time and referred to the Comm. on Judiciary.

Senate Bill No. 173. A Bill for an Act Conferring Additional Powers Upon Cities and Park Districts; Authorizing the Leasing or Rental of Public Property Thereof; Limiting the Terms of Such Leases or Rental Agreements; Validating Certain Acts of Municipalities.

Was read the first time and referred to the Comm. on Cities and Municipal Corporations.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws of 1935, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Public Health.

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Section 6789, of the Compiled Laws of North Dakota, for the Year 1913; and Repealing Section 6786, of the Compiled Laws of North Dakota for the Year 1913, Relating to the Sale of Pledged Securities.

Was read the first time and referred to the Comm. on Banks and Banking.

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 235 of the Session Laws of 1929 Relating to Tax Levy Limitations.

Was read the first time and referred to the Comm. on Education.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Repeal, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Education.

Senate Bill No. 194. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Was read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 196. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violations Thereof.

Was read the first time and referred to the Comm. on Public Health.

Senate Bill No. 197. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Food and Drugs Act and the North Dakota Cosmetic Act; Prevent Adulteration and Misbranding of Foods, Drugs and Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

Senate Bill No. 201. A Bill for an Act Specifying the Duties of the Clerks of the District Court and of the County Court with Increased Jurisdiction Relating to the Furnishing of Information to the State Registrar of Vital Statistics.

Senate Bill No. 202. A Bill for an Act Providing for Proof of Birth, the Correction of Birth Records, the Issuance by the State Registrar of Vital Statistics of a Certification of the Record of the Proof of Birth, Providing that All Records of State Registrar of Vital Statistics are Confidential, Repealing Chapter 109 of the Session Laws for the Year 1939 and Declaring an Emergency.

Were read the first time and referred to the Comm. on Public Health.

Senate Concurrent Resolution "N" was read by the Chief Clerk in regard to Third House Session and Dance in Capitol Corridors.

Rep. Fitch moved the adoption of Senate Concurrent Resolution "N", which motion prevailed and the Resolution was declared adopted.

Senate Concurrent Resolution "J" was read by the Chief Clerk.

Rep. Johnson of Cass moved the adoption of Senate Concurrent Resolution "J", which motion prevailed and the Resolution was declared adopted.

Senate Concurrent Resolution "M" was read by the Chief Clerk.

Rep. Haugen moved the adoption of Senate Concurrent Resolution "M", which motion prevailed and the Resolution was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 273. A Bill for an Act for the Licensing, Regulating and Inspecting of Rendering Plants or Establishments, and Providing Punishment for Violation Thereof; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Sargent
Allen	Gainor	Nelson, Steele
Anderson	Glas	Nystrom
Arneson	Haag	Ohnstad
Arndt	Halvorson	Olson, Barnes
Austad	Haugen	Olson, Bowman
Beede	Haugland	Panko
Benno	Heckman	Peterson, Bottineau
Bergesen	Hofstrand	Peterson, Ransom
Bingenheimer	Hogoboom	Rohde
Bjella	Holm	Rygg
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Brusseau	Juhola	Severson
Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Levin	Starck
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Swanson
Dittmer	McInnes	Trydahl
Drovdal	McIntee	Tuff
Erickson, Divide	McIntyre	Wambheim
Erickson, Williams	Moe	Welder
Falconer	Mollet	Westby
Fitch	Morland	Williams, Stutsman
Fitzharris	Morrison	Wolf, McIntosh
Fleck	Nelson, Cass	Wolf, Morton

Fraser	Nelson, Morton	Mr. Speaker
Fuglestad	Nelson, Ramsey	
Absent and not voting:		
Belzer	Gress	Schmidt
Boulden	Myers	Semerad
Braun, Stark	Nicholsen	Twichell
Crockett	Sagehorn	Williams, Richland
Culver		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Lillehaugen moved that the vote by which House Bill No. 273 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell requested that the House be on the Seventh Order of Business, which request was granted and Rep. Twichell moved that the House reconsider its action taken on House Bill No. 163, which motion prevailed.

Rep. Twichell moved that the Speaker appoint a committee of three to take up the matter of amendments to House Bill No. 163, which motion prevailed and the Speaker appointed on that committee Reps. Twichell, Beede and Trydahl.

Rep. Panko moved that the House reconsider its action on House Bill No. 219, which motion was lost.

SECOND READING OF HOUSE BILLS

House Bill No. 36 was read the second time.

Rep. Nelson of Cass moved that House Bill No. 36 be indefinitely postponed, which motion was lost.

House Bill No. 36. A Bill for an Act to Amend and Re-enact Section 2346a16 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; and Providing for and Relating to the Taxation of Corporations, and Providing the Rates which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of the Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof, and Amending and Re-enacting Section 2346a25 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 241 of the Session Laws of 1937; and Providing for the Repeal of Sub-section 7 of Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 283 of the Session Laws of 1931, and as Amended by Chapter 228 of the Session Laws of 1939; Making a Saving Clause and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 56; absent and not voting, 7.

Those voting in the affirmative were:

Anderson	Halvorson	Nelson, Morton
Beede	Haugen	Nelson, Ramsey
Belzer	Heckman	Nelson, Sargent
Bingenheimer	Hofstrand	Olson, Bowman
Braun, McLean	Ireland	Panko
Brusseau	Jennings	Peterson, Bottineau
Bubel	Juhola	Rohde

Bymers	Kindem	Rygg
Crockett	Larson	Sagehorn
Drovdal	Levin	Schmidt
Erickson, Divide	Lillehaugen	Schwartz
Erickson, Williams	McIntee	Starck
Falconer	McIntyre	Tuff
Fraser	Mollet	Welder
Glas	Morland	Wolf, McIntosh
Haag	Morrison	Wolf, Morton

Those voting in the negative were:

Aker	Fleck	Olson, Barnes
Allen	Fuglestad	Peterson, Ransom
Arneson	Gackle	Sandness
Arndt	Gainor	Saumur
Austad	Haugland	Sellens
Benno	Hogoboom	Severson
Bergesen	Holm	Sharpe
Bjella	Johnson, Cass	Shure
Black	Johnson, Richland	Singleton
Blair	Kee	Smart
Bolmeier	Langley	Stormon
Carlson	Lunde	Swanson
Coghlan	McInnes	Trydahl
Collette	Moe	Twichell
Dalzell	Myers	Wambheim
Devlin	Nelson, Cass	Westby
Dittmer	Nelson, Steele	Williams, Stutsman
Fitch	Nystrom	Mr. Speaker
Fitzharris	Ohnstad	

Absent and not voting:

Boulden	Gress	Semerad
Braun, Stark	Nicholsen	Williams, Richland
Culver		

So the bill was declared lost.

Rep. Nelson of Cass moved that the vote by which House Bill No. 36 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 319. A Bill for an Act to Amend and Re-enact Chapter 247 of the Session Laws of 1931, Providing for the Payment of Per Capita School Tax; Repealing Acts in Conflict and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 7; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Glas	Ohnstad
Allen	Haag	Panko
Anderson	Halvorson	Peterson, Bottineau
Arneson	Haugen	Peterson, Ransom
Arndt	Haugland	Rohde
Austad	Heckman	Rygg
Beede	Hofstrand	Sagehorn
Belzer	Hogoboom	Sandness
Benno	Holm	Saumur

Bergesen	Ireland	Schmidt
Bingenheimer	Jennings	Schwartz
Bjella	Johnson, Cass	Sellens
Black	Johnson, Richland	Severson
Blair	Juhola	Sharpe
Braun, McLean	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Carlson	Levin	Stormon
Coghlan	Lillehaugen	Swanson
Collette	Lunde	Trydahl
Crockett	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Drovdal	Moe	Welder
Erickson, Divide	Mollet	Westby
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser	Nelson, Sargent	

Those voting in the negative were:

Bolmeier	Gainor	Nystrom
Dittmer	Nelson, Cass	Olson; Barnes
Fuglestad		

Absent and not voting:

Boulden	Gackle	Nicholsen
Braun, Stark	Gress	Olson, Bowman
Culver	Myers	Semerad
Fitch	Nelson, Steele	Williams, Richland

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Twichell voted "aye" for the purpose of reconsideration.

House Bill No. 102. A Bill for an Act to Establish a State Industrial Alcohol Plant; Providing for the Management Thereof, and Making an Appropriation Therefor; Constitutionality.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 63; nays, 38; absent and not voting 10.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Morton
Anderson	Gainor	Nelson, Ramsey
Beede	Glas	Nelson, Sargent
Belzer	Haag	Nelson, Steele
Benno	Halvorson	Ohnstad
Bergesen	Haugen	Olson, Bowman
Bingenheimer	Haugland	Panko
Braun, McLean	Heckman	Peterson, Bottineau
Brusseau	Hofstrand	Rohde
Bubel	Ireland	Rygg
Bymers	Jennings	Sagehorn

Carlson	Juhola	Sandness
Collette	Kindem	Schmidt
Crockett	Larson	Schwartz
Dalzell	Levin	Smart
Devlin	Lillehaugen	Starck
Drovdal	McIntee	Tuff
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Wolf, McIntosh
Falconer	Morland	Wolf, Morton
Fitch	Morrison	Mr. Speaker

Those voting in the negative were:

Allen	Hogoboom	Saumur
Arneson	Holm	Sellens
Arndt	Johnson, Cass	Severson
Austad	Johnson, Richland	Shure
Bjella	Kee	Singleton
Black	Langley	Stormon
Blair	Lunde	Swanson
Bolmeier	McInnes	Trydahl
Coghlan	Moe	Twichell
Dittmer	Nelson, Cass	Wambheim
Fitzharris	Nystrom	Westby
Fleck	Olson, Barnes	Williams, Stutsman
Fuglestad	Peterson, Ransom	

Absent and not voting:

Boulden	Gress	Semerad
Braun, Stark	Myers	Sharpe
Culver	Nicholsen	Williams, Richland
Gackle		

So the bill passed and the title was agreed to.

Rep. Levin moved that the vote by which House Bill No. 102 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 317. A Bill for an Act to Amend and Re-enact Section 4929 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Fees and Charges to Be Paid by Insurance Companies Doing Business in This State, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 54; nays, 51; absent and not voting 6.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gainor	Olson, Barnes
Arneson	Hofstrand	Peterson, Ransom
Arndt	Hogoboom	Sandness
Austad	Ireland	Saumur
Benno	Johnson, Richland	Severson
Bergesen	Kee	Sharpe
Black	Kindem	Shure
Blair	Langley	Singleton
Bolmeier	Lunde	Smart
Braun, McLean	McInnes	Stormon

Braun, Stark	Moe	Swanson
Carlson	Morland	Trydahl
Collette	Nelson, Cass	Twichell
Culver	Nelson, Morton	Wambheim
Dalzell	Nelson, Ramsey	Westby
Dittmer	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Anderson	Glas	Morrison
Beede	Gress	Ohnstad
Belzer	Haag	Olson, Bowman
Bingenheimer	Halvorson	Panko
Bjella	Haugen	Peterson, Bottineau
Brusseau	Haugland	Rohde
Bubel	Heckman	Rygg
Bymers	Holm	Sagehorn
Crockett	Jennings	Schmidt
Devlin	Johnson, Cass	Schwartz
Drovdal	Juhola	Sellens
Erickson, Divide	Larson	Semerad
Erickson, Williams	Levin	Starck
Falconer	Lillehaugen	Tuff
Fitch	McIntee	Welder
Fleck	McIntyre	Wolf, McIntosh
Fraser	Mollet	Wolf, Morton

Absent and not voting:

Boulden	Gackle	Nicholsen
Coghlan	Myers	Williams, Richland

So the bill was declared lost.

Rep. Johnson voted "aye" for the purpose of reconsideration.

House Bill No. 242 was read the second time.

Rep. Bergesen moved that action on House Bill No. 242 be deferred one legislative day.

Rep. Fitch moved that House Bill No. 242 be indefinitely postponed, which motion was lost.

The question being on the motion of Rep. Bergesen that action on House Bill No. 242 be deferred one legislative day, the motion prevailed.

House Bill No. 202 was read the second time.

Rep. Bergesen moved that the rules be suspended for the purpose of amending House Bill No. 202, which motion prevailed.

Rep. Bergesen moved that House Bill No. 202 be amended as follows:

On page 4, Section 7, line 2, after the word "farm" strike out the balance of the sentence and lines 3, 4, 5, and 6 and the word "demeanors" in line 7.

Which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that House Bill No. 202 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 202. A Bill for an Act Providing for the

Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm, Providing for the Commitment and Transfer of Prisoners Thereto, and Their Care and Supervision Therein; Making an Appropriation for the Establishment and Maintenance of Said Institution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 88; nays, 19; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fraser	Morland
Anderson	Fuglestad	Morrison
Arndt	Gackle	Nelson, Cass
Austad	Gainor	Nelson, Ramsey
Beede	Glas	Nelson, Sargent
Belzer	Gress	Nelson, Steele
Benno	Haag	Ohnstad
Bergesen	Halvorson	Olson, Bowman
Bingenheimer	Haugen	Panko
Bjella	Haugland	Rohde
Bolmeier	Heckman	Rygg
Braun, McLean	Hofstrand	Sagehorn
Braun, Stark	Hogoboom	Sandness
Brusseau	Ireland	Saumur
Bubel	Jennings	Schmidt
Bymers	Johnson, Richland	Schwartz
Carlson	Juhola	Sellens
Coghlan	Kee	Semerad
Collette	Kindem	Singleton
Crockett	Langley	Smart
Culver	Larson	Stormon
Dalzell	Levin	Swanson
Devlin	Lillehaugen	Tuff
Dittmer	Lunde	Welder
Drovdal	McInnes	Westby
Erickson, Divide	McIntee	Williams, Stutsman
Erickson, Williams	McIntyre	Wolf, McIntosh
Falconer	Moe	Wolf, Morton
Fitch	Mollet	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Allen	Nelson, Morton	Sharpe
Arneson	Nystrom	Shure
Black	Olson, Barnes	Starck
Blair	Peterson, Bottineau	Trydahl
Fleck	Peterson, Ransom	Twichell
Holm	Severson	Wambheim
Johnson, Cass		

Absent and not voting:

Boulden	Nicholsen	Williams, Richland
Myers		

So the bill passed and the title was agreed to.

Rep. Aker moved that the vote by which House Bill No.

202 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Blair: I do not favor a movement of this nature at this time, because I feel that neither our state or our taxpayers are in a position financially to shoulder this burden. I vote "no".

Rep. Fuglestad: As long as we allow liquor to be sold in so many places where young folks can get it I think we will need another penitentiary. I vote "aye".

Rep. Halvorson: Since some day maybe I will be losing my farm and I might have a chance to be out there and work with a lot of other farmers, I vote "aye".

Rep. Singleton: This is where I have an advantage of quite a few of you voters this time. I have heard you all vote and with the experience that I have had with the law, having been sheriff for sixteen years, I am glad to see so many of you vote "aye" on this question. I vote "aye".

Rep. Swanson: Mr. Bergesen in a very long oration on taking care of our young men of North Dakota forgot to mention the young girls. Maybe two years from now he will have them taken care of. For that reason I vote "aye".

Rep. Levin requested that the house be on the Seventh Order of Business, which request was granted.

Rep. Levin moved that House Bill No. 251 be placed in General Orders for amendment, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral Expenses of Representative Edward Rieker of Kidder 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, 105; nays, 0; absent and not voting 6.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Juhola	Severson

Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Levin	Starck
Crockett	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Trydahl
Devlin	McIntee	Tuff
Dittmer	McIntyre	Twichell
Drovdal	Moe	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Boulden	Myers	Nicholsen
Fitch	Nelson, Ramsey	Williams, Richland

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Thereof and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 1; absent and not voting 13.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Shure
Carlson	Levin	Singleton

Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Fleck

Absent and not voting:

Boulden	Juhola	Nicholsen
Bymers	Myers	Trydahl
Crockett	Nelson, Ramsey	Westby
Fitch	Nelson, Sargent	Williams, Richland
Johnson, Richland		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 326. A Bill for an Act to Amend and Re-enact Sections 10770 and 10396 of the Compiled Laws of North Dakota for 1913 Relating to Trial by Jury and Waiver of Trial by Jury in Criminal Cases.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 30; absent and not voting 12.

Those voting in the affirmative were:

Aker	Erickson, Williams	Nelson, Morton
Allen	Falconer	Nelson, Steele
Arneson	Fitch	Nystrom
Arndt	Fitzharris	Ohnstad
Austad	Fleck	Olson, Bowman
Benno	Fuglestad	Peterson, Ransom
Bergesen	Gackle	Rygg
Bjella	Gainor	Sagehorn
Black	Glas	Sandness
Blair	Haugland	Saumur
Bolmeier	Heckman	Sellens
Braun, McLean	Hofstrand	Semerad
Braun, Stark	Hogoboom	Shure
Brusseau	Holm	Singleton
Bubel	Ireland	Smart
Bymers	Johnson, Cass	Stormon
Carlson	Johnson, Richland	Swanson
Coghlan	Kee	Twichell
Collette	Kindem	Wambheim
Culver	Langley	Westby
Dalzell	Lunde	Williams, Stutsman
Devlin	McInnes	Wolf, Morton
Dittmer	Morland	Mr. Speaker

Those voting in the negative were:

Anderson	Halvorson	Morrison
Beede	Haugen	Nelson, Sargent
Belzer	Jennings	Panko
Bingenheimer	Larson	Peterson, Bottineau
Crockett	Levin	Rohde
Drovdal	Lillehaugen	Schmidt
Erickson, Divide	McIntee	Starck
Fraser	McIntyre	Tuff
Gress	Moe	Welder
Haag	Mollet	Wolf, McIntosh

Absent and not voting:

Boulden	Nelson, Ramsey	Severson
Juhola	Nicholsen	Sharpe
Myers	Olson, Barnes	Trydahl
Nelson, Cass	Schwartz	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Aker moved that the vote by which House Bill No. 326 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Glas	Panko
Austad	Gress	Peterson, Bottineau
Beede	Haag	Peterson, Ransom
Belzer	Halvorson	Rohde
Benno	Haugen	Rygg
Bergesen	Haugland	Sagehorn
Bingenheimer	Heckman	Sandness
Bjella	Hofstrand	Saumur
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Braun, Stark	Johnson, Richland	Shure
Brusseau	Kee	Singleton
Bymers	Kindem	Smart
Carlson	Langley	Starck
Coghlan	Larson	Stormon
Collette	Levin	Swanson
Culver	Lillehaugen	Trydahl
Dalzell	Lunde	Tuff
Devlin	McInnes	Twichell
Dittmer	McIntee	Wambheim
Drovdal	McIntyre	Welder
Erickson, Divide	Mollet	Westby

Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker
Fleck	Nelson, Steele	

Absent and not voting:

Boulden	Moe	Nicholsen
Bubel	Myers	Severson
Crockett	Nelson, Ramsey	Sharpe
Hogoboom	Nelson, Sargent	Williams, Richland
Juhola		

So the bill passed and the title was agreed to.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 235 of the 1919 Session Laws, Constituting Section 6076 of the 1925 Supplement.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were ayes, 82; nays, 15; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gainor	Nelson, Steele
Allen	Glas	Nystrom
Anderson	Haag	Ohnstad
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Bottineau
Beede	Heckman	Rohde
Belzer	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Schmidt
Black	Ireland	Schwartz
Bolmeier	Juhola	Sellens
Braun, McLean	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Crockett	Lillehaugen	Smart
Culver	McInnes	Starck
Devlin	McIntee	Stormon
Drovdal	McIntyre	Trydahl
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morland	Welder
Falconer	Morrison	Westby
Fitzharris	Myers	Williams, Stutsman
Fraser	Nelson, Cass	Wolf, McIntosh
Fuglestad	Nelson, Morton	Wolf, Morton
Gackle		

Those voting in the negative were:

Dalzell	Johnson, Cass	Peterson, Ransom
Fitch	Johnson, Richland	Sagehorn
Fleck	Lunde	Saumur
Gress	Moe	Swanson
Jennings	Olson, Barnes	Mr. Speaker

Absent and not voting:

Benno	Coghlan	Nicholsen
Bergesen	Collette	Tuff
Blair	Dittmer	Twichell
Boulden	Nelson, Ramsey	Williams, Richland
Braun, Stark	Nelson, Sargent	

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 138 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment respectfully reports that:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 127
 House Bill No. 138
 House Bill No. 210
 House Bill No. 251
 House Bill No. 300
 House Bill No. 323
 House Bill No. 326

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 210. A Bill for an Act to Conserve Crude Petroleum Oil and Natural Gas; to Enlarge the Duties and Authority of the Industrial Commission of North Dakota to Supervise and Control the Oil and Gas Resources of North Dakota; Authorizing the Industrial Commission of North Dakota to Promulgate Rules and Regulations for the Enforcement of the Provisions of the Act for the Purpose of Conserving Oil and Gas; Providing Penalties for the Violation of Certain Provisions of the Act or the Regulations Promulgated Thereunder; Repealing Chapter 184 of the 1929 Session Laws and Chapter 135 of the 1937 Session Laws of North Dakota; Repealing All Laws and Parts of Laws in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom

Belzer	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Saumur
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Stark
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Falconer	Morland	Welder
Fitch	Morrison	Westby
Fitzharris	Nelson, Cass	Williams, Stutsman
Fleck	Nelson, Morton	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Absent and not voting:

Benno	Erickson, Williams	Nelson, Ramsey
Boulden	Juhola	Nicholsen
Dittmer	Myers	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Morland moved that the vote by which House Bill No. 210 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 323. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159, Session Laws of 1927, Relating to the Department of State Highways.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Peterson, Bottineau
Austad	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bingenheimer	Holm	Saumur
Bjella	Ireland	Schmidt
Black	Jennings	Schwartz

Blair	Johnson, Cass	Sellens
Bolmeier	Johnson, Richland	Semerad
Braun, McLean	Juhola	Severson
Braun, Stark	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad	Nelson, Steele	

Those voting in the negative were:

Welder

Absent and not voting:

Boulden	Fitch	Nelson, Ramsey
Brusseau	Gainor	Nicholsen
Dittmer	Lillehaugen	Panko
Erickson, Divide	Myers	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Sandness moved that the vote by which House Bill No. 323 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 150. A Bill for an Act Making a Deficiency Appropriation for Assistance to the Needy Aged for the Balance of the Biennial Period Ending June 30, 1941, 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, 101; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Sargent
Allen	Gackle	Nelson, Steele
Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Schmidt
Braun, McLean	Jennings	Schwartz

Braun, Stark	Johnson, Cass	Sellens
Brusseau	Johnson, Richland	Severson
Eubel	Juhola	Sharpe
Bymers	Kee	Shure
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Collette	Larson	Starck
Crockett	Levin	Stormon
Culver	Lillehaugen	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Tuff
Drovdal	McIntee	Twichell
Erickson, Divide	McIntyre	Wambheim
Erickson, Williams	Moe	Welder
Falconer	Mollet	Westby
Fitch	Morland	Williams, Stutsman
Fitzharris	Morrison	Wolf, McIntosh
Fleck	Nelson, Cass	Wolf, Morton
Fraser		Mr. Speaker

Absent and not voting:

Bergesen	Nelson, Morton	Olson, Bowman
Boulden	Nelson, Ramsey	Semerad
Dittmer	Nicholsen	Williams, Richland
Myers		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 332. A Bill for an Act Declaring a Land Use Policy Relative to Agricultural Lands Obtained by the County on Tax Deed Proceedings, and Empowering the Board of County Commissioners to Conform to Such Policy in the Sale and Lease of Such Lands. Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 2; absent and not voting, 12.

Those voting in the affirmative were:

Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rygg
Bergesen	Heckman	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Singleton
Carlson	Larson	Smart

Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Crockett	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Tuff
Drovdal	McIntyre	Twichell
Erickson, Divide	Moe	Wambheim
Erickson, Williams	Mollet	Welder
Falconer	Morland	Westby
Fitch	Morrison	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Hogoboom Shure

Absent and not voting:

Aker	Dittmer	Nelson, Steele
Blair	Juhola	Nicholsen
Boulden	Myers	Rohde
Devlin	Nelson, Ramsey	Williams, Richland

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

House Bill No. 333. A Bill for an Act Providing for the Operation of Motor Vehicles Within This State by Non-Resident Owners, Authorizing the Motor Vehicle Registrar to Enter Into Reciprocal Agreements With Authorized Officials of Other States; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 11; absent and not voting, 13.

Those voting in the affirmative were:

Allen	Gackle	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Heckman	Rohde
Benno	Hofstrand	Rygg
Bergesen	Hogoboom	Sagehorn
Bingenheimer	Holm	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Schmidt
Blair	Johnson, Cass	Sellens
Bolmeier	Johnson, Richland	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bubel	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	McInnes	Stormon

Crockett	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Drovdal	Morland	Twichell
Erickson, Williams	Morrison	Westby
Fitzharris	Nelson, Cass	Williams, Stutsman
Fleck	Nelson, Morton	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nystrom	Mr. Speaker

Those voting in the negative were:

Bymers	Haugland	Tuff
Erickson, Divide	Lunde	Wambheim
Falconer	Moe	Welder
Fitch	Schwartz	

Absent and not voting:

Aker	Gainor	Nelson, Ramsey
Boulden	Juhola	Nelson, Steele
Culver	Mollet	Nicholsen
Devlin	Myers	Williams, Richland
Dittmer		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Fitch moved that the vote by which House Bill No. 333 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 335 was read the second time.

Rep. Trydahl asked unanimous consent to amend House Bill No. 335, which consent was granted.

Rep. Trydahl moved that the title of House Bill No. 335 be amended as follows:

In line 2, after the word "on" insert the words "on hand" and in the same line strike out the word "into" and insert in lieu thereof the word "in".

Which motion prevailed.

Rep. Crockett moved that the rules be suspended and that House Bill No. 335 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 335. A Bill for an Act to Transfer to the General Fund \$20,000 from the Balance on July 1, 1941, into the "Auto Transportation Fund."

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Ransom
Beede	Halvorsen	Rohde
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bergesen	Heckman	Sandness
Bingenheimer	Hofstrand	Saumur

Bjella	Hogoboom	Schmidt
Black	Holm	Schwartz
Blair	Ireland	Sellens
Bolmeier	Jennings	Semerad
Boulden	Johnson, Richland	Severson
Braun, McLean	Juhola	Sharpe
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Carlson	Levin	Stormon
Collette	Lillehaugen	Swanson
Crockett	Lunde	Trydahl
Culver	McIntee	Tuff
Dalzell	McIntyre	Twichell
Drovdal	Moe	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nystrom	

Absent and not voting:

Aker	Johnson, Cass	Nelson, Steele
Coghlan	McInnes	Nicholsen
Devlin	Myers	Peterson, Bottineau
Dittmer	Nelson, Ramsey	Williams, Richland
Gainor		

So the bill passed and the title was agreed to.

Rep. Trydahl moved that the vote by which House Bill No. 335 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 336. A Bill for an Act Making an Appropriation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Allen	Fuglestad	Olson, Barnes
Anderson	Gackle	Olson, Bowman
Arneson	Glas	Panko
Arndt	Gress	Peterson, Bottineau
Austad	Haag	Peterson, Ransom
Beede	Halvorson	Rohde
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bergesen	Heckman	Sandness
Bingenheimer	Hofstrand	Saumur
Bjella	Hogoboom	Schmidt
Black	Holm	Schwartz

Blair	Ireland	Sellens
Bolmeier	Jennings	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bubel	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Culver	McIntee	Tuff
Dalzell	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nystrom	Mr. Speaker
Fraser	Ohnstad	

Absent and not voting:

Aker	Johnson, Cass	Nelson, Ramsey
Boulden	Juhola	Nelson, Steele
Devlin	McIntyre	Nicholsen
Dittmer	Myers	Williams, Richland
Gainor		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 336 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 337. A Bill for an Act to Amend and Re-enact Section 53, Chapter 3, Article 4, Political Code, Compiled Laws of 1913, Relating to the Printing of Journals of Each Branch of 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, 79; nays, 17; absent and not voting, 15.

Those voting in the affirmative were:

Allen	Gress	Panko
Arndt	Haag	Peterson, Bottineau
Arneson	Haugland	Peterson, Ransom
Austad	Heckman	Rygg
Benno	Hofstrand	Sandness
Bergesen	Hogoboom	Saumur
Bingenheimer	Holm	Schmidt
Bjella	Ireland	Schwartz
Black	Johnson, Richland	Sellens
Blair	Kee	Semerad
Bolmeier	Kindem	Severson
Braun, Stark	Langley	Sharpe
Brusseau	Lillehaugen	Shure
Bymers	Lunde	Singleton
Carlson	McInnes	Smart

Coghlan	Moe	Starck
Culver	Morland	Stormon
Dalzell	Morrison	Swanson
Erickson, Divide	Myers	Trydahl
Erickson, Williams	Nelson, Cass	Twichell
Falconer	Nelson, Morton	Wambheim
Fitch	Nelson, Sargent	Westby
Fitzharris	Nystrom	Williams, Stutsman
Fraser	Ohnstad	Wolf, McIntosh
Fuglestad	Olson, Barnes	Wolf, Morton
Gackle	Olson, Bowman	Mr. Speaker
Glas		

Those voting in the negative were:

Anderson	Halvorson	McIntee
Beede	Haugen	Mollet
Belzer	Jennings	Sagehorn
Braun, McLean	Juhola	Tuff
Bubel	Larson	Welder
Drovdal	Levin	

Absent and not voting:

Aker	Dittmer	Nelson, Ramsey
Boulden	Fleck	Nelson, Steele
Collette	Gainor	Nicholsen
Crockett	Johnson, Cass	Rohde
Devlin	McIntyre	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which House Bill No. 337 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell moved that the request of the Senate for the return of House Bill No. 140 be granted, which motion prevailed.

Rep. Johnson of Richland moved that House Bill No. 334 should be not printed until after the House has considered the same, which motion prevailed.

Rep. Twichell moved that the House do now recess until 9:00 A. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FORTY-NINTH DAY AFTER RECESS
AND FIFTIETH DAY

Bismarck, February, 25, 1941.

The House re-assembled at 9:00 A. M., pursuant to recess, Speaker Symington presiding.

GENERAL ORDERS

Rep. McInnes moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration House Bill No. 105.

Line 43, strike out the figures "\$300.00" and substitute in lieu thereof the figures "\$100.00".

Line 48, strike out the figures "\$4,000.00," and substitute in lieu thereof the figures "\$4,988.70."

Line 50, strike out the figures "\$3,000.00," and substitute in lieu thereof the figures "\$2,211.30."

The total is unchanged.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 106.

Line 2, strike out "\$12,000.00" and insert in lieu thereof "\$23,000.00".

Line 4, strike out "\$50,712.00", and insert in lieu thereof "\$39,712.00".

Line 32, after the numeral "17." insert the word "Farm" and a comma.

Line 36, after the word "Project" insert a dash and the word "Emergency".

The total is unchanged.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 107.

After line 53, add line "53a Automatic Forced Feed Equipment for Furnaces, (to be paid out of savings on appropriated item for Fuel)." No change in amount appropriated.

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following amendment to the Standing Committee amendments:

Strike out line 53a as inserted by the Standing Committee. And recommend the adoption of the following additional amendments.

In line 17, strike out the figures "\$66,000.00" and insert in lieu thereof the figures "\$64,000".

Add a new line to be numbered 17a and the following:

"Stoker \$2,000.00"

And when so amended recommend the same do pass.

House Bill No. 108.

Returning to Line 4, strike out the figures "\$144,075.00" and insert in lieu thereof the figures "\$141,536.00."

Line 12, strike out the figures "\$175,678.00," and substitute in lieu thereof the figures "\$180,678.00."

Line 13, strike out the figures "\$185,078.00," and substitute in lieu thereof the figures "\$190,078.00."

Line 19, strike out the figures "\$11,115.00," and substitute in lieu thereof the figures "\$8,600.00."

Line 31, strike out the figures "\$5,500.00," and insert in lieu thereof the figures "\$5,000.00."

Line 34, strike out the figures "\$463,003.00," and insert in lieu thereof the figures "\$464,988.00."

Line 37, strike out the figures "\$1,000.00," and insert in lieu thereof the figures "\$800.00."

Line 43, strike out the figures "\$4,758.00," and insert in lieu thereof the figures "\$3,758.00."

Strike out Line 44.

Line 47, strike out the figures "\$500.00," and insert in lieu thereof the figures "\$790.00."

Line 48, strike out the figures "\$1,114.00," and insert in lieu thereof the figures "\$2,000.00."

Line 52, strike out the figures "\$489,075.00," and insert in lieu thereof the figures "\$486,536.00."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the further amendment:

Insert a new line "52a" and the following:

"80 acres of land, \$400.00, Board of Administration credit the County of Rolette for that amount on debt owed by the County to the institution."

And when so amended recommend the same do pass.

And recommend the adoption of the Standing Committee amendments.

House Bill No. 109.

Line 6, strike out the figures "\$330,190.00," and insert in lieu thereof the figures "\$327,090.00."

Add Line 15-a, "4. Parol Officer & Travel Expense \$6,000.00".

Line 16, strike out the figures "\$96,620.00" and insert in lieu thereof the figures "\$102,620.00."

Line 31, strike out the figures "\$15,000.00," and insert in lieu thereof the figures "\$12,000.00."

Line 34, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$5,000.00."

Line 38, strike out the figures "\$319,220.00," and insert in lieu thereof the figures "\$321,220.00."

Line 41, after the word "Plumbing" add "& Water System", and strike out the figures "\$7,500.00" and insert in lieu thereof the figures "\$11,000.00."

Strike out line 42.

Line 44, strike out the word "Stove" and insert "Equipment".

Line 48, strike out the figures "\$400.00," and insert in lieu thereof the figures "\$300.00."

Strike out Line 49.

Line 56, strike out the figures "\$350,070.00," and insert in lieu thereof the figures "\$346,970.00."

Line 66, strike out the figures "\$363,190.00," and insert in lieu thereof the figures "\$360,090.00."

Line 69, strike out the figures "\$421,190.00," and insert in lieu thereof the figures "\$418,090.00."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 110.

Line 4, strike out the figures "\$272,887.00" and insert in lieu thereof "\$261,252.00."

Following line 11, add line "11-a Overlapping & Inventory "\$225.00".

Line 12, strike out "\$22,360.00" and insert in lieu thereof "\$20,000.00".

Line 13, strike out "\$51,669.00" and insert in lieu thereof "\$41,669.00".

Line 14, strike out "\$85,837.00" and insert in lieu thereof "\$73,702.00".

Line 20, strike out "\$13,000.00" and insert in lieu thereof "\$9,000.00".

Line 27, strike out "\$6,000.00" and insert in lieu thereof "\$5,000.00".

Line 32, strike out "\$12,500.00" and insert in lieu thereof "\$11,000.00".

Line 36, strike out "\$255,787.00" and insert in lieu thereof "\$236,152.00".

Line 64, strike out "\$287,887.00" and insert in lieu thereof "\$261,252.00".

And when so amended recommend the same do pass.

And recommend the adoption of the following further amendment:

On page 3, line 38, strike out the entire line.

And when so amended recommend the same do pass.

House Bill No. 196.

In line 4 of the title strike out the words "State Examiner" and insert in lieu thereof the language "Bank of North Dakota".

In line 7 of the title, strike out the words "State Examiner" and insert in lieu thereof the language "Bank of North Dakota".

In line 7 of the title, strike out the word "State" and insert in lieu thereof the words "Bank of"; in line 8 of the title, strike out the word "Examiner" and insert in lieu thereof the words "North Dakota".

In line 5 of subsection "h" of Section I strike out the word "State" and insert in lieu thereof the words "Bank of"; in line 6 of the same, strike out the word "Examiner" and insert in lieu thereof the words "North Dakota".

In lines 5 and 6 strike out the language, "provided for in Chapter 71 of the Session Laws of North Dakota for the years 1933".

In line 17 strike out the words "State Examiner" and insert in lieu thereof the words "Bank of North Dakota".

In line 19, strike out the word "State" and insert in lieu thereof the words "Bank of"; in line 20, strike out the word "Examiner" and insert in lieu thereof the words "North Dakota".

In line 37, strike out the word "State" and insert in lieu thereof the words "Bank of"; in line 38, strike out the word "Examiner" and insert in lieu thereof the words "North Dakota".

In line 41, strike out the words "State Examiner" and insert in lieu thereof the words "Bank of North Dakota".

In line 42, strike out the words "State Examiner" and insert in lieu thereof the words "Bank of North Dakota".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 151.

Line 3, strike out "\$4,496,200.00" and insert in lieu thereof "\$3,668,400.00".

Line 12, strike out "\$86,200.00" and insert in lieu thereof "\$75,200.00".

Line 13, strike out "\$40,000.00" and insert in lieu thereof "\$33,200.00".

Line 14, strike out "\$1,000,000.00" and insert in lieu thereof "\$500,000.00".

Line 15, strike out "\$1,100,000.00" and insert in lieu thereof "\$1,200,000.00".

Line 16, strike out "\$1,770,000.00" and insert in lieu thereof "\$900,000.00".

Line 17, strike out "\$500,000.00" and insert in lieu thereof "\$960,000.00".

Line 18, strike out "\$4,496,200.00" and insert in lieu thereof "\$3,668,400.00".

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following further amendment:

In the title, line 3, insert a period after the word "Law".

Strike out lines 4 and 5 of the title.

In Section 1, line 2, after the word "of" strike out the words "any monies" and insert in lieu thereof the words "the Equalization Fund". In line 5, after the word "Law" insert a period. And in the same line strike out the words "as provided for in" and strike out all of line 6 and the word "thereto" in line 7.

And recommend the adoption of the following amendments to the Standing Committee amendments:

Line 12, strike out the figures "\$75,200.00" as inserted by the Standing Committee and insert in lieu thereof the figures "\$86,200.00".

Line 13, strike out the figures "\$33,200.00" as inserted by the Standing Committee and insert in lieu thereof the figures "\$45,000.00".

Line 14, strike out the words "Emergency Fund" and insert in lieu thereof the words "Basis Of Need".

Line 15, strike out the words "Non-resident high school tuition" and insert in lieu thereof the words "Per pupil payment", and strike out the figures "\$1,200,000.00" as inserted by the Standing Committee and insert in lieu thereof the figures "\$960,000.00".

Line 16, strike out the words "Teacher unit-payment" and insert in lieu thereof the words "non-resident high school tuition" and change the figures "\$900,000.00" as inserted by the Standing Committee, to read "\$1,200,000.00".

Line 17, strike out the words "Per pupil payment" and insert in lieu thereof the words "Teacher unit-payment" and strike out the figures "\$960,000.00" as inserted by the Standing Committee and insert in lieu thereof the figures "\$877,200.00".

House Bill No. 149.

Section 1, Line 4, strike out "\$2,095,625.00" and insert in lieu thereof "\$2,174,025.00".

Section 2, Line 1, strike out "\$2,095,625.00" and insert in lieu thereof "\$2,174,025.00".

Line 2, strike out "\$55,625.00" and insert in lieu thereof "\$134,025.00."

Line 6, strike out "\$38,250.00" and insert in lieu thereof "\$38,000.00".

Line 8, strike out "\$750.00" and insert in lieu thereof "\$450.00".

Line 19, insert "\$3,950.00".

Line 20, add the following "Revolving Fund \$75,000.00".

Line 21, strike out "\$55,625.00" and insert in lieu thereof "\$134,025.00".

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following additional amendment:

Line 4, following the figures "\$2,174,025.00" as inserted by the Standing Committee, insert the following: "and the net proceeds after deducting cost of administration of all revenues realized should House Bill No. 308 be enacted into law".

And when so amended recommend the same do pass.

House Bill No. 148.

Section 1, Line 4, strike out "\$814,035.00" and insert in lieu thereof "\$959,625.00".

Section 2, Line 2, strike out "\$623,175.00" and insert in lieu thereof "\$800,055.00".

Section 3, Line 2, strike out "\$85,605.00" and insert in lieu thereof "\$52,755.00".

Section 4, Line 2, strike out "\$25,690.00" and insert in lieu thereof "\$26,815.00".

Section 5, Line 2, strike out "\$79,565.00" and insert in lieu thereof "\$80,000.00".

Section 6, Line 2, strike out "\$814,035.00" and insert in lieu thereof "\$959,625.00".

Line 3, strike out "\$56,715.00" and insert in lieu thereof "\$135,305.00".

Line 7, strike out "\$41,720.00" and insert in lieu thereof "\$41,470.00".

Line 9, strike out "\$995.00" and insert in lieu thereof "\$695.00".

Line 11, strike out "\$1,085.00" and insert in lieu thereof "\$1,040.00".

Line 19, strike out "\$565.00" and insert in lieu thereof "\$980.00".

Line 20, insert "\$4,185.00".

Following Line 20, add line "20a Revolving Fund \$75,000.00".

Line 21, strike out "\$56,715.00" and insert in lieu thereof "\$135,305.00".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 147.

Section 1, Line 4, strike out "\$2,057,550.00" and insert in lieu thereof "\$1,157,550.00".

Section 3, Line 1, strike out "\$2,057,550.00" and insert in lieu thereof "\$1,157,550.00".

Line 2, strike out "\$62,250.00" and insert in lieu thereof "\$61,150.00".

Line 16, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 18, strike out "\$10,400.00" and insert in lieu thereof "\$9,600.00".

Line 25, strike out "\$62,250.00" and insert in lieu thereof "\$61,150.00".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 334.

Section 2, line 13, following the word "printed" insert the following words: "in the manner provided for by Section 3 of this act".

Insert a new section following line 55 as follows:

"Section 3. PRINTING OF BILLS.) All House bills after first reading shall be referred to the proper committee and if a majority of such committee recommends the passage of the bill, and such report is adopted by the House, then copies of the bill shall be printed as provided for in Section Two of this Act. A bill may also be ordered printed by an affirmative vote of one-third of the members of the House present."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following further amendment.

In Section 1, Line 8, strike out the word "Seven" and insert in lieu thereof the word "Eight".

In line 9, strike out the word "each" and insert in lieu thereof the following: "two official copies of each".

And when so amended recommend the same do pass.

House Bill No. 10.

Line 25, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 27, strike out "\$1,200.00" and insert in lieu thereof "\$900.00".

Line 28, strike out "\$2,000.00" and insert in lieu thereof "\$1,570.00".

Line 29, strike out "\$3,000.00" and insert in lieu thereof "\$2,500.00".

Line 30, strike out "\$8,000.00" and insert in lieu thereof "\$3,800.00".

Line 34, strike out "\$38,200.00" and insert in lieu thereof "\$32,470.00".

Line 47, strike out "\$1,200.00" and insert in lieu thereof "\$750.00".

Line 48, strike out "\$450.00" and insert in lieu thereof "\$400.00".

Line 49, strike out "\$650.00" and insert in lieu thereof "\$350.00".

Line 50, strike out "\$150.00" and insert in lieu thereof "\$100.00".

Line 51, strike out "\$69,400.00" and insert in lieu thereof "\$68,450.00".

Line 61, strike out "\$4,900.00" and insert in lieu thereof "\$3,000.00".

Line 62, strike out "\$13,495.00" and insert in lieu thereof "\$11,595.00".

Line 72, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 75, strike out "\$3,000.00" and insert in lieu thereof "\$1,500.00".

Line 77, strike out "\$400.00" and insert in lieu thereof "\$200.00".

Line 78, strike out "\$2,500.00" and insert in lieu thereof "\$2,250.00".

Line 79, strike out "\$1,000.00" and insert in lieu thereof "\$750.00".

Add the following after line 80 "80a Register of Deeds Recording Fees for foreign corporations \$400.00".

Line 81, strike out "\$29,200.00" and insert in lieu thereof "\$26,960.00".

Line 87, strike out "\$8,000.00" and insert in lieu thereof "\$6,000.00".

Line 91, strike out "\$19,400.00" and insert in lieu thereof "\$17,400.00".

Line 96, strike out "\$4,480.00" and insert in lieu thereof "\$4,000.00".

Line 97, strike out "\$21,000.00" and insert in lieu thereof "\$19,500.00".

Strike out Line 99.

Line 102, strike out "\$1,500.00" and insert in lieu thereof "\$750.00".

Line 104, strike out "\$1,000.00" and insert in lieu thereof "\$850.00".

Line 105, strike out "\$2,500.00" and insert in lieu thereof "\$1,500.00".

Line 106, strike out "Gas Tax Enforcement," and strike out "\$750.00" and insert in lieu thereof "\$500.00".

Strike out Line 107.

Line 108, strike out "\$1,000.00" and insert in lieu thereof "\$800.00".

Line 109, after the word "Machine" add "comma available on passage & approval".

Line 100, strike out "\$59,576.00" and insert in lieu thereof "\$41,960.00".

Line 112, strike out words "STATE AUDITOR" and "LICENSING".

Strike out all of line 113 and insert in lieu thereof "Licensing and Collections \$25,000.00".

Strike out all of lines 114 to 122 inclusive.

Line 127, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Add the following after Line 127 "127a Chief Clerk & Bookkeeper \$3,360.00".

Line 128, strike out "\$25,680.00" and insert in lieu thereof "\$17,200.00".

Add the following after Line 128 "128a Revenue Clerks (2) \$4,800.00".

Line 129, strike out "\$1,904.00" and insert in lieu thereof "\$1,500.00".

Line 130, strike out "\$5,000.00" and insert in lieu thereof "\$4,500.00".

Line 131, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 132, strike out "\$1,000.00" and insert in lieu thereof "\$750.00".

Line 133, strike out "\$2,500.00" and insert in lieu thereof "\$2,000.00".

Line 135, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 136, strike out "\$400.00" and insert in lieu thereof "\$300.00".

Line 139, strike out "\$47,630.00" and insert in lieu thereof "\$44,916.00".

Line 144, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Strike out line 145 and add the following "Actuary 4,800.00".

Add the following after Line 145 "145a Chief Clerk and Stenographer \$3,000.00".

Add the following after Line 145a "145b Bookkeeper \$2,520.00".

Line 147, strike out "\$1,300.00" and insert in lieu thereof "\$1,000.00".

Line 148, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 150, strike out "\$5,000.00" and insert in lieu thereof "\$3,500.00".

Line 151, strike out "\$1,500.00" and insert in lieu thereof "\$500.00".

Line 152, strike out "\$1,500.00" and insert in lieu thereof "\$1,000.00".

Strike out line 155.

Line 157, strike out "\$36,010.00" and insert in lieu thereof "\$28,170.00".

Line 160, strike out last "s" in word "Marshals". Strike out "(2)" after the word "Marshals", strike out "\$7,200.00" and insert in lieu thereof "\$3,600.00".

Add the following after Line 160 "160a Assistant Deputy \$3,600.00".

Line 162, strike out "\$3,000.00" and insert in lieu thereof "\$2,600.00".

Line 164, strike out "\$350.00" and insert in lieu thereof "\$250.00".

Line 165, strike out "\$175.00" and insert in lieu thereof "\$125.00".

Line 166, strike out "\$100.00" and insert in lieu thereof "\$50.00".

Line 167, strike out "\$200.00" and insert in lieu thereof "\$100.00".

Line 168, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Strike out Line 170 and 171.

Line 176, strike out "\$17,675.00" and insert in lieu thereof "\$15,675.00".

Line 181, strike out "\$10,192.00" and insert in lieu thereof "\$10,080.00".

Line 188, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 189, strike out "\$1,000.00" and insert in lieu thereof "\$800.00".

Line 190, strike out "\$1,750.00" and insert in lieu thereof "\$500.00".

Line 192, strike out "\$1,000.00" and insert in lieu thereof "\$800.00".

Line 194, strike out "\$56,300.00" and insert in lieu thereof "\$51,438.00".

Line 199, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 202, strike out "\$1,200.00" and insert in lieu thereof "\$600.00".

Line 203, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 204, strike out "\$12,000.00" and insert in lieu thereof "\$10,000.00".

Line 205, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 206, strike out "\$1,750.00" and insert in lieu thereof "\$1,500.00".

Line 208, strike out "\$37,881.91" and insert in lieu thereof "\$33,991.91".

Line 216, strike out "\$14,500.00" and insert in lieu thereof "\$14,000.00".

Line 217, strike out "\$275.00" and insert in lieu thereof "\$200.00".

Line 219, strike out "\$1,500.00" and insert in lieu thereof "\$1,000.00".

Line 220, strike out "\$27,149.71" and insert in lieu thereof "\$26,074.71".

Line 227, strike out "\$700.00" and insert in lieu thereof "\$400.00".

Line 230, strike out "\$11,200.00" and insert in lieu thereof "\$10,900.00".

Line 241, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 243, strike out "\$1,000.00" and insert in lieu thereof "\$750.00".

Line 244, strike out "\$700.00" and insert in lieu thereof "\$500.00".

Line 246, strike out "\$2,500.00" and insert in lieu thereof "\$1,500.00".

Line 247, strike out "\$1,080.00" and insert in lieu thereof "\$800.00".

Line 249, strike out "\$1,250.00" and insert in lieu thereof "\$1,000.00".

Line 251, strike out "\$26,070.00" and insert in lieu thereof "\$23,550.00".

Line 262, strike out "\$2,000.00" and insert in lieu thereof "\$1,500.00".

Line 264, strike out "\$400.00" and insert in lieu thereof "\$200.00".

Line 265, strike out "\$1,500.00" and insert in lieu thereof "\$1,200.00".

Line 266, strike out "\$500.00" and insert in lieu thereof "\$300.00".

Line 268, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 269, strike out "\$47,820.00" and insert in lieu thereof "\$46,520.00".

Strike out Lines 274 to 285 inclusive.

Strike out Line 294.

Line 295, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 298, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 299, strike out "\$10,870.00" and insert in lieu thereof "\$10,570.00".

Line 303, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 304, strike out "\$1,500.00" and insert in lieu thereof "\$1,400.00".

Line 309, strike out "\$4,000.00" and insert in lieu thereof "\$3,580.00".

Line 310, strike out "\$51,308.00" and insert in lieu thereof "\$47,500.00".

Line 311, strike out "\$2,000.00" and insert in lieu thereof "\$1,500.00".

Line 312, strike out "\$1,750.00" and insert in lieu thereof "\$1,500.00".

Line 313, strike out "\$900.00" and insert in lieu thereof "\$500.00".

Line 314, strike out "\$2,000.00" and insert in lieu thereof "\$1,500.00".

Line 315, strike out "\$1,500.00" and insert in lieu thereof "\$1,300.00".

Line 320, strike out "\$14,000.00" and insert in lieu thereof "\$12,000.00".

Line 323, strike out "\$99,358.00" and insert in lieu thereof "\$91,280.00".

Line 329, strike out "\$800.00" and insert in lieu thereof "\$500.00".

Line 330, strike out "\$250.00" and insert in lieu thereof "\$150.00".

Line 331, strike out "\$350.00" and insert in lieu thereof "\$150.00".

Line 332, strike out "\$900.00" and insert in lieu thereof "\$500.00".

Line 333, strike out "\$500.00" and insert in lieu thereof "\$250.00".

Line 335, strike out "\$17,900.00" and insert in lieu thereof "\$16,650.00".

Line 340, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 347, strike out "\$600.00" and insert in lieu thereof "\$300.00".

Line 348, strike out "\$27,000.00" and insert in lieu thereof "\$26,000.00".

Strike out line 354 and insert in lieu thereof "Two or three Land Sales under Chapter 224—Session Laws of 1939 \$1,000.00".

Line 355, strike out "\$135,504.00" and insert in lieu thereof "\$134,764.00".

Line 369, strike out "\$2,250.00" and insert in lieu thereof "\$1,950.00".

Line 374, strike out "\$99,750.00" and insert in lieu thereof "\$99,450.00".

Line 385, strike out "\$6,000.00" and insert in lieu thereof "\$5,200.00".

Add the following after Line 387 "387a Cigarettes, Stamps \$5,000.00".

Line 388, strike out "\$192,000.00" and insert in lieu thereof "\$196,200.00".

Line 393, strike out "\$4,440.00" and insert in lieu thereof "\$4,000.00".

Line 395, strike out "\$800.00" and insert in lieu thereof "\$600.00".

Line 398, strike out "\$1,200.00" and insert in lieu thereof "\$1,000.00".

Line 399, strike out "\$1,500.00" and insert in lieu thereof "\$900.00".

Line 400, strike out "\$3,000.00" and insert in lieu thereof "\$2,000.00".

Add the following after Line 401 "401a H. A. Thompson & Sons \$126.27".

Line 402, strike out "\$61,220.00" and insert in lieu thereof "\$58,906.27".

Line 405, strike out "\$86,000.00" and insert in lieu thereof "\$83,000.00".

Line 407, strike out "\$15,000.00" and insert in lieu thereof "\$14,000.00".

Line 410, strike out "\$7,500.00" and insert in lieu thereof "\$6,000.00".

Line 417, strike out "\$3,480.00" and insert in lieu thereof "\$3,000.00".

Line 420, strike out "\$161,510.00" and insert in lieu thereof "\$155,530.00".

Line 434, strike out "\$1,140.00" and insert in lieu thereof "\$840.00".

Line 437, strike out "\$100.00" and insert in lieu thereof "\$50.00".

Line 438, strike out "\$75.00" and insert in lieu thereof "\$50.00".

Line 440, strike out "\$200.00" and insert in lieu thereof "\$50.00".

Line 441, strike out "\$1,665.00" and insert in lieu thereof "\$1,140.00".

Line 446, strike out "\$10,300.00" and insert in lieu thereof "\$9,700.00".

Line 447, strike out "\$800.00" and insert in lieu thereof "\$600.00".

Line 448, strike out "\$600.00" and insert in lieu thereof "\$500.00".

Line 450, strike out "\$300.00" and insert in lieu thereof "\$200.00".

Line 451, strike out "\$600.00" and insert in lieu thereof "\$440.00".

Line 452, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 453, strike out "\$200.00" and insert in lieu thereof "\$100.00".

Line 454, strike out "\$4,000.00" and insert in lieu thereof "\$3,500.00".

Line 456, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 457, strike out "\$21,500.00" and insert in lieu thereof "\$19,540.00".

Strike out Lines 458 to 471 inclusive.

Line 475, strike out "\$1,800.00" and insert in lieu thereof "\$1,920.00".

Strike out Line 476.

Line 479, strike out "\$220.00" and insert in lieu thereof "\$100.00".

Line 481, strike out "\$250.00" and insert in lieu thereof "\$144.00".

Line 482, strike out "\$300.00" and insert in lieu thereof "\$180.00".

Line 483, strike out "\$7,210.00" and insert in lieu thereof "\$6,834.00".

Line 486, strike out "\$4,800.00" and insert in lieu thereof "\$4,600.00".

Line 488, strike out "\$4,440.00" and insert in lieu thereof "\$3,592.00".

Line 489, strike out "\$11,040.00" and insert in lieu thereof "\$6,600.00".

Line 490, strike out "\$500.00" and insert in lieu thereof "\$250.00".

Line 491, strike out "\$600.00" and insert in lieu thereof "\$350.00".

Line 492, strike out "\$300.00" and insert in lieu thereof "\$150.00".

Line 493, strike out "\$500.00" and insert in lieu thereof "\$250.00".

Line 495, strike out "\$300.00" and insert in lieu thereof "\$75.00".

Line 496, strike out "\$22,780.00" and insert in lieu thereof "\$16,167.00".

Strike out Line 499 and insert in lieu thereof "Maintenance \$70,000.00".

Strike out line 500 and insert in lieu thereof "Emergency Fund, available on Governor's approval \$25,000.00".

Strike out Lines 501 and insert in lieu thereof "Total \$95,000.00".

Strike out Lines 502 to 506 inclusive.

Line 516, strike out "\$20,000.00" and insert in lieu thereof "\$15,000.00".

Line 518, strike out "\$7,500.00" and insert in lieu thereof "\$6,000.00".

Line 519, strike out "\$119,500.00" and insert in lieu thereof "\$113,000.00".

Line 523, strike out "\$1,200.00" and insert in lieu thereof "\$900.00".

Add the following after Line 523 "523a Investigations \$1,000.00".

Line 524, strike out "\$1,800.00" and insert in lieu thereof "\$2,500.00".

Strike out Line 530, 531, 532.

Line 541, after the word "Clerkhire:" insert "\$54,360.00".

Strike out Lines 542, 543, 544.

Line 545, strike out "\$1,500.00" and insert in lieu thereof "\$1,750.00".

Line 546, strike out "\$1,000.00" and insert in lieu thereof "\$700.00".

Line 547, strike out "\$600.00" and insert in lieu thereof "\$300.00".

Line 548, strike out "\$1,200.00" and insert in lieu thereof "\$800.00".

Line 549, strike out "\$1,200.00" and insert in lieu thereof "\$875.00".

Line 550, strike out "\$23,000.00" and insert in lieu thereof "\$22,000.00".

Line 551, strike out "\$900.00" and insert in lieu thereof "\$750.00".

Line 552, strike out "\$88,560.00" and insert in lieu thereof "\$86,335.00".

Strike out Line 555 and insert in lieu thereof "Salaries \$1,200.00".

Line 556, strike out "\$300.00" and insert in lieu thereof "\$250.00".

Line 557, strike out "\$150.00" and insert in lieu thereof "\$100.00".

Line 558, strike out "\$300.00" and insert in lieu thereof "\$150.00".

Add the following after Line 560 "560a Investigations \$1,500.00".

Line 561, strike out "\$2,050.00" and insert in lieu thereof "\$4,500.00".

Strike out Line 564.

Line 569, strike out "\$800.00" and insert in lieu thereof "\$600.00".

Line 570, strike out "\$500.00" and insert in lieu thereof "\$300.00".

Line 571, strike out "\$500.00" and insert in lieu thereof "\$400.00".

Line 572, strike out "\$1,000.00" and insert in lieu thereof "\$500.00".

Line 573, strike out "\$800.00" and insert in lieu thereof "\$550.00".

Line 574, strike out the abbreviated words "Comm'r &" and strike out "\$1,200.00" and insert in lieu thereof "\$1,000.00".

Line 576, strike out "\$7,000.00" and insert in lieu thereof "\$5,000.00".

Line 577, strike out "\$5,000.00" and insert in lieu thereof "\$3,000.00".

Line 579, after the word "Emergency" add the following: "Fund for Educational Institutions" and strike out "\$20,000.00" and insert in lieu thereof "\$15,000.00".

Line 580, strike out "\$56,630.00" and insert in lieu thereof "\$40,180.00".

Line 585, strike out "\$1,976,755.62" and insert in lieu thereof "\$1,825,356.89".

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following amendments to the Standing Committee amendments:

On page 7, Subdivision 7b, line 113, before the words "Licensing and Collections" as inserted by the Standing Committee, insert the word "Gas".

On page 7, Subdivision 8a, line 128a as inserted by the Standing Committee, strike out the bracket after the figure "2" and insert the word "Cigarette" and a bracket.

On page 8, Subdivision 9a, line 145 as inserted by the Standing Committee, after the word "Actuary" insert the words "and Examiner".

On page 8, Subdivision 9a, line 145, strike out the figures "\$4,800.00" as inserted by the Standing Committee and insert in lieu thereof the figures "\$6,000.00". In the same subdivision, line 157, strike out the figures "\$28,170.00" as inserted by the Standing Committee and insert in lieu thereof the figures "\$29,370.00".

On page 9, Subdivision 9b, line 160a as inserted by the Standing Committee, after the word "Deputy" add the words "Fire Marshall".

On page 10, Subdivision 10a, line 190, strike out the figures "\$500" as inserted by the Standing Committee and insert in lieu thereof the figures "\$1,000.00".

In the same subdivision, strike out all of line 184, and in the same subdivision, line 194, strike out the figures "\$51,-438.00" as inserted by the Standing Committee and insert in lieu thereof the figures "\$51,938.00".

On page 13, Subdivision 12b, line 254, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00". And in the same subdivision, line 255, strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00".

On page 19, Subdivision 15b, line 387a as inserted by the Standing Committee, strike out the comma after the word "Cigarettes" and the "s" from "Cigarettes" and insert the word "Revenue".

On page 22, Subdivision 19, strike out the Standing Committee amendment to the subdivision as it applies to lines 458, 459 and 460 and retain line 471 also. In line 460, after the word "Salary" insert the words "and Expense" and strike out the figures "\$4,440.00" and insert in lieu thereof the figures "\$8,000.00". In line 471, strike out the figures "\$13,-290.00" and insert in lieu thereof the figures "\$8,000.00".

On page 26, Subdivision 25, strike out the Standing Committee amendments to the same and leave it as written in the original bill.

On page 27, Subdivision 27b, line 555, after the word "Salaries" insert the words "and Clerk Hire". In the same subdivision, line 561, strike out the figures "\$4,500" as inserted by the Standing Committee and insert in lieu thereof the figures "\$3,900.00".

And when so amended recommend the same do pass.

House Bill No. 251.

In line 23, page 2, after the word "establishment," strike out the balance of line and all lines 24, 25, 26.

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the further following amendments:

On page 2, line 11, after the word "corporation" insert the words "within a radius of one hundred miles".

In line 15, after the word "within" insert the words "within a radius of one hundred miles" and strike out the words "the state" and the comma.

And when so amended recommend the same do pass.

H. W. McINNES, Chm., Committee of the Whole.

Rep. Bolmeier moved that the House adopt the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

Rep. Wolf of McIntosh requested that the House be on the Seventh Order of Business, which request was granted and Rep. Wolf of McIntosh moved that the House reconsider its action taken on House Bill No. 291, which motion prevailed.

Rep. Shure moved that the rules be suspended for the purpose of amending House Bill No. 291, which motion was lost.

Rep. Shure moved that House Bill No. 291 be placed in General Orders for amendment, which motion prevailed.

Rep. Johnson of Cass moved that the House reconsider its action taken on House Bill No. 317, which motion was lost on a standing vote.

Roll Call was demanded and granted.

ROLL CALL

The question being on the motion of Rep. Johnson of Cass that the House reconsider its action taken on House Bill No. 317, the roll was called and there were ayes, 50; nays, 58; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Ireland	Sandness
Allen	Johnson, Cass	Saumur
Arneson	Johnson, Richland	Sellens
Austad	Kee	Severson
Benno	Langley	Sharpe
Bergesen	Lunde	Shure
Black	McInnes	Singleton
Blair	Moe	Smart
Bolmeier	Morland	Stormon
Carlson	Nelson, Cass	Swanson
Collette	Nelson, Ramsey	Trydahl
Culver	Nelson, Steele	Twichell
Dalzell	Nicholsen	Wambheim
Fitzharris	Nystrom	Williams, Stutsman
Fuglestad	Olson, Barnes	Wolf, McIntosh
Haugland	Peterson, Ransom	Mr. Speaker
Holm	Sagehorn	

Those voting in the negative were:

Anderson	Fleck	McIntyre
Arndt	Fraser	Mollet
Beede	Gackle	Morrison
Belzer	Gainor	Nelson, Morton
Bingenheimer	Glas	Nelson, Sargent
Bjella	Gress	Ohnstad
Braun, McLean	Haag	Olson, Bowman
Braun, Stark	Halvorson	Panko
Bruseau	Haugen	Peterson, Bottineau
Bubel	Heckman	Rohde
Bymers	Hofstrand	Rygg
Coghlan	Hogboom	Schmidt
Crockett	Jennings	Schwartz
Devlin	Juhola	Semerad
Dittmer	Kindem	Starck
Drovdal	Larson	Tuff
Erickson, Divide	Levin	Welder
Erickson, Williams	Lillehaugen	Williams, Richland
Falconer	McIntee	Wolf, Morton
Fitch		

Absent and not voting:

Boulden	Myers	Westby
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So the motion was declared lost.

Rep. Twichell moved that the House resolve itself into a Committee of the Whole for the purpose of considering House Bill No. 291 in General Orders; which motion was declared carried.

Rep. Beede appealed from the decision of the Chair on Rep. Twichell's motion and the roll was called.

ROLL CALL

The question being on the appeal from the decision of the Chair by Rep. Beede, the roll was called and there were ayes, 71; nays, 37; absent and not voting, 2; passed, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Arneson	Gainor	Nystrom
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Benno	Halvorson	Peterson, Ransom
Bergesen	Haugland	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Sellens
Bolmeier	Ireland	Severson
Brusseau	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langley	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Culver	Moe	Twichell
Dalzell	Morland	Wambheim
Dittmer	Morrison	Westby
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	

Those voting in the negative were:

Anderson	Haugen	Panko
Beede	Heckman	Peterson, Bottineau
Belzer	Jennings	Rohde
Bingenheimer	Juhola	Rygg
Braun, Stark	Larson	Schmidt
Braun, McLean	Levin	Schwartz
Devlin	Lillehaugen	Semerad
Drovdal	McIntee	Starck
Erickson, Divide	McIntyre	Tuff
Erickson, Williams	Mollet	Welder
Falconer	Nelson, Morton	Williams, Richland
Fraser	Ohnstad	Wolf, Morton

Haag

Absent and not voting:

Boulden Myers

Passed:

Mr. Speaker

So the motion was declared carried.

Rep. Erickson of Williams moved that the House do now adjourn, which motion was lost.

GENERAL ORDERS

The Speaker called Rep. Fitch to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

House Bill No. 291.

In the title of the Act in the last part after the word "companies" and before the word "and" strike out the comma and substitute a semi-colon and add the following words "providing penalty for failure to comply herewith,". In the same line strike out the word "repealing" and substitute the word "modifying".

Section 8—Strike out everything in the Section after the word "expiration" and insert the following "except upon written application of the employer. Any insurance company or association insuring compensation pursuant to the provisions of this act, upon the request of any employer and payment of the premium or premiums therefor, must insure such employees of the employer as are required to be insured under the provisions of the Workmen's Compensation Act."

Section 11 line 1 strike out the word "heretofore".

Section 12 line 30 after the word "be" insert the word "allowed".

Section 15 line 1 beginning with the word "on" strike out the balance of the Section and substitute the following: "Failure or refusal of any such company or association to comply with any of the provisions of this Act shall be ground, upon due notice and hearing, for the cancellation of the license of such company or association to operate in this state under the provisions of this Act."

Section 16 line 3 add the letter "s" to the word "provision".

Section 17—Strike out all of section 17.

And recommend the adoption of the amendments of the Committee of the Whole.

And when so amended recommend the same do pass.

K. A. FITCH, Chm., Committee of the Whole.

Rep. Crockett moved that the House adopt the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

Rep. Beede moved that House Bill No. 291 be placed at the foot of the calendar, which motion was lost.

Rep. Swanson moved that the absent members be excused, which motion prevailed.

Rep. Twichell moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTIETH DAY

Bismarck, February 25, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Hildebrand Eickhoff, Mandan.

Roll Call disclosed all members present except Reps. Boulden and Myers.

Rep. Twichell requested that the House be on the Seventh Order of Business, which request was granted and Rep. Twichell moved that the House proceed on the Eleventh Order of Business and that House Bill No. 291 be now placed

on Second Reading and Final Passage, which motion prevailed.

Rep. Beede rose to a point of order and stated that the consideration of House Bill No. 291 was out of order at this time for the reason that the bill had not as yet been properly engrossed since leaving the Committee of the Whole.

Rep. Twichell withdrew his motion pursuant to Rep. Beede's rising to a point of order.

Rep. Bergesen moved that the House do now go into executive session, which motion prevailed.

Call of the House was demanded and granted. The roll was called to ascertain that all members were present and Rep. Boulden was found absent and was excused.

Rep. Saumur moved that further proceedings of the Call of the House be dispensed with, which motion prevailed.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-ninth Day and recommends that the same be corrected as follows:

On page 791, line 2, strike out the second "9" in the figure.

On page 822, line 6, correct the spelling of the word "shoulder."

On page 835, before the 10th line from the bottom of the page insert the following:

"Rep. Johnson of Richland moved that the vote by which House Bill No. 337 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed."

On page 820, Rep. Culver is shown as voting "no" whereas he voted "aye".

On page 819, in the roll call totals on House Bill No. 317 correct the same to read as follows: "ayes, 54; nays, 51;"

On page 809, in the roll call on House Bill No. 250, Rep. Kee is shown as absent and not voting whereas he was present and voted "aye".

On page 808 correct the roll call totals to read as follows: "ayes, 105; nays, 4; absent and not voting, 2."

On page 793, in the first line of Rep. Crockett's explanation of vote correct "no" to read "aye".

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- House Bill No. 46
- House Bill No. 103
- House Bill No. 139
- House Bill No. 157

House Bill No. 270
 House Bill No. 308
 House Bill No. 141

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 250

And find the same correctly re-engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 118, have had the same under consideration and recommend that the same do pass.

WESLEY L. BOLMEIER, Chairman.

Rep. Erickson of Divide moved that the report be adopted, which motion prevailed and the report was adopted.

SELECT COMMITTEE REPORT

Mr. Speaker: Your Special Committee appointed to consider and recommend amendments to House Bill 163 make the following recommendations:

Strike out Subdivision (f) of Section 4 (Section 1 of the Act) and insert in lieu thereof the following:

"Have authority to establish and maintain personnel standards on a merit basis for personnel employed by the state and county public assistance agencies not covered by a statewide merit system or Civil Service Act."

Strike out all of Section 18 (Section 2 of the Act) and insert in lieu thereof the following:

"All applications, information and records concerning any applicant or recipient shall be confidential and shall not be disclosed nor used for any purpose except for purposes directly connected with the administration of old age assistance. Any person using any application, information or records concerning any applicant or recipient for purposes not directly connected with the administration of old age assistance shall be guilty of a misdemeanor."

REP. TWICHELL

REP. BEEDE

REP. TRYDAHL

MESSAGES FROM THE SENATE

Senate Chamber,
 Bismarck, February 25, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 102. A Bill for an Act Relating to the Appointment, Powers and Duties of the State Engineer, to Amend and Re-enact Section 8239 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 224 of the Session Laws of 1929, and to Repeal Section 8240 of the Compiled Laws of 1913 as

Amended and Re-enacted by Section 2 of Chapter 224 of the Session Laws of 1929.

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Senate Bill No. 204. A Bill for an Act to Make an Appropriation to Pay Expenses Resulting from the Death of Honorable Max Rabinovich, Member of the State Board of Pardons, While Away from His Home in the Performance of His Official Duties.

Senate Bill No. 191. A Bill for an Act to Repeal Chapter 120 of the Session Laws of 1915 Relating to Poor Relief Fund Transfer.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Counties in This State in Counties Where Tax Levies Upon Taxable Real and Personal Property Have Been Declared Null and Void and Vacated by Courts of Competent Jurisdiction to Meet and Make Proper Tax Levies Upon the Property So Involved for the Year or Years in Which Such Tax Levies Have Been Vacated; Providing for the Giving of Notice of Such Meeting to the Owners of Such Property or Their Successors in Interest; the Levying and Extension of Taxes Upon Such Property; Making Such Taxes a Lien Upon Such Property and Further Providing that All General Statutes Relating to Due and Delinquent Taxes and the Collection Thereof Shall Be Applicable to the Tax Levies Made Under the Provisions of This Act.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 25, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Sections 92 and 93 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Printing and Distribution of the Legislative Manual or North Dakota Blue Book.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Chapter 236 of the Session Laws of 1937. An Act to Provide for the Assessment of Car Line Companies, Express Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 2, 4, 5, 6, 7, 8, 9, 12 and 17, of Chapter 232, Laws of North Dakota for 1937, as amended by Chapter 215, Laws of 1939, the Same Being Known as the North Dakota Unemployment Compensation Law; Providing for Definitions of the Terms Used in Said Act; Providing a Definition of Agricultural Labor; Providing for Included and Excluded Services; Providing for the Payment of Contributions Into an Unemployment Compensation Fund; Providing for Con-

tribution Rates Based Upon a System of Experience Rating; Providing for the payment of benefits to Unemployed Individuals and Specifying the Amount and Duration Thereof; Providing Conditions of Eligibility for Benefits; Providing for the Disqualification of Individuals Under Certain Circumstances; Providing the Procedure for making Claims for Benefits and the Determination Thereof; Providing Procedure for Appeals; Providing for the Period, Election and Termination of Coverage for Employers; Providing for a System of Reciprocal Arrangements With Other States and With the United States; Providing Penalties for Violations of the Unemployment Compensation Law; Providing Prohibiting the Disclosure of Information; Providing for the Reimbursement of Funds in Certain Circumstances.

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing Penalties.

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

Senate Bill No. 111. A Bill for an Act Appropriating the Sum of \$16,291.58 out of the Special Bridge Fund of the State to Walsh County, North Dakota, and the State Highway Fund, and Apportioning Such Appropriation and Declaring an Emergency.

Senate Bill No. 186. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between April 1, 1941 and June 30, 1943; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 167. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil Basis and Providing for the Distribution of an Emergency Fund and to Provide Methods for the Ascertainment and Payment of the Sums Payable

to School Districts; and to Provide for Penalty for Making False Reports; Repealing Chapter 209 of the Session Laws of 1939 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 24. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 25, 1941.

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Resolution 2. A Concurrent Resolution Providing for the Amendment of Section 175 of Article 29 of the Constitution of North Dakota.

Which the Senate has adopted.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 25, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 144. A Bill for an Act to Amend and Reenact Section 499 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 212 of the 1931 Session Laws of the State of North Dakota Relating to Who Exempt from Employing a Registered Pharmacist and Providing for Sale by Certain Retailers of Emergency Household Medicines and Poisons.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 65. A Bill for an Act Imposing a Tax Upon Tickets for Admission to All Theaters, Movies, Pin Alleys, Ball Alleys, and Other Places of Amusement; Declaring an Emergency.

Senate Bill No. 198. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Real Estate Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Real Estate Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 25, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259 of the Session Laws of 1937; Being and Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol, and Alcoholic Beverages in the State of North Dakota; Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues from Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act, Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4 and Section 10 of Chapter 235 of the Session Laws of 1929 Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes; Providing for Exceptions to Such Levies; Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Senate Bill No. 192. A Bill for an Act Providing for the Payment of Final Judgments Obtained by the State or Any Agency, Bureau, Department or Officer Thereof Against Any County; Limiting the Amount of Tax That Can Be Levied and Extended in Any One Year; Creating a Special Fund Therefor and Providing for the Disbursement of Such Fund.

Senate Bill No. 155. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission; and Declaring an Emergency.

Senate Bill No. 95. A Bill for an Act to Provide for the Taxation of Leasehold, Equitable, and Executory Interests in Real Property, of Which the Principal Estate is Exempt; to Provide for the Creation of a Lien in Favor of the State as Security for the Payment of Such Taxes; to Provide for the Mode of Foreclosing Such Lien; to Impose Duty to Collect Such Taxes; to Make Officials Liable for Neglect of Such Duty; to Repeal Section 2118 of the North Dakota 1913 Compiled Laws and All Acts and Parts of Acts in Conflict with This Act; and to Create an Emergency.

Senate Bill No. 147. A Bill for an Act Providing Relief for the Poor, Prescribing the Procedure Therefor, Defining the Duties of the County Commissioners, Township Supervisors, City Commissioners, City Councilmen and Village Trustees in Respect Thereto, Granting the District Courts Power to Determine Issues Involving Removal of Poor Persons and the Legal Residence Thereof; Providing for County Welfare Boards; Providing for Financial Responsibility of Counties and Local Subdivisions for the Aid to Needy Persons; Prescribing Method for Distribution of Funds by Public Welfare Board of North Dakota to Counties; and

Repealing Chapter 97 of the Session Laws of North Dakota for 1933, as Amended by Chapters 119 and 123 of the Session Laws of 1935, and Chapters 124 and 126 of the Session Laws of North Dakota for 1939, and All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 141. A Bill for an Act Amending and Re-enacting Sections 578b1, 578b3, 578b4, 578b5, 578b7 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; To Amend and Re-enact Chapter 139 of the Session Laws of North Dakota for 1937; Providing for a State Board of Electricians, Prescribing Their Duties; Providing for Classification and Licensing of Electric Workers; Prescribing Fees for the Examination and License; Providing for Inspection and Regulation of Electric Work; Providing for Allocation of Fees; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 74; nays, 30; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fleck	Ohnstad
Arneson	Fuglestad	Olson, Barnes
Arndt	Gackle	Olson, Bowman
Austad	Gainor	Panko
Beede	Glas	Peterson, Ransom
Benno	Gress	Rohde
Bergesen	Haag	Rygg
Black	Haugland	Sagehorn
Bolmeier	Heckman	Sandness
Braun, Stark	Hogoboom	Saumur
Brusseau	Holm	Sellens
Bubel	Johnson, Cass	Severson
Bymers	Johnson, Richland	Sharpe
Carlson	Juhola	Shure
Coghlan	Kee	Singleton
Collette	Langley	Smart
Crockett	Larson	Swanson
Culver	Lillehaugen	Trydahl
Dalzell	McIntee	Twichell
Devlin	McIntyre	Westby
Dittmer	Morland	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, Morton
Falconer	Nelson, Sargent	Mr. Speaker
Fitzharris	Nystrom	

Those voting in the negative were:

Allen	Hofstrand	Nicholsen
Anderson	Ireland	Peterson, Bottineau
Belzer	Jennings	Schmidt

Bingenheimer	Kindem	Schwartz
Blair	Levin	Semerad
Braun, McLean	Lunde	Starck
Drovdal	Moe	Stormon
Fraser	Mollet	Tuff
Halvorson	Morrison	Welder
Haugen	Nelson, Ramsey	Wolf, McIntosh
Absent and not voting:		
Bjella	McInnes	Nelson, Steele
Roulden	Myers	Wambheim
Fitch		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Johnson of Cass moved that the vote by which House Bill No. 141 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen requested that the House be on the Seventh Order of Business, which request was granted and Rep. Bergesen moved that House Bill No. 242 be withdrawn, which motion prevailed.

The Speaker called Rep. Fitch to take the Chair.

Rep. Twichell moved that the rules be suspended for the consideration of House Bill No. 163 at this time, which motion prevailed.

Rep. Twichell moved that the recommendations for amendments to House Bill No. 163 made by the special committee to deliberate on that matter be adopted at this time, which motion prevailed.

Rep. Twichell moved that House Bill No. 163 be considered properly engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 163. A Bill for an Act to Amend and Re-enact Sections 4, 18, and 21 of Chapter 211 of the Session Laws for 1937, Pertaining to the Duties of the State Agency, the Confidential Character of Old Age Assistance Records, and the Distribution of Amounts Recovered from the Estates of Recipients of Old Age Assistance.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 9; absent and not voting, 10.

Those voting in the affirmative were:

Allen	Gainor	Nicholsen
Arndt	Glas	Nystrom
Arneson	Gress	Ohnstad
Austad	Halvorson	Olson, Barnes
Beede	Haugland	Olson, Bowman
Belzer	Heckman	Panko
Bergesen	Hofstrand	Peterson, Bottineau
Bingenheimer	Hogoboom	Peterson, Ransom
Black	Holm	Rygg
Blair	Ireland	Sagehorn

Bolmeier	Jennings	Saumur
Braun, McLean	Johnson, Cass	Schwartz
Braun, Stark	Johnson, Richland	Sellens
Bubel	Kee	Semerad
Bymers	Kindem	Severson
Carlson	Langley	Sharpe
Coghlan	Larson	Shure
Collette	Levin	Singleton
Culver	Lillehaugen	Smart
Dalzell	Lunde	Stormon
Devlin	McInnes	Swanson
Dittmer	McIntee	Trydahl
Drovdal	McIntyre	Twichell
Erickson, Divide	Moe	Wambheim
Erickson, Williams	Mollet	Westby
Fitch	Morland	Williams, Richland
Fitzharris	Nelson, Cass	Williams, Stutsman
Fleck	Nelson, Morton	Wolf, McIntosh
Fraser	Nelson, Ramsey	Wolf, Morton
Fuglestad	Nelson, Sargent	Mr. Speaker
Gackle	Nelson, Steele	

Those voting in the negative were:

Benno	Juhola	Starck
Brusseau	Morrison	Tuff
Crockett	Schmidt	Welder

Absent and not voting:

Aker	Falconer	Myers
Anderson	Haag	Rohde
Bjella	Haugen	Sandness
Boulden		

So the bill passed and the title was agreed to.

Rep. Moe moved that the vote by which House Bill No. 163 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Juhola: I am voting "no" for the reason that I think if the old people knew exactly what this merit system basis is going to lead to, they wouldn't want it either.

House Bill No. 270. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the Short Form of County Managership.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 6; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Cass
Allen	Fraser	Nelson, Morton
Anderson	Fuglestad	Nelson, Ramsey
Arneson	Gackle	Nelson, Sargent
Arndt	Gainor	Nelson, Steele
Beede	Glas	Ohnstad
Belzer	Gress	Olson, Barnes
Benno	Haugen	Olson, Bowman
Bergesen	Haugland	Peterson, Ransom

Bingenheimer	Heckman	Rohde
Black	Hofstrand	Rygg
Blair	Hogoboom	Sagehorn
Bolmeier	Holm	Sandness
Braun, McLean	Ireland	Schwartz
Braun, Stark	Jennings	Sellens
Brusseau	Johnson, Cass	Semerad
Bubel	Johnson, Richland	Severson
Bymers	Juhola	Sharpe
Carlson	Kee	Shure
Coghlan	Kindem	Singleton
Crockett	Langley	Smart
Dalzell	Larson	Stormon
Devlin	Lunde	Swanson
Dittmer	McInnes	Trydahl
Drovdal	McIntee	Tuff
Erickson, Divide	McIntyre	Twichell
Erickson, Williams	Moe	Wambheim
Falconer	Mollet	Westby
Fitch	Morland	Williams, Stutsman
Fitzharris	Morrison	Mr. Speaker

Those voting in the negative were:

Haag	Welder	Wolf, McIntosh
Starck	Williams, Richland	Wolf, Morton

Absent and not voting:

Austad	Halvorson	Nystrom
Bjella	Levin	Panko
Boulden	Lillehaugen	Peterson, Bottineau
Collette	Myers	Saumur
Culver	Nicholsen	Schmidt

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 270 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 218. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the County Manager Form.

Speaker Symington resumed the chair.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen	Glas	Olson, Barnes
Anderson	Gress	Olson, Bowman
Arneson	Haag	Peterson, Bottineau
Arndt	Haugen	Peterson, Ranson
Beede	Haugland	Rohde
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bingenheimer	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Sellens
Braun, McLean	Johnson, Richland	Semerad

Braun, Stark	Juhola	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Lunde	Starck
Collette	McInnes	Stormon
Crockett	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Mollet	Tuff
Devlin	Morland	Twichell
Drovdal	Morrison	Welder
Erickson, Divide	Myers	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad	Nelson, Steele	

Those voting in the negative were:

Wolf, Morton

Absent and not voting:

Austad	Fleck	Moe
Bjella	Gackle	Nicholsen
Black	Halvorson	Nystrom
Dittmer	Levin	Panko
Falconer	Lillehaugen	Wambheim

So the bill passed and the title was agreed to.

Rep. Brusseau moved that the vote by which House Bill No. 210 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 157 was read the second time.

Rep. Johnson of Cass requested the unanimous consent of the House to amend House Bill No. 157, which consent was granted.

Rep. Johnson of Cass moved that House Bill No. 157 be amended as follows:

On pages 5 and 6, strike out subsection (e) of Section 7, which consists of lines 24, 25 and 26 on page 5, and lines 27, 28 and 29 on page 6.

Which motion prevailed.

Rep. Johnson of Cass moved that the rules be suspended and that House Bill No. 157 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for the Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fraser	Nelson, Sargent
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Gress	Peterson, Bottineau
Belzer	Haag	Peterson, Ransom
Benno	Haugen	Rohde
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hofstrand	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schwartz
Braun, McLean	Ireland	Sellens
Braun, Stark	Jennings	Semerad
Brusseau	Johnson, Cass	Sharpe
Bubel	Johnson, Richland	Shure
Bymers	Juhola	Singleton
Carlson	Kee	Starck
Coghlan	Kindem	Stormon
Collette	Langley	Swanson
Crockett	Larson	Trydahl
Culver	Lunde	Tuff
Dalzell	McInnes	Twichell
Devlin	McIntee	Wambheim
Drovdal	McIntyre	Welder
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker

Absent and not voting:

Bergesen	Lillehaugen	Panko
Boulden	Moe	Schmidt
Dittmer	Myers	Severson
Halvorson	Nelson, Steele	Smart
Levin	Nicholsen	Westby

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Haugland moved that the vote by which House Bill No. 157 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 103. A Bill for an Act Appropriating the Sum of \$27,845.92 to the State Highway Commissioner Out of Any Funds in the State Treasury Available to the State Highway Department for the Purpose of Paying a Judgment That May Be Obtained by the Northern Improvement Company, of Fargo, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 14; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen	Gainor	Olson, Bowman
Anderson	Glas	Peterson, Bottineau
Arneson	Haag	Peterson, Ransom
Arndt	Haugen	Rohde
Austad	Haugland	Rygg
Beede	Heckman	Sagehorn
Benno	Hogoboom	Sandness
Bjella	Holm	Schwartz
Black	Ireland	Sellens
Blair	Johnson, Cass	Semerad
Bolmeier	Johnson, Richland	Sharpe
Brusseau	Juhola	Shure
Bubel	Kee	Singleton
Carlson	Langley	Starck
Coghlan	Larson	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Dalzell	McIntee	Tuff
Drovdal	McIntyre	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nystrom	Mr. Speaker
Fuglestad	Ohnstad	

Those voting in the negative were:

Belzer	Culver	Kindem
Bingenheimer	Devlin	Moe
Braun, McLean	Gress	Mollet
Braun, Stark	Hofstrand	Nelson, Steele
Bymers	Jennings	

Absent and not voting:

Bergesen	Lillehaugen	Schmidt
Boulden	Myers	Severson
Dittmer	Nicholsen	Smart
Halvorson	Panko	Westby
Levin	Saumur	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Fitch moved that the vote by which House Bill No. 103 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 46. A Bill for an Act Requiring all Counties, Townships, School Districts, Cities, Villages, Park Districts, and All Other Municipal or Quasi-Municipal Corporations Within the State, Which Are Now or May Hereafter Be Authorized to Issue and Sell Bonds for Any Purpose whatsoever to Offer Such Bonds for Sale to the State and to All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds Before Advertising Said Bonds for Sale or Selling Such Bonds; and Requiring the Sale of Such Bonds to the State or to a State Agency or Department Unless They Can Be Sold Elsewhere at a Lower Rate of Interest, Providing a Penalty for Non-Compliance Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 11; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gainor	Nicholsen
Allen	Glas	Nystrom
Anderson	Haag	Ohnstad
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Bottineau
Beede	Hofstrand	Peterson, Ransom
Belzer	Hogboom	Rohde
Bergesen	Holm	Rygg
Bingenheimer	Ireland	Sandness
Bjella	Jennings	Schmidt
Black	Johnson, Cass	Schwartz
Blair	Johnson, Richland	Sellens
Bolmeier	Juhola	Semerad
Bouliden	Kee	Severson
Braun, McLean	Kindem	Shure
Braun, Stark	Langley	Singleton
Brusseau	Larson	Smart
Bymers	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Culver	McInnes	Tuff
Devlin	McIntee	Twichell
Drovdal	McIntyre	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker
Gackle		

Those voting in the negative were:

Bubel	Fleck	Olson, Barnes
Carlson	Gress	Sagehorn
Crockett	Moe	Sharpe
Dalzell	Nelson, Morton	

Absent and not voting:

Benno	Heckman	Saumur
Dittmer	Myers	Trydahl

So the bill passed and the title was agreed to.

Rep. Anderson moved that the vote by which House Bill No. 46 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

House Bill No. 291

House Bill No. 163

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Johnson of Cass moved that House Bill No. 291 be placed at the head of the calendar, which motion prevailed.

House Bill No. 291. A Bill for an Act Permitting Employers Subject to the Provisions of Chapter 162 of the 1919 Session Laws of the State of North Dakota, (North Dakota Workmen's Compensation Act) as the Same is Now Amended, at Their Option to Carry Private Insurance; Specifying the Terms and Conditions Under Which the Same May Be Done; Providing for Action of the Workmen's Compensation Bureau Upon All Claims; Permitting Appeals from Certain Decisions of the Workmen's Compensation Bureau; Providing for Payment of Awards and Judgments Against Employers; Requiring Certain Reports by Insuring Companies; Providing Additional Methods of Securing Payment of Obligations Arising in Favor of Insured Employees and Their Dependents; Providing for Partial Support of the North Dakota Workmen's Compensation Bureau by Insuring Companies; Requiring Certain Bonds and Reports to Be Filed by Insuring Companies, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 63; nays, 46; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fleck	Panko
Allen	Fuglestad	Peterson, Ransom
Anderson	Gackle	Sagehorn
Arneson	Gress	Sandness
Arndt	Haag	Saumur
Austad	Haugland	Sellens
Benno	Holm	Severson
Bergesen	Johnson, Cass	Sharpe
Black	Johnson, Richland	Shure
Blair	Kee	Singleton
Bolmeier	Langley	Smart
Boulden	Lunde	Stormon
Braun, Stark	McInnes	Swanson
Carlson	Moe	Trydahl
Coghlan	Morrison	Twichell
Collette	Nelson, Cass	Wambheim
Crockett	Nelson, Ramsey	Welder
Dalzell	Nelson, Steele	Williams, Stutsman
Drovdal	Nicholsen	Wolf, McIntosh
Fitch	Nystrom	Wolf, Morton
Fitzharris	Olson, Barnes	Mr. Speaker

Those voting in the negative were:

Beede	Halvorson	Morland
Belzer	Haugen	Nelson, Morton

Bingenheimer	Heckman	Nelson, Sargent
Bjella	Hofstrand	Ohnstad
Braun, McLean	Hogoboom	Olson, Bowman
Brusseau	Ireland	Peterson, Bottineau
Bubel	Jennings	Rohde
Bymers	Juhola	Rygg
Culver	Kindem	Schmidt
Devlin	Larson	Schwartz
Erickson, Divide	Levin	Semerad
Erickson, Williams	Lillehaugen	Starck
Falconer	McIntee	Tuff
Fraser	McIntyre	Westby
Gainor	Mollet	Williams, Richland
Glas		

Absent and not voting:

Dittmer Myers

So the bill passed and the title was agreed to.

Rep. Johnson of Cass moved that the vote by which House Bill No. 291 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Bymers: I do not believe in adopting this measure. We are opening the gate for some more corporations to come in and gobble up our business. Therefore, I vote "no".

Rep. Haag: Since my colleague called this bill back and I have many wires and letters from my district asking that I support House Bill No. 291, I therefore vote "aye".

Rep. Trydahl: Any concern, public or private, has a complete, uncontrollable monopoly and there are two ways to wreck a corporation — from the inside, and by mistrust from the outside. Therefore, I vote "aye".

Rep. Welder: I am not in favor of any insurance company's coming in this state to weaken our State Workmen's Compensation Bureau. But if this bill is enacted into a law and placed on the statute books, it will be optional to carry private insurance with the provision that they have to insure under the Workmen's Compensation Act. And it has a tendency to solve the difficult problems between the business men and the State Workmen's Compensation Bureau which will be a benefit to our small business men at home as they have stated in their numerous letters which we have received. And it will not be harmful to the farmers. Therefore, I vote "aye".

Rep. Williams of Richland: If we pass this bill, and some of our group is going to help pass it, we are killing the last act of the League passed in 1919, and before I bow down to the boys who are going to pass it, men who have stabbed us in the back every time they had the chance for the last twenty-five years, I would fight them until hell freezes over and I would fight them on the ice, too.

Rep. Wolf of McIntosh: I feel the labor man was not getting a square deal. I have been an employer for the last ten years and have contributed to this office. The business men have done their contributing and I feel if the Bureau had paid their claims the way they are supposed to, and I am in favor of a corporation also, I would support it, but since what is just has not been done, I vote "aye".

House Bill No. 308 was read the second time.

Rep. Falconer moved that further consideration of House Bill No. 308 be indefinitely postponed, which motion was lost.

House Bill No. 308. A Bill for an Act Requiring All Persons Purchasing Intoxicating Liquor at Retail in This State to Procure a Permit and Forbidding Sale by Retailers to One Without a Permit; Fixing the Charge for Same and Providing Penalty for Non-compliance.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 65; nays, 39; absent and not voting, 6; passing, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gainor	Nystrom
Anderson	Gress	Olson, Barnes
Arneson	Haugen	Peterson, Ransom
Austad	Haugland	Rohde
Reede	Heckman	Rygg
Belzer	Hofstrand	Sagehorn
Bingenheimer	Holm	Sandness
Bjella	Ireland	Semerad
Blair	Kee	Severson
Bolmeier	Kindem	Sharpe
Braun, McLean	Langley	Smart
Braun, Stark	Larson	Stormon
Brusseau	Lillehaugen	Swanson
Bymers	Lunde	Trydahl
Coghlan	McIntee	Tuff
Culver	Moe	Welder
Drovdal	Mollet	Westby
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	
Those voting in the negative were:		
Arndt	Halvorson	Panko
Benno	Hogoboom	Peterson, Bottineau
Bergesen	Jennings	Saumur
Black	Johnson, Cass	Schmidt
Bubel	Johnson, Richland	Schwartz
Carlson	Juhola	Sellens
Collette	Levin	Shure
Crockett	Meinnes	Singleton
Dalzell	McIntyre	Starck
Devlin	Nelson, Cass	Twichell
Falconer	Nelson, Morton	Wambheim
Fitch	Nicholsen	Wolf, Morton
Glas	Olson, Bowman	Mr. Speaker
Absent and not voting:		
Boulden	Fleck	Myers
Dittmer	Gackle	Ohnstad
Passed:		
Haag		

Rep. Juhola changed his vote from "no" to "aye" for the purpose of reconsideration.

Explanation of vote:

Rep. Starck: I am for the Old Age Pension just as well as

any other man in this House but I feel that we can take care of our old people without supporting them with the money we are collecting from a dog tax.

Rep. Welder: It is hard for me to make any decision on this bill because I know the bartender doesn't like to ask a man when he takes a drink to produce his license, but since it is for the Old Age Pension I can't help myself and I vote "aye".

Rep. Wolf of McIntosh: I am against this liquor tax or permit but since it was amended in such a way that it takes care of the old people I am going to reconsider and I vote "aye".

Rep. Twichell moved that the House recess until 7:30 P. M., and that the Speaker make his ruling on the passage of House Bill No. 308 subsequent to recess, which motion prevailed.

Pursuant to recess taken the Speaker called the House to order.

Speaker Symington:

Ruling on the passage of House Bill No. 308:

House Bill No. 308 which was read this afternoon, carried a vote of 66 ayes to 39 nays and 6 absent. Rep. Fitch has stated that this requires a 2/3 vote to carry the measure. In my opinion the Bill does not in any way amend Chapter 259 of the Session Laws of 1937, nor Chapter 103 of the Session Laws of 1939, which seems to regulate the seller.

It is my opinion that the terms of House Bill No. 308 are supplemental to the above mentioned statutes and regulates the purchaser, and therefore, my ruling must be that the Bill carried by reason of its having passed with a constitutional majority of this House.

SECOND READING OF HOUSE BILLS

House Bill No. 139. A Bill for an Act Permitting and Authorizing Appeal from All Decisions of the Workmen's Compensation Bureau by Claimants, Irrespective of Whether or Not the Bureau Makes Any Award to Claimant, and Providing for Such Appeals from All Such Decisions of the Bureau for Six Years Last Past; Repealing Laws and Parts of Laws in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67; nays, 26; absent and not voting, 18.

Those voting in the affirmative were:

Allen	Hofstrand	Rygg
Anderson	Holm	Sagehorn
Arneson	Ireland	Sandness
Arndt	Johnson, Cass	Saumur
Beede	Kindem	Sellens
Belzer	Langley	Semerad
Bergesen	Larson	Severson
Bingenheimer	Lunde	Sharpe
Bjella	McIntee	Shure
Black	McIntyre	Singleton

Blair	Moe	Smart
Braun, Stark	Mollet	Starck
Coghlan	Nelson, Cass	Stormon
Crockett	Nelson, Morton	Trydahl
Devlin	Nelson, Ramsey	Tuff
Dittmer	Nelson, Sargent	Twichell
Drovdal	Nelson, Steele	Welder
Erickson, Divide	Nystrom	Westby
Erickson, Williams	Ohnstad	Williams, Richland
Falconer	Panko	Williams, Stutsman
Fitzharris	Peterson, Ransom	Wolf, McIntosh
Gainor	Rohde	Wolf, Morton
Haugland		

Those voting in the negative were:

Aker	Dalzell	Jennings
Austad	Fitch	Levin
Benno	Fleck	Lillehaugen
Braun, McLean	Fraser	Morland
Brusseau	Fuglestad	Olson, Bowman
Bubel	Haag	Peterson, Bottineau
Bymers	Halvorson	Schwartz
Carlson	Haugen	Mr. Speaker
Culver	Hogoboom	

Absent and not voting:

Bolmeier	Heckman	Myers
Boulden	Johnson, Richland	Nicholsen
Collette	Juhola	Olson, Barnes
Gackle	Kee	Schmidt
Glas	McInnes	Swanson
Gress	Morrison	Wambheim

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Bergesen moved that the vote by which House Bill No. 139 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 105. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Hofstrand	Rygg
Bergesen	Hogoboom	Sagehorn
Bingenheimer	Holm	Sandness

Bjella	Ireland	Saumur
Black	Jennings	Schwartz
Blair	Johnson, Cass	Semerad
Bolmeier	Johnson, Richland	Severson
Braun, McLean	Kindem	Sharpe
Braun, Stark	Langley	Shure
Brusseau	Larson	Singleton
Bubel	Levin	Smart
Bymers	Lillehaugen	Starck
Carlson	Lunde	Stormon
Coghlan	McIntee	Trydahl
Crockett	McIntyre	Tuff
Culver	Moe	Twichell
Dalzell	Mollet	Wambheim
Devlin	Morland	Welder
Dittmer	Morrison	Westby
Drovdal	Nelson, Cass	Williams, Richland
Erickson, Divide	Nelson, Morton	Williams, Stutsman
Erickson, Williams	Nelson, Ramsey	Wolf, McIntosh
Falconer	Nelson, Sargent	Wolf, Morton
Fitch	Nelson, Steele	Mr. Speaker
Fitzharris		
Absent and not voting:		
Boulden	Heckman	Nicholsen
Collette	Juhola	Schmidt
Fleck	Kee	Sellens
Glas	McInnes	Swanson
Gress	Myers	

So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 105 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 25, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution "N." A Concurrent Resolution In Regard to Third House Session and Dance in Capitol Corridors.

Senate Concurrent Resolution "J". A Concurrent Resolution Requesting the Board of Administration to Require a Monthly Rental from Federal Agencies Housed in the Capitol Building.

Senate Concurrent Resolution "M". A Resolution Memorializing Congress to Construct the Proposed Missouri River Diversion Project.

Which the House has adopted unchanged.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 25, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 323. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159, Session Laws of 1927, Relating to the Department of State Highways.

House Bill No. 150. A Bill for an Act Making a Deficiency Appropriation for Assistance to the Needy Aged for the

Balance of the Biennial Period Ending June 30, 1941, and Declaring an Emergency.

House Bill No. 332. A Bill for an Act Declaring a Land Use Policy Relative to Agricultural Lands Obtained by the County on Tax Deed Proceedings, and Empowering the Board of County Commissioners to Conform to Such Policy in the Sale and Lease of Such Lands. Declaring an Emergency.

House Bill No. 333. A Bill for an Act Providing for the Operation of Motor Vehicles Within This State by Non-Resident Owners, Authorizing the Motor Vehicle Registrar to Enter Into Reciprocal Agreements With Authorized Officials of Other States; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 335. A Bill for an Act to Transfer to the General Fund \$20,000 from the Balance on Hand July 1, 1941, in the "Auto Transportation Fund".

House Bill No. 336. A Bill for an Act Making an Appropriation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

House Bill No. 337. A Bill for an Act to Amend and Re-enact Section 53, Chapter 3, Article 4, Political Code, Compiled Laws of 1913, Relating to the Printing of Journals of Each Branch of the Legislative Assembly.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 25, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 273. A Bill for an Act for the Licensing, Regulating and Inspecting of Rendering Plants or Establishments, and Providing Punishment for Violation Thereof; Declaring an Emergency.

House Bill No. 319. A Bill for an Act to Amend and Re-enact Chapter 247 of the Session Laws of 1931, Providing for the Payment of Per Capita School Tax; Repealing Acts in Conflict and Declaring an Emergency.

House Bill No. 102. A Bill for an Act to Establish a State Industrial Alcohol Plant; Providing for the Management Thereof, and Making an Appropriation Therefor; Constitutionality.

House Bill No. 202. A Bill for an Act Providing for the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm, Providing for the Commitment and Transfer of Prisoners Therein, and Their Care and Supervision Therein; Making an Appropriation for the Establishment and Maintenance of Said Institution; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral

Expenses of Representative Edward Rieker of Kidder County; and Declaring an Emergency.

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

House Bill No. 326. A Bill for an Act to Amend and Re-enact Sections 10770 and 10396 of the Compiled Laws of North Dakota for 1913 Relating to Trial by Jury and Waiver of Trial by Jury in Criminal Cases.

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 235 of the 1919 Session Laws, Constituting Section 6076 of the 1925 Supplement.

House Bill No. 210. A Bill for an Act to Conserve Crude Petroleum Oil and Natural Gas; to Enlarge the Duties and Authority of the Industrial Commission of North Dakota to Supervise and Control the Oil and Gas Resources of North Dakota; Authorizing the Industrial Commission of North Dakota to Promulgate Rules and Regulations for the Enforcement of the Provisions of the Act for the Purpose of Conserving Oil and Gas; Providing Penalties for the Violation of Certain Provisions of the Act or the Regulations Promulgated Thereunder; Repealing Chapter 184 of the 1929 Session Laws and Chapter 135 of the 1937 Session Laws of North Dakota; Repealing All Laws and Parts of Laws in Conflict Herewith.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 25, 1941.

Mr. President: I have the honor to return:

House Bill No. 140. A Bill for an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency.

Which the Senate has requested for further consideration.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 25, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 25, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

House Bill No. 302. A Bill for an Act Requiring That All Public Funds of the State Be Paid Into the General Fund of the State and Be Disbursed Only Upon Legislative Appropriation, Excepting Funds of the Bank of North Dakota, Monies Payable to the State Hail Insurance Fund, State Bonding Fund, State Fire and Tornado Fund, Workmen's Compensation Fund, Funds Under the Jurisdiction of the Board of University and School Lands, Funds of the State Mill and Elevator Association, Funds Required for the Payment of Interest and Principal of Bonds and Other Fixed Obligations of the State, Funds Paid to the Teachers Insurance and Retirement Fund, Monies Received Under the Retail Sales Tax Act, State Gasoline Tax Law, Monies Received from the Motor Vehicle License Fees, and Funds Allocated to the State by the Federal Government; Repealing All Laws Providing for Special Funds with the Exceptions Above Noted and Repealing All Laws or Parts of Laws in Conflict Herewith.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of the State of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws for the Year 1931, and as Amended by Chapter 163 of the Session Laws for the Year 1933, and as Amended by Chapter 185 of the Session Laws for the Year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles That May Be Driven or Moved Upon the Highways of the State of North Dakota; Providing Exemptions; Fixing Fees for the Registration and Licensing of Motor Vehicles Referred to; Prescribing Penalties for Violation; and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 16. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 279. A Bill for an Act Prohibiting the Use of Intoxicating Liquors in Any Form by the State Highway Patrol Superintendent, His Assistants and All Members of the Division of State Highway Safety and Patrol.

House Bill No. 245. A Bill for an Act to Amend and Re-enact Sections 26 and 53 and Sub-division (2) of Section 20 of Chapter 148, Laws 1931, Providing for Permit Fee and Providing Penalties for the Illegal Hunting of Big Game.

House Bill No. 286. A Bill for an Act Authorizing the Board of University and School Lands to Sell Lands Belonging to the Permanent School or Institutional Funds But Not a Part of the Federal Grant Lands to Bona Fide Farmers, Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 25, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 141. A Bill for an Act Amending and Re-enacting Sections 578b1, 578b3, 578b4, 578b5, 578b7 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; To Amend and Re-enact Chapter 139 of the Session Laws of North Dakota for 1937; Providing for a State Board of Electricians, Prescribing Their Duties; Providing for Classification and Licensing of Electric Workers; Prescribing Fees for the Examination and License; Providing for Inspection and Regulation of Electric Work; Providing for Allocation of Fees; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

House Bill No. 270. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the Short Form of County Managership.

House Bill No. 218. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the County Manager Form.

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for the Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

House Bill No. 103. A Bill for an Act Appropriating the Sum of \$27,845.92 to the State Highway Commissioner Out of Any Funds in the State Treasury Available to the State Highway Department for the Purpose of Paying a Judgment

That May Be Obtained by the Northern Improvement Company, of Fargo, North Dakota.

House Bill No. 46. A Bill for an Act Requiring all Counties, Townships, School Districts, Cities, Villages, Park Districts, and All Other Municipal or Quasi-Municipal Corporations Within the State, Which Are Now or May Hereafter Be Authorized to Issue and Sell Bonds for Any Purpose whatsoever to Offer Such Bonds for Sale to the State and to All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds Before Advertising Said Bonds for Sale or Selling Such Bonds; and Requiring the Sale of Such Bonds to the State or to a State Agency or Department Unless They Can Be Sold Elsewhere at a Lower Rate of Interest, Providing a Penalty for Non-Compliance Herewith.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Sections 4, 18, and 21 of Chapter 211 of the Session Laws for 1937, Pertaining to the Duties of the State Agency, the Confidential Character of Old Age Assistance Records, and the Distribution of Amounts Recovered from the Estates of Recipients of Old Age Assistance.

Which the House has passed and your favorable consideration is respectfully requested.

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 105
 House Bill No. 106
 House Bill No. 107
 House Bill No. 110
 House Bill No. 147
 House Bill No. 148
 House Bill No. 196
 House Bill No. 334
 House Bill No. 149

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 251

And find the same correctly re-engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Fuglestad	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Schwartz
Blair	Jennings	Semerad
Bolmeier	Johnson, Cass	Severson
Braun, McLean	Johnson, Richland	Sharpe
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Carlson	Levin	Stormon
Coghlan	Lillehaugen	Swanson
Crockett	Lunde	Trydahl
Culver	McIntee	Tuff
Dalzell	McIntyre	Twichell
Devlin	Moe	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Morton	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fitch	Nelson, Steele	Mr. Speaker

Absent and not voting:

Benno	Gress	Nelson, Cass
Boulden	Heckman	Nicholsen
Collette	Juhola	Saumur
Fleck	McInnes	Schmidt
Glas	Myers	Sellens

So the bill passed and the title was agreed to.

House Bill No. 107. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad

Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schwartz
Blair	Jennings	Semerad
Bolmeier	Johnson, Cass	Severson
Braun, McLean	Johnson, Richland	Sharpe
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Carlson	Levin	Stormon
Coghlan	Lillehaugen	Swanson
Collette	Lunde	Trydahl
Crockett	McInnes	Tuff
Culver	McIntee	Twichell
Dalzell	McIntyre	Wambheim
Devlin	Moe	Welder
Dittmer	Mollet	Westby
Drovdal	Morland	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, McIntosh
Falconer	Nelson, Ramsey	Wolf, Morton
Fitch	Nelson, Sargent	Mr. Speaker
Fitzharris		

Absent and not voting:

Benno	Heckman	Nicholsen
Boulden	Juhola	Rohde
Fleck	Myers	Schmidt
Glas	Nelson, Cass	Sellens
Gress	Nelson, Steele	

So the bill passed and the title was agreed to.

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Bergesen	Hofstrand	Rygg

Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Moe	Twichell
Devlin	Mollet	Wambheim
Dittmer	Morland	Welder
Drovdal	Morrison	Westby
Erickson, Divide	Nelson, Cass	Williams, Richland
Erickson, Williams	Nelson, Morton	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fitzharris	Nelson, Steele	Mr. Speaker
Absent and not voting:		
Benno	Gress	Myers
Boulden	Heckman	Nicholsen
Fleck	Johnson, Richland	Schmidt
Glas	Juhola	Sellens

So the bill passed and the title was agreed to.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Subsection (h) of Section 51 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment By the Supreme Court of the State Examiner as Receiver of Insolvent State Banks, the Transfer of Powers and Duties of the Receiver or Receivers Heretofore Appointed By the Supreme Court to the State Examiner and Providing That the State Examiner Shall Become Receiver of All Insolvent State Banks from Which the Receiver Appointed by the Supreme Court has Not Been Discharged, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 12; pass, 1.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sandness

Bjella	Holm	Saumur
Black	Ireland	Schwartz
Blair	Jennings	Semerad
Bolmeier	Johnson, Cass	Severson
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Shure
Brusseau	Langley	Singleton
Bubel	Larson	Smart
Bymers	Levin	Starck
Carlson	Lillehaugen	Stormon
Coghlan	Lunde	Swanson
Collette	McInnes	Trydahl
Crockett	McIntee	Tuff
Culver	McIntyre	Twichell
Dalzell	Moe	Wambheim
Devlin	Mollet	Welder
Dittmer	Morland	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, McIntosh
Falconer	Nelson, Ramsey	Wolf, Morton
Fitch	Nelson, Sargent	Mr. Speaker
Fitzharris	Nelson, Steele	

Absent and not voting:

Boulden	Heckman	Nicholsen
Fleck	Johnson, Richland	Sagehorn
Glas	Juhola	Schmidt
Gress	Myers	Sellens

Passed:

Arneson

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Twichell moved that the vote by which House Bill No. 196 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 149. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arneson	Gainor	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg

Bingenheimer	Holm	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Schwartz
Blair	Johnson, Cass	Semerad
Bolmeier	Johnson, Richland	Severson
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Shure
Brusseau	Langley	Singleton
Bubel	Larson	Smart
Bymers	Levin	Starck
Carlson	Lillehaugen	Stormon
Coghlan	Lunde	Swanson
Collette	McInnes	Trydahl
Crockett	McIntee	Tuff
Culver	McIntyre	Twichell
Dalzell	Moe	Wambheim
Devlin	Mollet	Welder
Dittmer	Morland	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Absent and not voting:		
Boulden	Gress	Nicholsen
Erickson, Divide	Heckman	Sagehorn
Fleck	Juhola	Schmidt
Glas	Myers	Sellens

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 149 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 148. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Rygg
Bergesen	Holm	Sagehorn
Bingenheimer	Ireland	Sandness

Bjella	Jennings	Saumur
Black	Johnson, Cass	Schwartz
Blair	Johnson, Richland	Semerad
Bolmeier	Kee	Severson
Braun, McLean	Kindem	Sharpe
Braun, Stark	Langley	Shure
Brusseau	Larson	Singleton
Bubel	Levin	Smart
Bymers	Lillehaugen	Starck
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Collette	McIntee	Trydahl
Crockett	McIntyre	Tuff
Culver	Moe	Twichell
Dalzell	Mollet	Wambheim
Devlin	Morland	Welder
Dittmer	Morrison	Westby
Drovdal	Nelson, Cass	Williams, Richland
Erickson, Divide	Nelson, Morton	Williams, Stutsman
Erickson, Williams	Nelson, Ramsey	Wolf, McIntosh
Falconer	Nelson, Sargent	Wolf, Morton
Fitch	Nelson, Steele	Mr. Speaker
Fitzharris		
Absent and not voting:		
Boulden	Gress	Nicholsen
Fleck	Heckman	Schmidt
Gackle	Juhola	Sellens
Glas	Myers	

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 148 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 147. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 2; absent and not voting, 12.

Those voting in the affirmative were:

Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Rygg
Bergesen	Holm	Sagehorn
Bingenheimer	Ireland	Sandness
Bjella	Jennings	Saumur

Black	Johnson, Cass	Schwartz
Blair	Johnson, Richland	Semerad
Bolmeier	Kee	Severson
Braun, McLean	Kindem	Sharpe
Braun, Stark	Langley	Shure
Brusseau	Larson	Singleton
Bubel	Levin	Smart
Bymers	Lillehaugen	Starck
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Collette	McIntee	Trydahl
Crockett	McIntyre	Tuff
Culver	Moe	Twichell
Dalzell	Mollet	Wambheim
Devlin	Morrison	Welder
Dittmer	Nelson, Cass	Westby
Drovdal	Nelson, Morton	Williams, Richland
Erickson, Divide	Nelson, Ramsey	Williams, Stutsman
Erickson, Williams	Nelson, Sargent	Wolf, McIntosh
Fitch	Nelson, Steele	Wolf, Morton
Fitzharris	Nystrom	Mr. Speaker
Fraser		

Those voting in the negative were:

Falconer Fuglestad

Absent and not voting:

Aker	Gress	Myers
Boulden	Heckman	Nicholsen
Fleck	Juhola	Schmidt
Glas	Morland	Sellens

So the bill passed and the title was agreed to.

Rep. Haag moved that the vote by which House Bill No. 147 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Falconer: I vote "no" on this bill for the reason that I don't believe the appropriation provided is large enough to take care of the human misery among our citizens who are unable to find employment with an income sufficient to provide the necessities of life for themselves and their families.

House Bill No. 334 was read the second time.

Rep. Crockett moved that House Bill No. 334 be indefinitely postponed.

Rep. Haugen moved a substitute motion that House Bill No. 334 be referred back to the sponsors for correction, which motion was lost.

The question being on the motion of Rep. Crockett that House Bill No. 334 be indefinitely postponed, the motion was lost.

House Bill No. 334. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 64; nays, 36; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Haugen	Olson, Barnes
Bergesen	Hofstrand	Olson, Bowman
Bingenheimer	Holm	Peterson, Ransom
Bjella	Ireland	Rygg
Black	Johnson, Cass	Sandness
Bolmeier	Johnson, Richland	Saumur
Braun, Stark	Kee	Schmidt
Brusseau	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Lillehaugen	Singleton
Collette	Lunde	Smart
Culver	McInnes	Stormon
Dalzell	Morland	Swanson
Devlin	Morrison	Trydahl
Erickson, Divide	Nelson, Cass	Wambheim
Erickson, Williams	Nelson, Morton	Westby
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fleck	Nelson, Sargent	Mr. Speaker
Fraser		

Those voting in the negative were:

Anderson	Haag	Peterson, Bottineau
Arneson	Halvorson	Rohde
Beede	Haugland	Sagehorn
Belzer	Hogoboom	Schwartz
Benno	Jennings	Semerad
Blair	Larson	Shure
Braun, McLean	Levin	Tuff
Bubel	McIntee	Twichell
Crockett	McIntyre	Welder
Dittmer	Moe	Williams, Richland
Drovdal	Mollet	Wolf, McIntosh
Falconer	Panko	Wolf, Morton

Absent and not voting:

Boulden	Gress	Nicholsen
Coghlan	Heckman	Sellens
Fitch	Juhola	Starck
Glas	Myers	

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which House Bill No. 334 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 118, Laws 1929 Relative to the Posting of Butter Fat Prices at Creamery and Cream Stations and Other Places of Business Purchasing Such Products From the Public.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 96; nays, 6; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fitzharris	Nystrom
Allen	Fleck	Ohnstad
Anderson	Fraser	Olson, Barnes
Arneson	Fuglestad	Olson, Bowman
Arndt	Gackle	Panko
Austad	Gainor	Peterson, Bottineau
Beede	Haag	Peterson, Ransom
Belzer	Halvorson	Rohde
Bergesen	Haugen	Rygg
Bingenheimer	Haugland	Sandness
Bjella	Hofstrand	Saumur
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Semerad
Braun, McLean	Johnson, Cass	Severson
Braun, Stark	Johnson, Richland	Sharpe
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Swanson
Collette	Lillehaugen	Trydahl
Crockett	McInnes	Tuff
Culver	McIntee	Twichell
Dalzell	McIntyre	Wambheim
Devlin	Mollet	Welder
Dittmer	Morland	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, McIntosh
Falconer	Nelson, Sargent	Wolf, Morton
Fitch	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Benno	Lunde	Nelson, Ramsey
Hogoboom	Moe	Stormon

Absent and not voting:

Boulden	Heckman	Nicholsen
Glas	Juhola	Sagehorn
Gress	Myers	Sellens

So the bill passed and the title was agreed to.

Rep. Schwartz moved that the vote by which House Bill No. 251 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 108

House Bill No. 109

House Bill No. 151

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Hofstrand	Rygg
Bergesen	Hogoboom	Sagehorn
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bubel	Langley	Singleton
Bymers	Larson	Smart
Coghlan	Levin	Starck
Carlson	Lillehaugen	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Culver	McIntee	Tuff
Dalzell	McIntyre	Twichell
Devlin	Moe	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck	Nelson, Steele	

Absent and not voting:

Bingenheimer	Heckman	Nicholsen
Boulden	Juhola	Sandness
Glas	Myers	Sellens
Gress		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 108 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Steele
Alien	Fraser	Nystrom
Anderson	Fuglestad	Ohnstad
Arneson	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Boulden	Heckman	Nicholsen
Culver	Juhola	Sellens
Glas	Morland	Shure
Gress	Myers	Williams, Richland

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the

State Equalization Fund Law, as Provided for in Chapter 209, Session Laws of 1939, and Acts Amendatory 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, 100; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Gackle	Ohnstad
Allen	Gainor	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arneson	Halvorson	Panko
Arndt	Haugen	Peterson, Bottineau
Austad	Haugland	Peterson, Ransom
Beede	Hofstrand	Rohde
Belzer	Hogoboom	Rygg
Benno	Holm	Sagehorn
Bergesen	Ireland	Sandness
Bingenheimer	Jennings	Saumur
Bjella	Johnson, Cass	Schmidt
Black	Johnson, Richland	Schwartz
Blair	Kee	Semerad
Bolmeier	Kindem	Severson
Braun, McLean	Langley	Sharpe
Brusseau	Larson	Shure
Bubel	Levin	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Collette	McIntee	Swanson
Crockett	McIntyre	Trydahl
Dalzell	Moe	Tuff
Devlin	Mollet	Twichell
Dittmer	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nystrom	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Drovdal

Absent and not voting:

Boulden	Gress	Myers
Braun, Stark	Heckman	Nicholsen
Culver	Juhola	Sellens
Glas		

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which House Bill No. 151 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Enrollment and En-

grossment respectfully report that they have examined the following bill:

House Bill No. 10

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch requested that the House be on the Seventh Order of Business, which request was granted and Rep. Fitch moved that the House reconsider its action taken on House Bill No. 250.

Rep. Crockett moved that the motion of Rep. Fitch be laid on the table, which motion prevailed.

Rep. Fitch moved that the rules be suspended for the purpose of amending House Bill No. 250, which motion was lost.

Rep. Beede moved that the rules be suspended; that the House reconsider its action taken on House Bill No. 250 only for the purpose of adding a Savings Clause to House Bill No. 250, which motion prevailed.

Rep. Beede moved the following amendment:

On page 4, strike out the figure "4" in line 1, and insert in lieu thereof the figure "5".

Renumber Section 4, line 1, to read "Section 5" and insert a new Section 4 as follows:

"Section 4. SAVINGS CLAUSE.) Should the courts of this State or of the United States declare any of the provisions of this Chapter unconstitutional, illegal or void, such decision shall not invalidate any other provision herein contained."

Which motion prevailed.

Rep. Beede moved that the rules be suspended and that House Bill No. 250 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Rygg
Bergesen	Holm	Sagehorn

Bingenheimer	Ireland	Sandness
Bjella	Jennings	Saumur
Black	Johnson, Cass	Schmidt
Blair	Johnson, Richland	Schwartz
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Mollet	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker

Absent and not voting:

Bolmeier	Glas	Myers
Culver	Gress	Nicholsen
Gainor	Heckman	Sellens

So the bill passed and the emergency clause was declared carried.

Rep. Beede moved that the vote by which House Bill No. 250 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Beede moved that the title of House Bill No. 250 be amended as follows:

“After the word “Tax” in line 3 of the title, add the words and Making a Savings Clause”.

Which motion prevailed.

House Bill No. 10. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government and for All of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Steele
Allen	Fraser	Nystrom

Anderson	Fuglestad	Ohnstad
Arneson	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Juhola	Sharpe
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Stormon
Collette	Lillehaugen	Swanson
Crockett	Lunde	Trydahl
Culver	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Moe	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Absent and not voting:		
Boulden	Heckman	Nicholsen
Glas	Mollet	Rohde
Gress	Myers	Sellens

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Rep. Swanson moved that the vote by which House Bill No. 10 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen requested that the House be on the Seventh Order of Business, which request was granted and Rep. Bergesen moved that the House reconsider its action taken on House Bill No. 266, which motion was lost.

Rep. Twichell moved that the vote by which the request for reconsideration of House Bill No. 266 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell moved that the House do now recess until 9:30 A. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTIETH DAY AFTER RECESS AND
FIFTY-FIRST DAY

Bismarck, February 26, 1941.

The House re-assembled at 9:30 A. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would be on the Thirteenth Order of Business.

FIRST READING OF SENATE BILLS

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Was read the first time and referred to the Comm. on Appropriations.

Senate Concurrent Resolution 2. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 29 of the Constitution of North Dakota.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 24. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Were read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 65. A Bill for an Act Imposing a Tax Upon Tickets for Admission to All Theaters, Movies, Pin Alleys, Ball Alleys, and Other Places of Amusement; Declaring an Emergency.

Was read the first time and referred to the Comm. on Ways and Means.

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4 and Section 10 of Chapter 235 of the Session Laws of 1929 Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes; Providing for Exceptions to Such Levies; Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 95. A Bill for an Act to Provide for the Taxation of Leasehold, Equitable, and Executory Interests in Real Property, of Which the Principal Estate is Exempt; to Provide for the Creation of a Lien in Favor of the State as Security for the Payment of Such Taxes; to Provide for the Mode of Foreclosing Such Lien; to Impose Duty to Collect Such Taxes; to Make Officials Liable for Neglect of Such Duty; to Repeal Section 2118 of the North Dakota 1913 Compiled Laws and All Acts and Parts of Acts in Conflict with This Act; and to Create an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 102. A Bill for an Act Relating to the Appointment, Powers and Duties of the State Engineer, to Amend and Re-enact Section 8239 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 224 of the Session Laws of 1929, and to Repeal Section 8240 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 2 of Chapter 224 of the Session Laws of 1929.

Was read the first time and referred to the Comm. on Drainage and Irrigation.

Senate Bill No. 111. A Bill for an Act Appropriating the Sum of \$16,291.58 out of the Special Bridge Fund of the State to Walsh County, North Dakota, and the State Highway Fund, and Apportioning Such Appropriation and Declaring an Emergency.

Was read the first time and referred to the Comm. on Highways and Bridges.

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 2, 4, 5, 6, 7, 8, 9, 12 and 17, of Chapter 232, Laws of North Dakota for 1937, as amended by Chapter 215, Laws of 1939, the Same Being Known as the North Dakota Unemployment Compensation Law; Providing for Definitions of the Terms Used in Said Act; Providing a Definition of Agricultural Labor; Providing for Included and Excluded Services; Providing for the Payment of Contributions Into an Unemployment Compensation Fund; Providing for Contribution Rates Based Upon a System of Experience Rating; Providing for the payment of benefits to Unemployed Individuals and Specifying the Amount and Duration Thereof; Providing Conditions of Eligibility for Benefits; Providing for the Disqualification of Individuals Under Certain Circumstances; Providing the Procedure for making Claims for Benefits and the Determination Thereof; Providing Procedure for Appeals; Providing for the Period, Election and Termina-

tion of Coverage for Employers; Providing for a System of Reciprocal Arrangements With Other States and With the United States; Providing Penalties for Violations of the Unemployment Compensation Law; Providing Prohibiting the Disclosure of Information; Providing for the Reimbursement of Funds in Certain Circumstances.

Was read the first time and referred to the Comm. on Insurance.

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 499 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 212 of the 1931 Session Laws of the State of North Dakota Relating to Who Exempt from Employing a Registered Pharmacist and Providing for Sale by Certain Retailers of Emergency Household Medicines and Poisons.

Was read the first time and referred to the Comm. on Ways and Means.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Chapter 236 of the Session Laws of 1937. An Act to Provide for the Assessment of Car Line Companies, Express Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 147. A Bill for an Act Providing Relief for the Poor, Prescribing the Procedure Therefor, Defining the Duties of the County Commissioners, Township Supervisors, City Commissioners, City Councilmen and Village Trustees in Respect Thereto, Granting the District Courts Power to Determine Issues Involving Removal of Poor Persons and the Legal Residence Thereof; Providing for County Welfare Boards; Providing for Financial Responsibility of Counties and Local Subdivisions for the Aid to Needy Persons; Prescribing Method for Distribution of Funds by Public Welfare Board of North Dakota to Counties; and Repealing Chapter 97 of the Session Laws of North Dakota for 1933, as Amended by Chapters 119 and 123 of the Session Laws of 1935, and Chapters 124 and 126 of the Session Laws of North Dakota for 1939, and All Acts or Parts of Acts in Conflict Herewith.

Were read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 155. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission; and Declaring an Emergency.

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing Penalties.

Were read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 167. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil Basis and Providing for the Distribution of an Emergency Fund and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Reports; Repealing Chapter 209 of the Session Laws of 1939 and All Acts or Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Comm. on Education.

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Sections 92 and 93 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Printing and Distribution of the Legislative Manual or North Dakota Blue Book.

Was read the first time and referred to the Comm. on Public Printing.

Senate Bill No. 186. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between April 1, 1941 and June 30, 1943; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the first time and referred to the Comm. on Highways and Bridges.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259 of the Session Laws of 1937; Being and Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol, and Alcoholic Beverages in the State of North Dakota; Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues from Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act, Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 191. A Bill for an Act to Repeal Chapter 120 of the Session Laws of 1915 Relating to Poor Relief Fund Transfer.

Was read the first time and referred to the Comm. on Public Welfare.

Senate Bill No. 192. A Bill for an Act Providing for the Payment of Final Judgments Obtained by the State or Any Agency, Bureau, Department or Officer Thereof Against Any County; Limiting the Amount of Tax That Can Be Levied and Extended in Any One Year; Creating a Special

Fund Therefor and Providing for the Disbursement of Such Fund.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 198. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Real Estate Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Real Estate Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act, and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Counties in This State in Counties Where Tax Levies Upon Taxable Real and Personal Property Have Been Declared Null and Void and Vacated by Courts of Competent Jurisdiction to Meet and Make Proper Tax Levies Upon the Property So Involved for the Year or Years in Which Such Tax Levies Have Been Vacated; Providing for the Giving of Notice of Such Meeting to the Owners of Such Property or Their Successors in Interest; the Levying and Extension of Taxes Upon Such Property; Making Such Taxes a Lien Upon Such Property and Further Providing that All General Statutes Relating to Due and Delinquent Taxes and the Collection Thereof Shall Be Applicable to the Tax Levies Made Under the Provisions of This Act.

Were read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 204. A Bill for an Act to Make an Appropriation to Pay Expenses Resulting from the Death of Honorable Max Rabinovich, Member of the State Board of Pardons, While Away from His Home in the Performance of His Official Duties.

Was read the first time and referred to the Comm. on Appropriations.

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

GENERAL ORDERS

Rep Morland moved that the House resolve itself into a committee of the whole for the consideration of general

orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Morland to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration.

Senate Bill No. 143.

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 143, have had the same under consideration and recommend that the same be amended as follows:

In line 32, page 3, after the comma following the word "lands" add the following "and final decrees of distribution".

And when so amended recommend the same do pass.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 137.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 137, have had the same under consideration and recommend that the same be amended as follows:

In the original bill in Sec. 1, line 17, strike word "is" and insert in lieu thereof the word "it".

And when so amended recommend the same do pass.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 140.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 140, have had the same under consideration and recommend that the same be amended as follows:

In original bill, Sec. 5, line 44, strike period at end of line and add "and amendments thereto".

In Sec. 8, line 65 of original bill, strike out the period at end of the line and add "and amendments thereto".

And when so amended recommend the same do pass.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 130.

In the title, in line 4, after the words "section 13" add "of Chapter 1".

In line 102, of Sec. 8 of printed bill, after the words "section 13" add "of Chapter 1".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 123.

In line 12, of Section 1, of the bill, strike out the word "petitioner".

Strike all of line 13.

In line 14 strike out all of line preceding the comma.

At end of line 12 add: "petition should be granted".

Renumber lines accordingly.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 96.

In the Second line of the title after the word "thereof" insert a period and strike out the following "and authorizing a tax levy for the maintenance of youth activities."

Strike out all of Section 1 and insert in lieu thereof the following:

"Section 1. The establishment of a Community Youth Council in each city, village, or township, is hereby authorized. Such a Council may be initiated by the mayor of any city, by the president of the city commission, by the chairman of the Board of Trustees of any village, or by the chairman of the Board of Supervisors of a township, or by the superintendent or principal of the schools of the community. The officer so initiating the Council shall appoint as additional members thereof representatives of the local government, the churches, the American Legion, and of all service or women's clubs or welfare organizations in the community. All members of the Council shall serve without compensation."

Strike out all of Section 3 and insert in lieu thereof the following:

"SECTION 3.) The initiating officer shall call the Council into being on petition of any organization or of five residents of the community or on his own motion. The Council shall organize by the selection of a chairman and a secretary and adoption of such rules and regulations for future meetings and activities as it may deem desirable for the purpose of carrying out the objects of this Act. Three members shall be sufficient to organize the Council and shall constitute a quorum."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

L. K. MORLAND, Chm., Committee of the Whole.

Rep. Bolmeier moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was adopted.

Rep. Juhola requested that the House be on the Seventh Order of Business, which request was granted and Rep. Juhola moved that the House reconsider its action taken on House Bill No. 308, which motion prevailed.

Rep. Fitch moved that House Bill No. 308 be re-referred to the Comm. on Apportionment, which motion was lost.

Rep. Fitch moved that action on House Bill No. 308 be laid on the table, which motion was lost.

Rep. Erickson of Divide moved that House Bill No. 308 be placed on the calendar at this time, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 308. A Bill for an Act Requiring All Persons Purchasing Intoxicating Liquor at Retail in This State to Procure a Permit and Forbidding Sale by Retailers to One Without a Permit; Fixing the Charge for Same and Providing Penalty for Non-compliance.

Was read the 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, 53; absent and not voting, 8; passed, 1.

Those voting in the affirmative were:

Aker	Heckman	Nelson, Sargent
Allen	Hofstrand	Nelson, Steele
Anderson	Holm	Nystrom
Arneson	Ireland	Ohnstad
Austad	Kee	Peterson, Ransom
Belzer	Kindem	Rohde
Bingenheimer	Langley	Rygg
Bjella	Larson	Sagehorn
Bolmeier	Lillehaugen	Semerad
Bymers	Lunde	Severson
Drovdal	McIntee	Sharpe
Erickson, Divide	Moe	Smart
Erickson, Williams	Mollet	Stormon
Fitzharris	Morland	Westby
Fuglestad	Morrison	Williams, Richland
Haugen	Nelson, Ramsey	Williams, Stutsman
Haugland		

Those voting in the negative were:

Arndt	Fraser	Olson, Bowman
Beede	Gackle	Panko
Benno	Gainor	Saumur
Bergesen	Glas	Schmidt
Black	Gress	Schwartz
Blair	Haag	Sellens
Braun, McLean	Halvorson	Shure
Braun, Stark	Hogoboom	Singleton
Bubel	Jennings	Starck
Carlson	Johnson, Cass	Swanson
Collette	Johnson, Richland	Trydahl
Crockett	Juhola	Tuff
Culver	Levin	Twichell
Dalzell	McInnes	Wambheim
Devlin	McIntyre	Wolf, McIntosh
Dittmer	Nelson, Cass	Wolf, Morton
Falconer	Nelson, Morton	Mr. Speaker
Fitch	Olson, Barnes	

Absent and not voting:

Boulden	Fleck	Peterson, Bottineau
Brusseau	Myers	Sandness
Coghlan	Nicholsen	

Passed:

Welder

So the bill was declared lost.

Rep. Nelson of Cass moved that the vote by which House

Bill No. 308 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanations of vote:

Rep. Braun of McLean: All of us know that we are sent down here not to put upon ourselves a drinker's license but we are down here to provide for the old people. Forget about your drinking now. The way the bill looks you can buy a drink without buying a license when you are a good friend of the man who sells you your liquor. I don't think it will bring in the money that it is supposed it will. But since it will bring in enough at least to give the old people a sandwich instead of a meal, I vote "no".

Rep. Lillehaugen: I am not particularly interested in this bill because I think drinking is the root of evil. Measures have been introduced in this House and the Senate which would have improved the conditions we have today but they are voted down and we are going on record as a wet assembly, both the House and Senate, but I hope in two years they will realize the result of their actions, so I vote "aye".

Rep. Bergesen: I vote "no" on this bill because on line 15, page 2, an amendment was put in which authorizes the holder of a liquor license or dealer to issue these permits and as a state's attorney I have had mothers and daughters, wives and sisters come to me to ask me to notify dealers under the black list law to black list habitual drunkards and I did so with good effect and those dealers then under the law could not sell liquor to individuals who were drunkards. But this law impairs it and authorizes the dealer to issue permits to drunkards and the black list law is out of effect and there will be no way to control drunkards.

SECOND READING OF SENATE BILLS

Senate Bill No. 46. A Bill for an Act to Amend Section 3787 of the Compiled Laws of North Dakota for 1913 Prescribing Qualifications of Officers Under the Commission Form of City Government.

Was 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, 53; absent and not voting, 13.

Those voting in the affirmative were:

Allen	Haugen	Nystrom
Anderson	Haugland	Ohnstad
Arndt	Hofstrand	Olson, Barnes
Austad	Johnson, Richland	Peterson, Ransom
Benno	Kee	Rygg
Black	Kindem	Sagehorn
Blair	Langley	Sandness
Bolmeier	Levin	Schmidt
Carison	Lillehaugen	Sellens
Coghlan	Lunde	Stormon
Erickson, Divide	McInnes	Swanson
Fitch	Morrison	Trydahl
Fitzharris	Nelson, Cass	Westby
Fuglestad	Nelson, Sargent	Williams, Stutsman
Gainor	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Aker	Falconer	Nelson, Morton
Arneson	Fraser	Nelson, Ramsey
Beede	Gackle	Olson, Bowman
Belzer	Glas	Panko
Bergesen	Gress	Rohde
Bingenheimer	Haag	Saumur
Bjella	Halvorson	Schwartz
Braun, McLean	Heckman	Sharpe
Braun, Stark	Hogoboom	Shure
Bubel	Holm	Singleton
Bymers	Ireland	Starck
Crockett	Jennings	Tuff
Culver	Juhola	Wambheim
Dalzell	Larson	Welder
Devlin	McIntee	Williams, Richland
Dittmer	McIntyre	Wolf, McIntosh
Drovdal	Mollet	Wolf, Morton
Erickson, Williams	Morland	

Absent and not voting:

Boulden	Moe	Semerad
Brusseau	Myers	Severson
Collette	Nicholsen	Smart
Fleck	Peterson, Bottineau	Twichell
Johnson, Cass		

So the bill was declared lost.

Rep. Mollet moved that the vote by which Senate Bill No. 46 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Crockett: I vote "no" for the reason that I believe this franchises the voter.

Senate Bill No. 131. A Bill for an Act Validating the Record of Mineral Deeds in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval 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, 80; nays, 20; absent and not voting, 11.

Those voting in the affirmative were:

Allen	Fuglestad	Olson, Barnes
Arneson	Gackle	Olson, Bowman
Arndt	Gainor	Panko
Austad	Glas	Peterson, Ransom
Beede	Gress	Rygg
Belzer	Haugland	Sagehorn
Berno	Heckman	Sandness
Bergesen	Hofstrand	Saumur
Bjella	Hogoboom	Schmidt
Black	Holm	Schwartz
Blair	Ireland	Sellens
Bolmeier	Johnson, Richland	Semerad
Braun, Stark	Juhola	Severson
Bymers	Kee	Sharpe

Carlson	Kindem	Shure
Coghlan	Langley	Singleton
Crockett	Larson	Smart
Culver	Lillehaugen	Starck
Dalzell	Lunde	Stormon
Devlin	McInnes	Swanson
Dittmer	McIntyre	Tuff
Drovdal	Morland	Twichell
Erickson, Divide	Morrison	Wambheim
Erickson, Williams	Nelson, Sargent	Westby
Falconer	Nelson, Steele	Williams, Stutsman
Fitzharris	Nystrom	Mr. Speaker
Fraser	Ohnstad	

Those voting in the negative were:

Aker	Jennings	Rohde
Anderson	Levin	Trydahl
Braun, McLean	McIntee	Welder
Bubel	Moe	Williams, Richland
Haag	Mollet	Wolf, McIntosh
Halvorson	Nelson, Morton	Wolf, Morton
Haugen	Nelson, Ramsey	

Absent and not voting:

Bingenheimer	Fitch	Nelson, Cass
Boulden	Fleck	Nicholsen
Brusseau	Johnson, Cass	Peterson, Bottineau
Collette	Myers	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Belzer moved that the vote by which Senate Bill No. 131 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen requested that the House be on the Seventh Order of Business, which request was granted and Rep. Brgesen moved that the House reconsider its action taken on House Bill No. 1, which motion prevailed.

Rep. Bergesen moved that House Bill No. 1 be placed at the head of the calendar and that the House proceed to vote on it, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder 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, 62; nays, 38; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Cass
Allen	Gackle	Nelson, Morton
Arneson	Gainor	Nelson, Ramsey
Arndt	Gress	Nystrom
Austad	Haugland	Ohnstad
Benno	Hofstrand	Olson, Barnes

Bergesen	Hogoboom	Olson, Bowman
Bjella	Holm	Peterson, Ransom
Black	Ireland	Sagehorn
Blair	Jennings	Saumur
Bolmeier	Johnson, Richland	Severson
Braun, Stark	Kee	Sharpe
Carlson	Kindem	Singleton
Coghlan	Langley	Starck
Crockett	Levin	Stormon
Culver	Lunde	Twichell
Erickson, Williams	McInnes	Westby
Fitch	McIntee	Williams, Stutsman
Fitzharris	McIntyre	Wolf, Morton
Fleck	Morland	Mr. Speaker
Fraser	Morrison	

Those voting in the negative were:

Beede	Halvorson	Schmidt
Belzer	Haugen	Schwartz
Braun, McLean	Heckman	Semerad
Bubel	Juhola	Shure
Bymers	Larson	Smart
Dalzell	Lillehaugen	Swanson
Devlin	Moe	Trydahl
Dittmer	Mollet	Tuff
Drovdal	Nelson, Sargent	Wambheim
Erickson, Divide	Panko	Welder
Falconer	Rohde	Williams, Richland
Glas	Rygg	Wolf, McIntosh
Haag	Sandness	

Absent and not voting:

Anderson	Collette	Nicholsen
Bingenheimer	Johnson, Cass	Peterson, Bottineau
Boulden	Myers	Sellens
Brusseau	Nelson, Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Twichell moved that the vote by which House Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Moe moved that the House reconsider its action on House Bill No. 56, which motion prevailed.

Rep. Fuglestad moved that the House reconsider its action taken on House Bill No. 312, which motion was lost.

Rep. Moe moved that House Bill No. 56 be placed on the calendar, which motion prevailed.

Rep. Fitch moved that the House do now recess until 1:00 P. M., which motion prevailed.

The Speaker called the House to order pursuant to recess taken and announced the House would continue business on Second Reading of House Bills.

House Bill No. 56. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of 1935, as Amended by Section 3 of Chapter 178, of the Session Laws of 1939. 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, 77; nays, 22; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Erickson, Divide	McIntee
Allen	Falconer	McIntyre
Anderson	Fitch	Moe
Arneson	Fraser	Morland
Arndt	Fuglestad	Morrison
Austad	Gackle	Nelson, Morton
Beede	Gainor	Nelson, Ramsey
Belzer	Glas	Nelson, Sargent
Benno	Gress	Nelson, Steele
Bingenheimer	Haugen	Olson, Bowman
Bjella	Haugland	Peterson, Bottineau
Black	Heckman	Peterson, Ransom
Bolmeier	Hofstrand	Rygg
Braun, McLean	Hogoboom	Sagehorn
Braun, Stark	Holm	Sandness
Brusseau	Ireland	Semerad
Bubel	Johnson, Richland	Severson
Bymers	Juhola	Singleton
Carlson	Kee	Swanson
Coghlan	Kindem	Trydahl
Collette	Langley	Tuff
Crockett	Larson	Wambheim
Culver	Levin	Williams, Richland
Dalzell	Lillehaugen	Williams, Stutsman
Devlin	Lunde	Mr. Speaker
Drovdal	McInnes	

Those voting in the negative were:

Blair	Nystrom	Starck
Dittmer	Ohnstad	Stormon
Fitzharris	Olson, Barnes	Twichell
Haag	Panko	Welder
Jennings	Rohde	Westby
Johnson, Cass	Schwartz	Wolf, McIntosh
Nelson, Cass	Shure	Wolf, Morton
Nicholsen		

Absent and not voting:

Bergesen	Halvorson	Schmidt
Boulden	Mollet	Sellens
Erickson, Williams	Myers	Sharpe
Fleck	Saumur	Smart

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Moe moved that the vote by which House Bill No. 56 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fuglestad moved that the House reconsider its action by which House Bill No. 312 was lost, which motion was lost on a standing vote.

Roll Call was demanded and granted.

ROLL CALL

The question being on the motion of Rep. Fuglestad that

the House reconsider its action by which House Bill No. 312 was lost, the roll was called and there were ayes, 73; nays, 27; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fuglestad	Morrison
Allen	Gackle	Nelson, Cass
Anderson	Gainor	Nelson, Ramsey
Arneson	Gress	Nelson, Steele
Arndt	Haugen	Nicholsen
Austad	Haugland	Nystrom
Beede	Heckman	Olson, Barnes
Bergesen	Hofstrand	Olson, Bowman
Bjella	Hogoboom	Peterson, Ransom
Black	Holm	Rygg
Blair	Ireland	Sagehorn
Bolmeier	Johnson, Cass	Sandness
Bymers	Johnson, Richland	Saumur
Coghlan	Kee	Semerad
Collette	Kindem	Severson
Culver	Langley	Sharpe
Devlin	Levin	Singleton
Dittmer	Lillehaugen	Stormon
Drovdal	Lunde	Swanson
Erickson, Divide	McInnes	Wambheim
Erickson, Williams	McIntee	Westby
Falconer	McIntyre	Williams, Richland
Fitch	Moe	Williams, Stutsman
Fitzharris	Morland	Mr. Speaker
Fleck		

Those voting in the negative were:

Braun, Stark	Jennings	Schwartz
Brusseau	Juhola	Shure
Bubel	Larson	Starck
Carlson	Nelson, Morton	Trydahl
Crockett	Nelson, Sargent	Tuff
Dalzell	Ohnstad	Twichell
Fraser	Panko	Welder
Glas	Peterson, Bottineau	Wolf, McIntosh
Haag	Rohde	Wolf, Morton

Absent and not voting:

Belzer	Boulden	Schmidt
Benno	Halvorson	Sellens
Bingenheimer	Mollet	Smart
Braun, McLean	Myers	

So the motion was declared carried.

Rep. Fuglestad requested the unanimous consent of the House to amend House Bill No. 312, which consent was granted.

Rep. Fuglestad moved that House Bill No. 312 be amended as follows:

In line 2 of the title, following the word "Liquors" insert the following words: "of an alcoholic content greater than four per cent alcohol by volume". In line 1 of the title strike out the words "and Consumption".

In line 3 of the title, after the word "gasoline" strike out the comma and insert the word "and". After the word "Oil" in line 4, strike out the comma and insert a period and in the same line strike out the words "or other Petroleum Products".

In line 4 of Section 1, strike out everything after the word "liquors" and insert in lieu thereof the following: "of an alcoholic content greater than four percent by volume". In line 5 strike out everything up to and including the word "products".

In line 6, strike out the comma after the word "gasoline" and insert the word "and".

After the word "oil" in line 7, strike out the words "or other petroleum products".

On page 2, line 11, after the word "liquors" insert the following: "greater than four per cent alcohol by volume".

On page 2, line 12, after the word "gasoline" strike out the comma and insert the word "and". After the word "oil" strike out the balance of the line.

Which motion prevailed.

Rep. Fuglestad moved that the rules be suspended and that House Bill No. 312 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 312. A Bill for an Act Prohibiting the Sale or Giving Away of Intoxicating Liquors of an Alcoholic Content Greater Than Four Per Cent Alcohol by Volume as a Beverage in Any Place or on Any Premise Within the State of North Dakota Where Gasoline and Oil Are Sold at Retail, and Providing Penalty for Violation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 27; absent and not voting, 8; passed, 1.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Ramsey
Allen	Gackle	Nelson, Sargent
Anderson	Gainor	Nelson, Steele
Arneson	Haugen	Nicholsen
Arndt	Haugland	Nystrom
Austad	Heckman	Ohnstad
Beede	Hofstrand	Olson, Barnes
Bergesen	Hogoboom	Olson, Bowman
Bjella	Holm	Peterson, Ransom
Blair	Ireland	Rohde
Bolmeier	Johnson, Cass	Rygg
Braun, McLean	Johnson, Richland	Sagehorn
Bymers	Kee	Sandness
Carlson	Kindem	Severson
Coghlan	Langley	Shure
Culver	Levin	Singleton
Dalzell	Lillehaugen	Smart
Devlin	McInnes	Stormon
Drovdal	McIntee	Swanson
Erickson, Divide	McIntyre	Trydahl
Erickson, Williams	Moe	Wambheim
Falconer	Mollet	Westby
Fitch	Morland	Williams, Richland
Fitzharris	Morrison	Williams, Stutsman
Fleck	Nelson, Cass	Mr. Speaker

Those voting in the negative were:

Bingenheimer	Glas	Schwartz
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Black	Gress	Semerad
Braun, Stark	Haag	Sharpe
Brusseau	Jennings	Starck
Bubel	Juhola	Tuff
Collette	Larson	Twichell
Crockett	Lunde	Welder
Dittmer	Nelson, Morton	Wolf, McIntosh
Fraser	Peterson, Bottineau	Wolf, Morton

Absent and not voting:

Belzer	Halvorson	Schmidt
Benno	Myers	Sellens
Boulden	Saumur	

Passed:

Panko

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 97, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Westby moved that the vote by which House Bill No. 97 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fitch moved that the absent members be excused, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 26, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing for the Amendment of Sections 45, 53, 55, 56 and 60 of Article 2 of the Constitution of the State of North Dakota, Relating to the Convening of the Legislative Assembly.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 26, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 182. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, Providing for the Collection of Certificate and Permit Fees and an Identification Tag Fee from Carriers by Motor Vehicle.

Senate Bill No. 207. A Bill for an Act Authorizing the Board of University and School Lands of the State of North Dakota to Expend From an Appropriation Made for That Purpose, Not to Exceed \$10,000.00 to Build, Improve, Rebuild, Repair, Construct or Reconstruct Buildings and Other Improvements Necessary to Carry Out the Purposes of This Act, on That Part of the South Half of Section 36, Township

137, Range 53, Cass County, North Dakota, Owned By the State; Creating a Special Commission to Be Known as the "Four C's Commission"; Defining Its Powers and Duties; Authorizing Said Commission to Employ All Necessary Labor, Purchase and Sell Materials and to Enter Into Any and All Contracts Necessary or Convenient for the Purpose of Carrying Out the Provisions Hereof; Directing Said Board of University and School Lands to Enter Into a Contract of Lease with Nick Brown and Ella H. Brown, His Wife, Jointly, of Leonard, North Dakota, for the Occupancy of Said Premises During the Period Stated Herein at a Rental of \$1.00 per Year; Granting Option to Purchase; and Declaring an Emergency.

Senate Bill No. 179. A Bill for an Act Declaring Rural Electrification Corporations to Be Quasi-public and Providing for the Payment of an Annual Tax for Cooperative, Non-profit Membership, Rural Electrification Corporation in Lieu of Other Taxes, and Appropriating the Proceeds; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 166. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

Senate Bill No. 121. A Bill for an Act to Exempt New Farm Machinery, Purchased to Be Used in Farming Operations from Personal Property Tax in First Year After the Purchase.

Senate Bill No. 172. A Bill for an Act Defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise Below Actual Cost for the Purpose of Having the Effect of Injuring Competitors or Destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the Provisions Thereof.

Senate Bill No. 158. A Bill for an Act to Amend and Re-enact Section 3080a6 of the 1925 Supplement to the 1913 Code, Relating to the Transporting and Shipping of Kerosene and Gasoline Into the State of North Dakota, and Providing for Inspection Fees and Reports Relating Thereto.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

Senate Bill No. 184. A Bill for an Act to Create a Governmental Reform Commission; Providing for the Number of Its Members; Their Appointment and Qualifications; the

Term of Office and Filling of Vacancies; Providing for its Organization; Prescribing Its Powers and Duties; Providing for an Appropriation; and Declaring an Emergency.

Senate Bill No. 208. A Bill for an Act Authorizing Counties to Maintain Actions in Adverse Claims to Quiet Title to Lands Acquired Through Tax Deeds; Providing for the Joinder of the Causes of Action and Parties Defendant; Providing for Separate Trials and Judgments; Authorizing Judgments by Default and Prescribing the Procedure Applicable to the Service of Process and Trial of Such Actions.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, February 26, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 171. A Bill for an Act Authorizing the Board of Commissioners of the Workmen's Compensation Bureau to Limit the Right to Unemployment Compensation Benefits in the Case of Workers in Seasonal Industries and Classes of Occupations Within Seasonal Industries; Providing for Determinations of Seasonal Industries and Seasonal Occupations Within Such Industries.

Senate Bill No. 195. A Bill for an Act Declaring Assessments of Taxable Property in Excess of the Full and True Value in Money Void; Providing for Administrative and Judicial Review of Valuations of Individual or Classes of Taxable Property and the Equalization of Valuations Between Assessment Districts Within and Among the Several Counties of the State, and Prescribing Procedure for Such Review; Providing for the Annual Meetings of the State Board of Equalization to Assess and Equalize Taxable Property, Fixing the Time When Real, Personal and Other Taxes Become Due and Delinquent with Penalties; Prescribing the Time for the Levy of State Taxes, and the Fixation of the Mill Rate for State Purposes; Providing That the Act Operate Prospectively Only; Repealing Subdivision 7 of Section 1, Chapter 276 of the Session Laws of 1931, Chapter 225 of the Session Laws of 1939, Section 2141a of the 1925 Supplement to the Compiled Laws of 1913, Chapter 246 of the Session Laws of 1937 and Chapter 233 of the Session Laws of 1939, and Declaring an Emergency.

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 26, 1941.

Mr. Speaker: The Senate requests that House Bill No. 84 be returned to the Senate.

W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 26, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

House Bill No. 56. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of 1935, as Amended by Section 3 of Chapter 178, of the Session Laws of 1939. Declaring an Emergency.

House Bill No. 312. A Bill for an Act Prohibiting the Sale, Giving Away and Consumption of Intoxicating Liquors as a Beverage in Any Place or on Any Premise Within the State of North Dakota Where Gasoline, Oil, or Other Petroleum Products Are Sold at Retail, and Providing Penalty for Violation.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 26, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 291. A Bill for an Act Permitting Employers Subject to the Provisions of Chapter 162 of the 1919 Session Laws of the State of North Dakota, (North Dakota Workmen's Compensation Act) as the Same is Now Amended, at Their Option to Carry Private Insurance; Specifying the Terms and Conditions Under Which the Same May Be Done; Providing for Action of the Workmen's Compensation Bureau Upon All Claims; Permitting Appeals from Certain Decisions of the Workmen's Compensation Bureau; Providing for Payment of Awards and Judgments Against Employers; Requiring Certain Reports by Insuring Companies; Providing Additional Methods of Securing Payment of Obligations Arising in Favor of Insured Employees and Their Dependents; Providing for Partial Support of the North Dakota Workmen's Compensation Bureau by Insuring Companies; Requiring Certain Bonds and Reports to Be Filed by Insuring Companies, and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 139. A Bill for an Act Permitting and Authorizing Appeal from All Decisions of the Workmen's Compensation Bureau by Claimants, Irrespective of Whether or Not the Bureau Makes Any Award to Claimant, and Providing for Such Appeals from All Such Decisions of the

Bureau for Six Years Last Past; Repealing Laws and Parts of Laws in Conflict Herewith, and Declaring an Emergency.

House Bill No. 105. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 107. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Subsection (h) of Section 51 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment By the Supreme Court of the State Examiner as Receiver of Insolvent State Banks, the Transfer of Powers and Duties of the Receiver or Receivers Heretofore Appointed By the Supreme Court to the State Examiner and Providing That the State Examiner Shall Become Receiver of All Insolvent State Banks from Which the Receiver Appointed by the Supreme Court has Not Been Discharged, and Declaring an Emergency.

House Bill No. 149. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 148. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 26, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 147. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 334. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for

1937, Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly.

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 118, Laws 1929 Relative to the Posting of Butterfat Prices at Creamery and Cream Stations and Other Places of Business Purchasing Such Products From the Public.

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for in Chapter 209, Session Laws of 1939, and Acts Amendatory Thereto.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

House Bill No. 10. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government and for All of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

Rep. Bergesen moved that the request of the Senate for the return of House Bill No. 84 be granted, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 26, 1941.

Mr. President: I have the honor to return House Bill No. 84 which the Senate has requested.

C. R. VERRY, Chief Clerk.

Rep. Erickson of Divide moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTY-FIRST DAY

Bismarck, February 26, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Hildebrand Eickhoff, Mandan. Roll call disclosed all members present except Reps. Boulden, Myers and Sandness.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fiftieth Day and recommends that the same be corrected as follows:

On page 877, in the roll call, Rep. Haag is recorded as voting "aye" whereas he passed.

Change the roll call totals to read "ayes, 65" and "passing, 1".

On page 893, line 16, in Rep. Beede's motion after the word "suspended" insert the following words: "that the House reconsider its action taken on House Bill No. 250".

And when so corrected recommends that the same be approved.

E. A. LUNDE Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Beede moved that he be given permission on tomorrow's business to offer an amendment to the Revision and Correction of the Journal report of the Fiftieth Day, which motion prevailed.

PETITIONS AND COMMUNICATIONS

A communication was received from the Black Hills Claim and General Treaty Council of the Eight Sioux Reservations.

Rep. Culver moved that this communication be printed in the Journal, which motion prevailed.

Bismarck, North Dakota
February 25, 1941.

PETITION TO THE STATE LEGISLATURE

On behalf of our people on the Standing Rock Sioux Indian Reservation we wish to express our deep appreciation to the North Dakota Legislative Assembly for authorizing and conducting an investigation of the very bad conditions so many of our people live under, and for memorializing Congress to take action to relieve this deplorable situation.

Now, three weeks later, nothing has been done by the Indian Bureau, although press reports indicate that adequate care will be given the Indians, and that \$18,000 is available for relief on our reservation. We are now told that this money represents our own tribal funds, and is the very last of the tribal money that remains to our credit in the U. S. Treasury.

Since the investigation was made there has been extremely cold weather on the reservation. Weather Bureau reports show that on February 21st the thermometer registered 18 below zero, in a solid week of zero weather, beginning the 17th instant, and many of the Indians are suffering severely from want of food, clothing and shelter.

We therefore, earnestly petition our good friends of the Legislature, and particularly the splendid investigating com-

mittee, to take steps to hasten action to alleviate the distress of our people.

Abraham Buckley, Vice Chairman
 Charles Red Fox, Director
 Black Hills Claim and General
 Treaty Council of the Eight
 Sioux Reservations

SECOND READING OF SENATE BILLS

Senate Bill No. 132. A Bill for an Act Validating the Record of All Deeds and Mortgages in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval 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, 89; nays 12; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Steele
Allen	Fraser	Nicholsen
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Bowman
Austad	Glas	Panko
Beede	Gress	Peterson, Ransom
Belzer	Haag	Rygg
Benno	Haugland	Sagehorn
Bergesen	Heckman	Saumur
Bingenheimer	Hofstrand	Schmidt
Bjella	Hogoboom	Schwartz
Black	Ireland	Sellens
Blair	Johnson, Cass	Severson
Braun, McLean	Juhola	Sharpe
Braun, Stark	Kindem	Shure
Brusseau	Langley	Singleton
Bymers	Larson	Smart
Carlson	Lillehaugen	Starck
Coghian	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Dalzell	McIntyre	Twichell
Devlin	Moe	Wambheim
Dittmer	Morland	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, Morton
Falconer	Nelson, Ramsey	Mr. Speaker
Fitzharris	Nelson, Sargent	

Those voting in the negative were:

Bubel	Levin	Semerad
Halvorson	Mollet	Tuff
Haugen	Peterson, Bottineau	Welder
Jennings	Rohde	Wolf, McIntosh

Absent and not voting:

Bolmeier	Holm	Myers
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Boulden	Johnson, Richland	Olson, Barnes
Culver	Kee	Sandness
Fitch		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Sections 5518 and 5519 of the Compiled Laws of North Dakota for 1913, Relating to Aid to Assessors in Valuing Coal Deposits Reserved to Grantors by Providing That All Deeds and Transfers of Real Property Which Reserves the Coal Deposits to the Grantor Shall Contain a Full Description of the Coal Deposits so Reserved, Its Length, Width, and Thickness, and Validating All Reservations and Conveyances of Other Minerals or Mineral Deposits Made Prior to the Passage and Taking Effect of This Act, and Limiting the Time Within Which Actions May Be Commenced in the Courts of This State to Contest the Validity or Legality of Such Reservations or Conveyances, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays 15; absent and not voting 14.

Those voting in the affirmative were:

Aker	Fraser	Nicholsen
Allen	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Bowman
Austad	Glas	Panko
Beede	Haugland	Peterson, Bottineau
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Saumur
Bjella	Ireland	Schmidt
Black	Johnson, Cass	Schwartz
Blair	Juhola	Sellens
Braun, McLean	Kindem	Severson
Braun, Stark	Langley	Sharpe
Brusseau	Larson	Shure
Bubel	Levin	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Crockett	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Twichell
Dittmer	Mollet	Wambheim
Erickson, Divide	Morland	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck		

Those voting in the negative were:

Anderson	Jennings	Semerad
Drovdal	Morrison	Tuff
Gress		

Haag	Nelson, Morton	Welder
Halvorson	Peterson, Ransom	Wolf, McIntosh

Absent and not voting:

Bingenheimer	Erickson, Williams	Nelson, Steele
Bolmeier	Holm	Olson, Barnes
Boulden	Johnson, Richland	Sandness
Collette	Kee	Westby
Culver	Myers	
Haugen	Rohde	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 134. A Bill for an Act to Authorize the Leasing of Land Owned by School Districts, Cities, Villages, Townships and Park Districts, for Oil and Gas; Authorizing the Governing Boards to Make Such Leases; Providing for the Consolidation of Such Oil and Gas Leases with Adjoining Lands for Operation and Development; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 59; nays 44; absent and not voting 8.

Those voting in the affirmative were:

Allen	Fuglestad	Olson, Bowman
Arneson	Gackle	Panko
Arndt	Gainor	Peterson, Ransom
Austad	Haugland	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Saumur
Bjella	Holm	Sellens
Black	Ireland	Severson
Blair	Johnson, Cass	Sharpe
Bolmeier	Johnson, Richland	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langley	Stormon
Dalzell	McInnes	Swanson
Devlin	Morland	Trydahl
Dittmer	Morrison	Twichell
Erickson, Williams	Nelson, Cass	Wambheim
Fitch	Nicholsen	Williams, Stutsman
Fitzharris	Nystrom	Mr. Speaker
Fleck	Olson, Barnes	

Those voting in the negative were:

Aker	Gress	Nelson, Morton
Anderson	Haag	Nelson, Ramsey
Beede	Halvorson	Ohnstad
Belzer	Haugen	Peterson, Bottineau
Bingenheimer	Heckman	Rohde
Braun, McLean	Jennings	Schmidt
Braun, Stark	Juhola	Schwartz
Brusseau	Larson	Semerad
Bubel	Levin	Starck
Crockett	Lillehaugen	Tuff
Drovdal	Lunde	Welder

Erickson, Divide	McIntee	Williams, Richland
Falconer	McIntyre	Wolf, McIntosh
Fraser	Moe	Wolf, Morton
Glas	Mollet	

Absent and not voting:

Boulden	Myers	Sandness
Collette	Nelson, Sargent	Westby
Culver	Nelson, Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Shure moved that the vote by which Senate Bill No. 134 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF SENATE BILLS

Senate Concurrent Resolution 3. A Concurrent Resolution Providing for the Amendment of Sections 45, 53, 55, 56 and 60 of Article 2 of the Constitution of the State of North Dakota, Relating to the Convening of the Legislative Assembly.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the first time and referred to the Committee on Appropriations.

Senate Bill No. 121. A Bill for an Act to Exempt New Farm Machinery, Purchased to Be Used in Farming Operations from Personal Property Tax in First Year After the Purchase.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 158. A Bill for an Act to Amend and Re-enact Section 3080a6 of the 1925 Supplement to the 1913 Code, Relating to the Transporting and Shipping of Kerosene and Gasoline Into the State of North Dakota, and Providing for Inspection Fees and Reports Relating Thereto.

Was read the first time and referred to the Comm. on Ways and Means.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

Was read the first time and referred to the Committee on Education.

Senate Bill No. 166. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other

Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 171. A Bill for an Act Authorizing the Board of Commissioners of the Workmen's Compensation Bureau to Limit the Right to Unemployment Compensation Benefits in the Case of Workers in Seasonal Industries and Classes of Occupations Within Seasonal Industries; Providing for Determinations of Seasonal Industries and Seasonal Occupations Within Such Industries.

Was read the first time and referred to the Committee on Insurance.

Senate Bill No. 172. A Bill for an Act Defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise Below Actual Cost for the Purpose of Having the Effect of Injuring Competitors or Destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the Provisions Thereof.

Was read the first time and referred to the Comm. on Ways and Means.

Senate Bill No. 179. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Cooperatives and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Their Personal Property; Providing for the Collection of Such Tax and Appropriating the Proceeds; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Comm. on Tax and Tax Laws.

Senate Bill No. 182. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

Was read the first time and referred to the Comm. on Highways and Bridges.

Senate Bill No. 184. A Bill for an Act to Create a Governmental Reform Commission; Providing for the Number of Its Members; Their Appointment and Qualifications; the Term of Office and Filling of Vacancies; Providing for its Organization; Prescribing Its Powers and Duties; Providing for an Appropriation; and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 195. A Bill for an Act Declaring Assessments of Taxable Property in Excess of the Full and True Value in Money Void; Providing for Administrative and Judicial Review of Valuations of Individual or Classes of Taxable Property and the Equalization of Valuations Between Assessment Districts Within and Among the Several Counties of the State, and Prescribing Procedure for Such Review; Providing for the Annual Meetings of the State Board of Equalization to Assess and Equalize Taxable Property, Fixing the Time When Real, Personal and Other Taxes Become Due and Delinquent with Penalties; Prescribing the Time for the Levy of State Taxes, and the Fixation of the Mill Rate for State Purposes; Providing That the Act Operate Prospectively Only; Repealing Subdivision 7 of Section 1, Chapter 276 of the Session Laws of 1931, Chapter 225 of the Session Laws of 1939, Section 2141a of the 1925 Supplement to the Compiled Laws of 1913, Chapter 246 of the Session Laws of 1937 and Chapter 233 of the Session Laws of 1939, and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Was read the first time and referred to the Comm. on State Affairs.

Senate Bill No. 207. A Bill for an Act Authorizing the Board of University and School Lands of the State of North Dakota to Expend From an Appropriation Made for That Purpose, Not to Exceed \$8,000.00 to Build, Improve, Rebuild, Repair, Construct or Reconstruct Buildings and Other Improvements Necessary to Carry Out the Purposes of This Act, on That Part of the South Half of Section 36, Township 137, Range 53, Cass County, North Dakota, Owned By the State; Creating a Special Commission to Be Known as the "Four C's Commission"; Defining Its Powers and Duties; Authorizing Said Commission to Employ All Necessary Labor, Purchase and Sell Materials and to Enter Into Any and All Contracts Necessary or Convenient for the Purpose of Carrying Out the Provisions Hereof; Directing Said Board of University and School Lands to Enter Into a Contract of Lease with Nick Brown and Ella H. Brown, His Wife, Jointly, of Leonard, North Dakota, for the Occupancy of Said Premises During the Period Stated Herein at a Rental of \$1.00 per Year; Granting Option to Purchase; and Declaring an Emergency.

Was read the first time and referred to the Comm. on Ways and Means.

Senate Bill No. 208. A Bill for an Act Authorizing Counties to Maintain Actions in Adverse Claims to Quiet Title to Lands Acquired Through Tax Deeds; Providing for the Joinder of the Causes of Action and Parties Defendant; Providing for Separate Trials and Judgments; Authorizing

Judgments by Default and Prescribing the Procedure Applicable to the Service of Process and Trial of Such Actions.

Was read the first time and referred to the Comm. on Counties.

Rep. Bergesen moved that the House do now recess until 12:30 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

**FIFTY-FIRST DAY AFTER RECESS
AND FIFTY-SECOND DAY**

Bismarck, February 27, 1941.

The House was called to order pursuant to recess taken, Speaker Symington presiding.

The Speaker announced the House would continue business on Second Reading of Senate Bills.

Senate Bill No. 135. A Bill for an Act Authorizing Executors and Administrators of Decedents and Guardians of Minors and Incompetents to Execute Oil and Gas Leases, Providing for the Procedure for the Approval and Confirmation of Such Leases, and Validating All Such Leases Executed Prior to the Passage and Taking Effect 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, 84; nays 5; absent and not voting 22.

Those voting in the affirmative were:

Aker	Fleck	Ohnstad
Allen	Fuglestad	Olson, Bowman
Anderson	Halvorson	Panko
Arneson	Haugen	Peterson, Bottineau
Arndt	Haugland	Peterson, Ransom
Austad	Heckman	Rohde
Beede	Hofstrand	Rygg
Belzer	Hogoboom	Sagehorn
Benno	Holm	Sandness
Bergesen	Ireland	Saumur
Bingenheimer	Jennings	Schwartz
Bjella	Johnson, Cass	Sellens
Blair	Juhola	Semerad
Bolmeier	Kindem	Severson
Boulden	Larson	Shure
Braun, McLean	Lillehaugen	Singleton
Bubel	Lunde	Smart
Bymers	McIntee	Starck
Carlson	McIntyre	Stormon
Coghlan	Mollet	Swanson
Dalzell	Morland	Tuff
Devlin	Morrison	Twichell
Dittmer	Nelson, Cass	Wambheim

Drovdal	Nelson, Ramsey	Williams, Richland
Erickson, Divide	Nelson, Sargent	Williams, Stutsman
Erickson, Williams	Nelson, Steele	Wolf, McIntosh
Fitch	Nicholsen	Wolf, Morton
Fitzharris	Nystrom	Mr. Speaker
Those voting in the negative were:		
Black	Haag	Welder
Brusseau	Moe	
Absent and not voting:		
Braun, Stark	Glas	Myers
Collette	Gress	Nelson, Morton
Crockett	Johnson, Richland	Olson, Barnes
Culver	Kee	Schmidt
Falconer	Langley	Sharpe
Fraser	Levin	Trydahl
Gackle	McInnes	Westby
Gainor		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 136. A Bill for an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 83; nays 15; absent and not voting 13.

Those voting in the affirmative were:

Aker	Fitch	Nicholsen
Allen	Fitzharris	Nystrom
Anderson	Fleck	Ohnstad
Arneson	Fuglestad	Olson, Barnes
Arndt	Gackle	Olson, Bowman
Austad	Glas	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Hogoboom	Rygg
Bergesen	Holm	Sagehorn
Bingenheimer	Ireland	Sandness
Bjella	Jennings	Saumur
Black	Johnson, Cass	Schwartz
Blair	Juhola	Sellens
Bolmeier	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Shure
Bymers	Lillehaugen	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Stormon
Collette	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Morland	Wambheim
Dittmer	Morrison	Williams, Stutsman
Drovdal	Nelson, Cass	Wolf, Morton

Erickson, Divide	Nelson, Ramsey	Mr. Speaker
Erickson, Williams	Nelson, Sargent	
Those voting in the negative were:		
Boulden	Johnson, Richland	Starck
Braun, McLean	Moe	Tuff
Haag	Mollet	Welder
Halvorson	Rohde	Williams, Richland
Heckman	Schmidt	Wolf, McIntosh
Absent and not voting:		
Crockett	Gress	Nelson, Morton
Culver	Hofstrand	Nelson, Steele
Falconer	Levin	Twichell
Fraser	Myers	Westby
Gainor		

So the bill passed and the title was agreed to.

Senate Bill No. 142. A Bill for an Act Authorizing the Board of County Commissioners of the Counties of the State of North Dakota to Confirm, Approve and Adopt Oil and Gas Leases, Executed by Owners of the Right of Redemption, Owners of the Title to and Owners of Interests in Lands Subject to Delinquent Tax Charges, Including Lands the Tax Charges Against Which Have Been Adjusted by Contract, and Lands Forfeited to the County Under Tax Proceedings, and Held by the County by Tax Deeds Sufficient to Constitute Color of Title in the County; and Providing That Upon Such Confirmation, Approval or Adoption, That Such Oil and Gas Leases Shall Be and Become Binding Upon the County and the Lessee Named Therein and Assigns, with Like Force and Effect as Though the County Had Become a Party to the Said Leases; and Providing for the Payment of Rentals, Bonuses and Royalties and the Distribution and Allocation Thereof; and Providing for Constructive Notice to Purchasers of Said Lands from the County, and Validating Prior Proceedings of County Commissioners in Substantial Compliance Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 1; absent and not voting 13.

Those voting in the affirmative were:

Aker	Fraser	Nicholsen
Allen	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Semerad

Boulden	Johnson, Richland	Severson
Braun, McLean	Juhola	Sharpe
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bubel	Langley	Smart
Bymers	Larson	Starck
Carlson	Lillehaugen	Stormon
Coghlan	Lunde	Swanson
Collette	McInnes	Trydahl
Dalzell	McIntee	Tuff
Devlin	McIntyre	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck		

Those voting in the negative were:

Moe

Absent and not voting:

Crockett	Levin	Saumur
Culver	Myers	Sellens
Falconer	Nelson, Morton	Twichell
Gainor	Nelson, Steele	Westby
Hofstrand		

So the bill passed and the title was agreed to.

Senate Bill No. 72 was read the second time.

Rep. Bergesen moved that action on Senate Bill No. 72 be deferred one legislative day, which motion was lost.

Rep. Rohde moved that further consideration of Senate Bill No. 72 be indefinitely postponed.

Rep. Blair moved a substitute motion that Senate Bill No. 72 be left on the calendar for Second Reading and Final Passage at this time, which motion was lost.

The question being on the motion of Rep. Rohde that further consideration of Senate Bill No. 72 be indefinitely postponed, the motion prevailed.

Rep. Haag moved that the vote by which further consideration of Senate Bill No. 72 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Chapter 243 of the Session Laws of 1939 Relating to the Distribution of Seeds and Planting Stock by the State Forester, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays 3; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Sargent
Allen	Gackle	Nelson, Steele
Anderson	Gainor	Nicholsen

Arneson	Glas	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bingenheimer	Hofstrand	Rohde
Bjella	Hogboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Singleton
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Dalzell	McIntee	Tuff
Devlin	McIntyre	Wambheim
Dittmer	Moe	Welder
Drovdal	Mollet	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker

Those voting in the negative were:

Fleck	Sellens	Trydahl
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Absent and not voting:

Crockett	Levin	Smart
Culver	Morland	Twichell
Falconer	Myers	Westby
Kee	Shure	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 45. A Bill for an Act to Re-enact Chapter 110 of the Session Laws of North Dakota for the Year of 1935, Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such 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, 67; nays, 32; absent and not voting 12.

Those voting in the affirmative were:

Aker	Drovdal	Nelson, Sargent
Allen	Fitch	Nelson, Steele
Arneson	Fitzharris	Nicholsen
Arndt	Fleck	Nystrom

Austad	Fuglestad	Ohnstad
Beede	Gackle	Olson, Barnes
Benno	Gainor	Olson, Bowman
Bergesen	Haugen	Peterson, Ransom
Bjella	Haugland	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Ireland	Sellens
Braun, Stark	Jennings	Sharpe
Brusseau	Johnson, Richland	Singleton
Bubel	Kindem	Stormon
Bymers	Langley	Swanson
Carlson	Larson	Trydahl
Coghlan	Lunde	Wambheim
Collette	McInnes	Welder
Dalzell	Morrison	Williams, Stutsman
Devlin	Nelson, Ramsey	Mr. Speaker
Dittmer		

Those voting in the negative were:

Anderson	Heckman	Rohde
Belzer	Johnson, Cass	Schmidt
Bingenheimer	Juhola	Schwartz
Braun, McLean	Lillehaugen	Semerad
Erickson, Divide	McIntee	Severson
Erickson, Williams	McIntyre	Starck
Fraser	Moe	Tuff
Glas	Mollet	Williams, Richland
Gress	Nelson, Morton	Wolf, McIntosh
Haag	Panko	Wolf, Morton
Halvorson	Peterson, Bottineau	

Absent and not voting:

Crockett	Levin	Shure
Culver	Morland	Smart
Falconer	Myers	Twichell
Kee	Nelson, Cass	Westby

So the bill passed and the title was agreed to.

Rep. Johnson of Richland moved that the vote by which Senate Bill No. 45 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 107. A Bill for an Act to Provide a Method of Assigning Sheriff's Certificates, Mortgages, and Other Instruments and of Conveying Title to Lands Which Have Been Acquired by the State and Departments and Agencies 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, 45; nays, 61; absent and not voting, 5.

Those voting in the affirmative were:

Allen	Fitzharris	Nelson, Steele
Arneson	Fleck	Nystrom
Arndt	Fuglestad	Olson, Barnes
Austad	Gackle	Peterson, Ransom
Benno	Gainor	Sagehorn

Bergesen	Holm	Saumur
Black	Johnson, Cass	Sellens
Blair	Johnson, Richland	Severson
Bolmeier	Kee	Sharpe
Boulden	Langley	Shure
Carlson	Lunde	Singleton
Coghlan	McInnes	Smart
Collette	Moe	Stormon
Dalzell	Nelson, Cass	Wambheim
Fitch	Nelson, Sargent	Mr. Speaker
Those voting in the negative were:		
Aker	Halvorson	Nicholsen
Anderson	Haugen	Ohnstad
Beede	Haugland	Olson, Bowman
Belzer	Heckman	Panko
Bingenheimer	Hofstrand	Peterson, Bottineau
Bjella	Hogoboom	Rohde
Braun, McLean	Ireland	Rygg
Braun, Stark	Jennings	Sandness
Brusseau	Juhola	Schmidt
Bubel	Kindem	Schwartz
Bymers	Larson	Semerad
Devlin	Levin	Starck
Dittmer	Lillehaugen	Swanson
Drovdal	McIntee	Trydahl
Erickson, Divide	McIntyre	Tuff
Erickson, Williams	Mollet	Welder
Falconer	Morland	Williams, Richland
Fraser	Morrison	Williams, Stutsman
Glas	Nelson, Morton	Wolf, McIntosh
Gress	Nelson, Ramsey	Wolf, Morton
Haag		

Absent and not voting:

Crockett	Myers	Westby
Culver	Twichell	

So the bill was declared lost.

Rep. Welder moved that the vote by which Senate Bill No. 107 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 105. A Bill for an Act to Repeal Sections 6553 to 6619, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota, Relating to Marine 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, 102; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom

Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Crockett	Johnson, Cass	Nelson, Steele
Culver	Morland	Twichell
Fitch	Myers	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 104. A Bill for an Act to Repeal Chapter 235 of the Session Laws for the Year 1917, Being Sections 5604a1 to 5604a82, Both Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Registration of Land and the Title Thereto in the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Glas	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rohde
Benno	Hofstrand	Rygg
Bergesen	Hogoboom	Sagehorn
Bingenheimer	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz

Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Dalzell	Lunde	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nicholsen	Mr. Speaker
Gackle		
Absent and not voting:		
Bjella	Fitch	Nelson, Steele
Bymers	McInnes	Smart
Crockett	Morland	Westby
Culver	Myers	

So the bill passed and the title was agreed to.

Senate Bill No. 103. A Bill for an Act Recognizing the Rule Making Powers of the Supreme Court; Providing That Existing Statutes of Procedure Shall Be Continued in Effect as Rules of Court Until Altered by the Supreme Court; Providing That Procedural Statutes Exist as Rules of Court; Authorizing the Supreme Court to Amend Rules Promulgated By It and Statutes Governing Procedure; Permitting the Supreme Court to Make New Rules; Providing for Hearings on Rules Before the Same Are Promulgated By the Court; Providing for the Making of a Complaint to the Supreme Court Against Rules and for Hearing on Such Complaint; Providing for Giving Notice of the Effective Date of the Rules Promulgated By the Court; and Authorizing the Supreme Court to Make Rules Governing the Practice of Law and for the Admission, Disbarment, Discipline, and Reinstatement of Attorneys at 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, 99; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Bønno	Heckman	Rohde

Bergesen	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Blair	Holm	Sandness
Bolmeier	Ireland	Saumur
Boulden	Jennings	Schmidt
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Juhola	Severson
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Levin	Stormon
Dalzell	Lillehaugen	Swanson
Devlin	Lunde	Trydahl
Dittmer	McIntee	Tuff
Drovdal	McIntyre	Twichell
Erickson, Williams	Moe	Wambheim
Falconer	Mollet	Welder
Fitch	Morrison	Williams, Richland
Fitzharris	Nelson, Cass	Williams, Stutsman
Fleck	Nelson, Morton	Wolf, McIntosh
Fraser	Nelson, Ramsey	Wolf, Morton
Fuglestad	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Bingenheimer

Absent and not voting:

Bjella	McInnes	Schwartz
Crockett	Morland	Sharpe
Culver	Myers	Westby
Erickson, Divide	Nelson, Steele	

So the bill passed and the title was agreed to.

Senate Bill No. 169. A Bill for an Act Providing for the Destruction of Certain Bonds, Coupons, Warrants and Other Evidences of Debt of Cities and Villages, Providing the Procedure to Be Adopted and Used Before Destruction and the Time During Which Such Documents Must Be Kept Before Destruction 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, 100; nays 3; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen	Glas	Olson, Barnes
Anderson	Gress	Olson, Bowman
Arndt	Haag	Panko
Arneson	Halvorson	Peterson, Bottineau
Austad	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz

Boulden	Johnson, Cass	Sellens
Braun, McLean	Johnson, Richland	Semerad
Braun, Stark	Juhola	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Dalzell	Lunde	Swanson
Devlin	McInnes	Trydahl
Dittmer	McIntee	Tuff
Drovdal	McIntyre	Twichell
Erickson, Williams	Mollet	Wambheim
Falconer	Morrison	Welder
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Sargent	Wolf, McIntosh
Fraser	Nicholsen	Wolf, Morton
Fuglestad	Nystrom	Mr. Speaker
Gackle		

Those voting in the negative were:

Bingenheimer	Moe	Nelson, Ramsey
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Absent and not voting:

Bjella	Erickson, Divide	Nelson, Steele
Crockett	Morland	Westby
Culver	Myers	

So the bill passed and the title was agreed to.

Senate Bill No. 94. A Bill for an Act Prohibiting Any Sheriff, Deputy Sheriff or Employee in the Sheriff's Office or Any Constable from Acting as a Collector or Collection Agent for Any Person, Firm or Corporation in the Collection of Any Account or Claims in the County Where He Is Acting as Such Sheriff, Deputy Sheriff or Employee, and and Prescribing 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, 89; nays, 12; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Gainor	Olson, Bowman
Allen	Glas	Panko
Anderson	Gress	Peterson, Bottineau
Arneson	Haag	Peterson, Ransom
Arndt	Halvorson	Rohde
Austad	Haugen	Rygg
Beede	Haugland	Sagehorn
Belzer	Heckman	Saumur
Benno	Hofstrand	Schmidt
Bergesen	Hogboom	Schwartz
Black	Holm	Sellens
Bolmeier	Ireland	Semerad
Boulden	Jennings	Severson
Braun, McLean	Johnson, Cass	Sharpe
Braun, Stark	Johnson, Richland	Shure
Brusseau	Juhola	Singleton

Bubel	Kee	Smart
Bymers	Kindem	Starck
Carlson	Langley	Swanson
Coghlan	Larson	Trydahl
Dalzell	Levin	Tuff
Devlin	McInnes	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Mollet	Welder
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Sargent	Williams, Stutsman
Fitch	Nicholsen	Wolf, McIntosh
Fitzharris	Nystrom	Wolf, Morton
Fraser	Ohnstad	Mr. Speaker
Fuglestad	Olson, Barnes	

Those voting in the negative were:

Blair	Lunde	Nelson, Morton
Fleck	McIntee	Nelson, Ramsey
Gackle	Moe	Sandness
Lillehaugen	Morrison	Stormon

Absent and not voting:

Bingenheimer	Culver	Myers
Bjella	Erickson, Divide	Nelson, Steele
Collette	Morland	Westby
Crockett		

So the bill passed and the title was agreed to.

Rep. Johnson of Cass moved that the vote by which Senate Bill No. 94 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 146. A Bill for an Act Authorizing City Councils of Cities in the State Having a Population 15,000 and Over to Provide Ordinances for the Regulating and Inspecting of Food Markets, Stores and Other Places of Business Where Food Intended for Human Consumption Is Sold at Retail and to Prohibit the Operation Thereof on Sundays, Legal Holidays Not Inconsistent with the Provisions of Any State Laws Relating to the Same Subject Matter; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 80; nays, 23; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fleck	Nicholsen
Allen	Fraser	Nystrom
Anderson	Fuglestad	Olson, Barnes
Arneson	Gackle	Panko
Arndt	Gainor	Peterson, Ransom
Austad	Haag	Rygg
Beede	Halvorson	Sagehorn
Belzer	Haugen	Saumur
Benno	Haugland	Schwartz
Bergesen	Heckman	Sellens
Black	Hofstrand	Severson
Blair	Hogoboom	Sharpe
Bolmeier	Holm	Shure

Boulden	Johnson, Cass	Singleton
Braun, Stark	Johnson, Richland	Smart
Carlson	Kee	Starck
Coghlan	Kindem	Stormon
Collette	Langley	Swanson
Culver	Larson	Trydahl
Dalzell	Levin	Twichell
Devlin	Lillehaugen	Wambheim
Drovdal	McInnes	Welder
Erickson, Divide	McIntyre	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris	Nelson, Sargent	

Those voting in the negative were:

Bingenheimer	Jennings	Olson, Bowman
Bjella	Juhola	Peterson, Bottineau
Braun, McLean	Lunde	Rohde
Brusseau	McIntee	Schmidt
Bubel	Moe	Semerad
Dittmer	Mollet	Tuff
Glas	Nelson, Morton	Wolf, Morton
Ireland	Ohnstad	

Absent and not voting:

Bymers	Morland	Sandness
Crockett	Myers	Westby
Gress	Nelson, Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Haugen voted "aye" for the purpose of reconsideration.

Rep. Nichol森 moved that the absent members be excused, which motion prevailed.

Rep. Morrison moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTY-SECOND DAY

Bismarck, February 27, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Hildebrand Eickhoff, Mandan.

Roll Call disclosed all members present except Reps. Myers and Westby.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-first day and recommends that the same be corrected as follows:

On page 910, between lines 3 and 4 from the bottom of the page insert the following: "In line 3 of the title, after the word "gasoline" strike out the comma and insert the word "and". After the word "Oil" in line 4, strike out the comma and insert a period and in the same line strike out the words "or other Petroleum Products".

On page 904, in the roll call on House Bill No. 308, Rep. Welder is recorded as voting "aye" whereas he passed.

In the same roll call correct the roll call totals to read "ayes, 49; nays, 53; absent and not voting, 8; passing, 1."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 43, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Swanson moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery stock.

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 170. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 179. A Bill for an Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation Act.

Which the Senate has amended as follows:

In line 2, strike out the word, "mechanics."

In line 5 and 6, strike out the following: "Civil Aeronautics Board, of Department of Commerce," and insert in lieu thereof: "competent authorities."

In line 7, after the word "interstate", insert the words "or foreign".

Strike out all of lines 10, 11, 12, 13, 14, 15 and 16, and insert the following: "while such employees are engaged in work, the duties of which primarily involve interstate or foreign flying operations. Employees not regularly engaged in interstate or foreign flying operations, and the flying employees of any such airline which has its principal operating base in North Dakota, shall not be included in this exemption."

In the title, strike out the period and insert a comma and add the following language "and declaring an emergency" and adding a new paragraph at the end of the bill as follows:

"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."

W. J. TROUT, Secretary.

Rep. Fitch moved that the House do now concur in the Senate amendments to House Bill No. 153, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Bill No. 153 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 153. A Bill for an Act Exempting Flying

Employees Engaged in Interstate Commerce from the
Workmen's Compensation Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fraser	Nelson, Steele
Anderson	Fuglestad	Nicholsen
Arneson	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Benno	Halvorson	Peterson, Bottineau
Bergesen	Haugen	Peterson, Ransom
Bingenheimer	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Ireland	Schwartz
Braun, McLean	Jennings	Sellens
Braun, Stark	Johnson, Cass	Semerad
Brusseau	Johnson, Richland	Severson
Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Levin	Starck
Crockett	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Welder
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker

Absent and not voting:

Juhola	Nelson, Sargent	Trydahl
Myers	Schmidt	Westby

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 153 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to return:
House Bill No. 175. A Bill for an Act Requiring Fuel to

Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

Which the Senate has amended as follows:

Page 1, Line 4, after the word "state," insert the following language: "where adequate weighing facilities exist".

W. J. TROUT, Secretary.

Rep. Morland moved that the House do concur in the Senate amendments to House Bill No. 175, which motion prevailed.

Rep. Morland moved that the rules be suspended and that House Bill No. 175 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fraser	Nelson, Sargent
Anderson	Fuglestad	Nicholsen
Arneson	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Benno	Halvorson	Peterson, Bottineau
Bergesen	Haugen	Peterson, Ransom
Bingenheimer	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Holm	Schwartz
Boulden	Ireland	Sellens
Braun, McLean	Jennings	Semerad
Braun, Stark	Johnson, Cass	Severson
Brusseau	Johnson, Richland	Sharpe
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Levin	Stormon
Crockett	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim

Drovdal	Moe	Welder
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker
Absent and not voting:		
Juhola	Nelson, Steele	Schmidt
Myers	Saumur	Westby

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which House Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

Which the Senate has amended as follows:

On line 24 after the word "of," strike out "any one" and insert in lieu thereof "all upland". After the word "species" insert, "Nor be less than the Federal bag limits on migratory waterfowl, and". In line 25 after the word "nor" insert the word "shall". Renumber all lines.

W. J. TROUT, Secretary.

Rep. Benno moved that the House do concur in the Senate amendments to House Bill No. 65, which motion prevailed.

Rep. Benno moved that the rules be suspended and that House Bill No. 65 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Sargent
Allen	Fleck	Nelson, Steele
Anderson	Fraser	Nicholsen

Arneson	Fuglestad	Nystrom
Arndt	Gackle	Ohnstad
Austad	Gainor	Olson, Barnes
Beede	Glas	Olson, Bowman
Belzer	Gress	Panko
Benno	Haag	Peterson, Bottineau
Bergesen	Halvorson	Peterson, Ransom
Bingenheimer	Haugen	Rohde
Bjella	Haugland	Rygg
Black	Heckman	Sagehorn
Blair	Hofstrand	Sandness
Bolmeier	Hogboom	Saumur
Boulden	Holm	Sellens
Braun, McLean	Ireland	Semerad
Braun, Stark	Johnson, Cass	Severson
Brusseau	Johnson, Richland	Sharpe
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Levin	Stormon
Crockett	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Mollet	Williams, Richland
Drovdal	Morland	Williams, Stutsman
Erickson, Divide	Morrison	Wolf, McIntosh
Erickson, Williams	Nelson, Cass	Wolf, Morton
Falconer	Nelson, Morton	Mr. Speaker
Fitch	Nelson, Ramsey	
Those voting in the negative were:		
Jennings	Schwartz	Welder
Lillehaugen	Tuff	
Absent and not voting:		
Juhola	Myers	Westby
Moe	Schmidt	

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has named a Committee consisting of Senators Young, Braun, and Stucke to supervise the 3rd house program tonight and recommend that a similar committee be appointed from the House.

W. J. TROUT, Secretary.
Senate Chamber,

Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill 179.

W. J. TROUT, Secretary.

Rep. Crockett moved that the Speaker appoint a committee of three to act with a like committee from the Senate to supervise the Third House program, which motion prevailed

and the Speaker appointed on that committee Reps. Kee, Olson of Barnes and Morrison.

Rep. Johnson of Richland moved that the House return House Bill No. 179 as requested by the Senate, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Senate Chamber,
Bismarck, February 19, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has amended as follows:

On page 2, line 16 of the House Re-engrossed Bill, after the word "however" insert the words, "no remuneration on account of such office shall be paid to the absentee during such absence, and".

W. J. TROUT, Secretary.

Rep. Sellens moved that the House do concur in the Senate amendments to House Bill No. 76, which motion prevailed.

Rep. Sellens moved that the rules be suspended and that House Bill No. 76 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Steele
Allen	Gainor	Nicholsen
Anderson	Glas	Nystrom
Arndt	Gress	Ohnstad
Arneson	Haag	Olson, Barnes
Austad	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Belzer	Haugland	Peterson, Bottineau
Benno	Heckman	Peterson, Ransom
Bingenheimer	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Bolmeier	Ireland	Sandness
Braun, McLean	Jennings	Schwartz
Braun, Stark	Johnson, Richland	Sellens
Brusseau	Kee	Semerad

Bubel	Kindem	Severson
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twitchell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morland	Welder
Falconer	Morrison	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Fuglestad		

Absent and not voting:

Bergesen	Johnson, Cass	Schmidt
Blair	Juhola	Sharpe
Boulden	Myers	Westby
Culver	Saumur	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 20, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 51. A Bill for an Act to Encourage the Making and Maintaining of Agreements Concerning Wages, Hours and Conditions of Employment Between Employers and Employees by Their Representatives and the Settlement of Controversies Concerning the Same by Mediation and Voluntary Arbitration of Such Controversies on the Commissioner of Agriculture and Labor.

Which the Senate has amended as follows:

In the title of the bill strike out the period after the word "captivity", insert a comma and the following language: "and repealing all acts and parts of acts in conflict herewith."

Add a new section to the bill to read Section 11 as follows: "Section 11. Repealing all acts and parts of acts in conflict herewith".

Number the lines in the new section.

W. J. TROUT, Secretary.

Rep. Twitchell moved that the House do not concur in the Senate amendments to House Bill No. 51 and that the Speaker appoint a conference committee to act with a like committee from the Senate on House Bill No. 51, which motion prevailed and the Speaker appointed on that committee Reps. Fitch, Peterson of Bottineau and Halvorson.

Senate Chamber,
Bismarck, February 27, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 170. A Bill for an Act Providing for the

Establishment of, License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

Which the Senate has amended as follows:

In the title of the bill strike out the period after the word "captivity", insert a comma and the following language: "and repealing all acts and parts of acts in conflict herewith".

Add a new section to the bill to read Section 11 as follows:

"Section 11. Repealing all acts and parts of acts in conflict herewith".

Number the lines in the new section.

W. J. TROUT, Secretary.

Rep. Starck moved that the House do concur in the Senate amendments to House Bill No. 170.

Rep. Aker moved a substitute motion that the House do not concur in the Senate amendments to House Bill No. 170 and that a conference committee be appointed, which motion was lost.

The question being on the motion of Rep. Starck that the House do concur in the Senate amendments to House Bill No. 170, the motion prevailed.

Rep. Starck moved that the rules be suspended and that House Bill No. 170 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 170. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackie	Nystrom
Anderson	Gainor	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bingenheimer	Hofstrand	Sandness
Ejella	Hogoboom	Saumur
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure

Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Mollet	Twichell
Dittmer	Morland	Welder
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, McIntosh
Falconer	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	

Those voting in the negative were:

Moe Rohde

Absent and not voting:

Bergesen	Heckman	Ohnstad
Culver	Johnson, Cass	Wambheim
Fitch	Johnson, Richland	Westby
Fleck	Myers	

So the bill passed and the title was agreed to.

Rep Beede moved that action on Senate Concurrent Resolution No. 4 be deferred one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 63. A Bill for an Act to Regulate the Practice of Lobbying Requiring Certain Information to be Filed Relative to Lobbyists and Providing Penalty for the Violation Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 2; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Sargent
Allen	Fleck	Nelson, Steele
Anderson	Fraser	Nicholsen
Arneson	Fuglestad	Nystrom
Arndt	Gackle	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Gress	Panko
Belzer	Haag	Peterson, Bottineau
Benno	Halvorson	Peterson, Ransom
Bergesen	Haugen	Rohde
Bingenheimer	Haugland	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Saumur
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz
Boulden	Jennings	Sellens
Braun, McLean	Johnson, Richland	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe

Bubel	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Dalzell	McIntee	Tuff
Devlin	McIntyre	Weider
Dittmer	Moe	Williams, Richland
Drovdal	Mollet	Williams, Stutsman
Erickson, Divide	Morland	Wolf, McIntosh
Erickson, Williams	Morrison	Wolf, Morton
Falconer	Nelson, Cass	Mr. Speaker
Fitch	Nelson, Morton	

Those voting in the negative were:

Nelson, Ramsey Shure

Absent and not voting:

Culver	Juhola	Twichell
Gainor	Myers	Wambheim
Heckman	Ohnstad	Westby
Johnson, Cass	Sandness	

So the bill passed and the title was agreed to.

Rep. Braun of McLean 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.

Rep. Fitch moved that the House do now recess until 12:30 P. M., tomorrow, which motion prevailed.

C. R. VERRY, Chief Clerk.

FIFTY-SECOND DAY AFTER RECESS
AND FIFTY-THIRD DAY

Bismarck, February 28, 1941.

The House re-assembled at 12:30 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would proceed on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 65
House Bill No. 76
House Bill No. 143
House Bill No. 153
House Bill No. 170
House Bill No. 175
House Bill No. 190
House Bill No. 203
House Bill No. 267

And find the same correctly enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 7, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 8, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 9, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 10, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 11, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 12, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 13, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 14, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 15, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 16, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 17, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 19, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom

was referred Senate Bill No. 20, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 22, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 23, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 29, have had the same under consideration and recommend that the same be amended as follows:

Line 11, strike out "\$600.00" and insert in lieu thereof "\$350.00".

Line 12, strike out "\$500.00" and insert in lieu thereof "\$300.00".

Line 14, strike out "\$1,000.00" and insert in lieu thereof "\$1,300.00".

The total remains the same as amended by the Senate, namely \$2,850.00.

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 194, have had the same under consideration and recommend that the same do pass.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 28, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 25, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 149, have had the same under consideration and recommend that the same do pass.

WESLEY L. BOLMEIER, Chairman.

Rep. Erickson of Divide moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 171, have had the same under consideration and recommend that the same be indefinitely postponed.

WESLEY L. BOLMEIER, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Mollet moved that the vote by which Senate Bill No. 171 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 117, have had the same under consideration and recommend that the same be amended as follows:

On page 8, line 8, correct the spelling of the word "local."

On page 25, line 19, strike out the word "one" and insert in lieu thereof the word "two".

On line 20, strike out the word "week" and insert in lieu thereof the word "weeks."

And when so amended recommend the same do pass.

WESLEY L. BOLMEIER, Chairman.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 179, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Sharpe moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 75, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Swanson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred Senate Bill No. 121, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Swanson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred S. C. Res. No. 2, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 155, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 79, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation Act.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 170. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Pur-

chaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery Stock.

And the speaker signed the same in the presence of the House.

SECOND READING OF SENATE BILLS

Senate Bill No. 118 was read the second time.

Rep. Beede moved that Senate Bill No. 118 be re-referred to the Comm. on Insurance, which motion prevailed.

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter 121 of the Laws of 1931, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 8; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fitch	Nelson, Cass
Allen	Fitzharris	Nelson, Morton
Anderson	Fraser	Nelson, Ramsey
Arneson	Fuglestad	Nelson, Sargent

Arndt	Gackle	Nicholsen
Austad	Gainor	Nystrom
Beede	Glas	Ohnstad
Belzer	Gress	Olson, Bowman
Benno	Haag	Panko
Bergesen	Halvorson	Peterson, Bottineau
Bingenheimer	Haugen	Peterson, Ransom
Bjella	Haugland	Rohde
Black	Heckman	Rygg
Blair	Hofstrand	Sagehorn
Bolmeier	Hogoboom	Saumur
Boulden	Holm	Schmidt
Braun, McLean	Ireland	Semerad
Braun, Stark	Jennings	Shure
Bubel	Johnson, Richland	Singleton
Bymers	Juhola	Smart
Carlson	Kindem	Starck
Collette	Langley	Stormon
Crockett	Larson	Trydahl
Culver	Levin	Tuff
Dalzell	Lillehaugen	Wambheim
Devlin	Lunde	Welder
Dittmer	McIntee	Williams, Richland
Drovdal	McIntyre	Williams, Stutsman
Erickson, Divide	Mollet	Wolf, McIntosh
Erickson, Williams	Morland	Wolf, Morton
Falconer	Morrison	Mr. Speaker
Those voting in the negative were:		
Brusseau	Nelson, Steele	Swanson
McInnes	Sellens	Twichell
Moe	Severson	
Absent and not voting:		
Coghlan	Myers	Schwartz
Fleck	Olson, Barnes	Sharpe
Johnson, Cass	Sandness	Westby
Kee		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Mollet moved that the vote by which Senate Bill No. 143 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 137 was read the second time.

Rep. Bergesen moved that Senate Bill No. 137 be indefinitely postponed, which motion prevailed.

Rep. Rohde moved that the vote by which Senate Bill No. 137 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 140. A Bill for an Act Authorizing the Sale by Executors, Administrators and Guardians of Estates of Oil, Gas and Mineral Interests in Land, Providing for the Procedure Relative to Such Sales, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 70; nays, 32; absent and not voting, 9.

Those voting in the affirmative were:

Anderson	Haugland	Olson, Bowman
Austad	Hofstrand	Panko
Beede	Hogoboom	Peterson, Bottineau
Belzer	Ireland	Rohde
Benno	Jennings	Rygg
Bergesen	Juhola	Sagehorn
Bingenheimer	Kindem	Saumur
Bjella	Larson	Schwartz
Black	Levin	Semerad
Bolmeier	Lunde	Shure
Braun, McLean	McInnes	Singleton
Braun, Stark	McIntee	Smart
Bubel	McIntyre	Starck
Crockett	Mollet	Stormon
Dalzell	Morland	Trydahl
Devlin	Morrison	Tuff
Drovdal	Nelson, Morton	Wambheim
Erickson, Divide	Nelson, Ramsey	Welder
Erickson, Williams	Nelson, Sargent	Williams, Richland
Falconer	Nicholsen	Williams, Stutsman
Fraser	Nystrom	Wolf, McIntosh
Gainor	Ohnstad	Wolf, Morton
Glas	Olson, Barnes	Mr. Speaker
Haugen		

Those voting in the negative were:

Aker	Dittmer	Lillehaugen
Allen	Fitzharris	Moe
Arneson	Fuglestad	Nelson, Cass
Arndt	Gackle	Nelson, Steele
Boulden	Gress	Peterson, Ransom
Brusseau	Haag	Schmidt
Bymers	Halvorson	Sellens
Carlson	Heckman	Severson
Coghlan	Holm	Swanson
Collette	Johnson, Richland	Twichell
Culver	Langley	

Absent and not voting:

Blair	Johnson, Cass	Sandness
Fitch	Kee	Sharpe
Fleck	Myers	Westby

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Crockett moved that the vote by which Senate Bill No. 140 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 130. A Bill for an Act Defining Citizens of the State of North Dakota; Providing for a Judicial Proceeding for the Establishment of Citizenship for the State of North Dakota; And Repealing Section 13 of the 1913 Compiled 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, the roll was called and there were ayes, 99; nays 1; absent and not voting, 11.

Those voting in the affirmative were:

Allen	Gackle	Nicholsen
Anderson	Glas	Nystrom
Arneson	Gress	Ohnstad
Arndt	Haag	Olson, Barnes
Austad	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Belzer	Haugland	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bingenheimer	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kindem	Semerad
Brusseau	Langley	Severson
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Aker

Absent and not voting:

Benno	Gainor	Sandness
Bubel	Johnson, Cass	Sharpe
Fitch	Kee	Westby
Fleck	Myers	

So the bill passed and the title was agreed to.

Senate Bill No. 123. A Bill for an Act to Amend and Re-enact Section 8793 of the Compiled Laws of North Dakota, Relating to Petitions for Conveyance of Real Estate Sold on Contracts, and Contents of Petition and Decree, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rohde
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Blair	Holm	Saumur
Bolmeier	Ireland	Schmidt
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Wambheim
Dittmer	Mollet	Welder
Droydal	Morland	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris	Nelson, Sargent	
Absent and not voting:		
Benno	Kea	Sharpe
Fleck	Myers	Twichell
Gainor	Sandness	Westby
Johnson, Cass		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 64; nays, 35; absent and not voting, 12.

Those voting in the affirmative were:

Allen	Gress	Nelson, Ramsey
Anderson	Haugen	Nelson, Sargent
Arneson	Haugland	Nelson, Steele
Arndt	Heckman	Ohnstad
Austad	Hogoboom	Olson, Barnes

Beede	Holm	Olson, Bowman
Benno	Ireland	Peterson, Ransom
Bergesen	Jennings	Rohde
Bingenheimer	Johnson, Richland	Sagehorn
Bjella	Kindem	Saumur
Bolmeier	Langley	Schwartz
Braun, Stark	Larson	Semerad
Carlson	Lillehaugen	Shure
Coghlan	Lunde	Singleton
Collette	McIntee	Smart
Culver	McIntyre	Stormon
Drovdal	Moe	Swanson
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morland	Welder
Falconer	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Aker	Fraser	Peterson, Bottineau
Belzer	Gackle	Rygg
Black	Glas	Schmidt
Blair	Haag	Sellens
Boulden	Halvorson	Severson
Braun, McLean	Juhola	Starck
Brusseau	Levin	Trydahl
Bubel	McInnes	Wambheim
Bymers	Morrison	Williams, Stutsman
Dalzell	Nicholsen	Wolf, McIntosh
Devlin	Nystrom	Wolf, Morton
Dittmer	Panko	

Absent and not voting:

Crockett	Hofstrand	Sandness
Fitch	Johnson, Cass	Sharpe
Fleck	Kee	Twichell
Gainor	Myers	Westby

So the bill passed and the title was agreed to.

Rep. Bergesen moved that the vote by which Senate Bill No. 96 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Rohde moved that the absent members be excused, which motion prevailed.

Rep. Wolf of McIntosh moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTY-THIRD DAY

Bismarck, February 28, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. C. L. Wallace, Mandan.

Roll Call disclosed all members present except Reps. Myers, Sharpe, Westby.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction

of the Journal has carefully examined the Journal of the 52nd day and finds the same correct.

And recommends that the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Counties, to whom was referred Senate Bill No. 205, have had the same under consideration and recommend that the same be amended as follows:

In line 269, after the word "property," strike out the period and insert a semi-colon in lieu thereof, and then insert the following:

"Provided, however, that if such sale is made to any other person than the original owner or his successor in interest, such sale shall be held in abeyance for a period of thirty (30) days, during which time the original owner or his successor in interest may make redemption by payment in full of delinquent taxes, penalty and interest charged against such real estate. Provided, further, that if no redemption is made by the original owner or his successor in interest during said period of thirty (30) days, then the sale shall be final and the purchaser shall be entitled to a deed as provided herein."

And when so amended recommend the same do pass.

P. K. HOLM, Chairman.

Rep. Coghlan moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 79; nays, 21; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fitch	Nelson, Cass
Allen	Fitzharris	Nelson, Steele
Anderson	Fuglestad	Nicholsen
Arneson	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Haugen	Olson, Bowman
Belzer	Hofstrand	Panko
Bergesen	Hogoboom	Peterson, Bottineau
Bjella	Holm	Peterson, Ransom
Black	Ireland	Rygg
Blair	Jennings	Sagehorn
Bolmeier	Johnson, Richland	Saumur

Braun, McLean	Kee	Schmidt
Braun, Stark	Kindem	Schwartz
Brusseau	Langley	Sellens
Bymers	Larson	Sharpe
Carlson	Levin	Shure
Coghlan	Lillehaugen	Smart
Collette	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Wambheim
Drovdal	Moe	Williams, Richland
Erickson, Divide	Morland	Williams, Stutsman
Erickson, Williams	Morrison	Mr. Speaker
Falconer		

Those voting in the negative were:

Bingenheimer	Halvorson	Severson
Bubel	Heckman	Singleton
Dittmer	Mollet	Starck
Fleck	Nelson, Morton	Tuff
Fraser	Nelson, Ramsey	Welder
Gress	Rohde	Wolf, McIntosh
Haag	Semerad	Wolf, Morton

Absent and not voting:

Benno	Johnson, Cass	Sandness
Boulden	Juhola	Twichell
Crockett	Myers	Westby
Haugland	Nelson, Sargent	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Swanson moved that the vote by which Senate Bill No. 43 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Falconer moved that Senate Concurrent Resolution No. 4 be indefinitely postponed, which motion prevailed.

Rep. Mollet moved that the vote by which Senate Concurrent Resolution No. 4 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection 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, 107; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau

Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Schmidt
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Tuff
Devlin	McIntyre	Wambheim
Dittmer	Moe	Welder
Drovdal	Mollet	Westby
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck	Nelson, Sargent	
Absent and not voting:		
Johnson, Cass	Trydahl	Twichell
Myers		

So the bill passed and the title was agreed to.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection 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, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Sargent
Allen	Fuglestad	Nelson, Steele
Anderson	Gackle	Nicholsen
Arneson	Gainor	Nystrom
Arndt	Glas	Ohnstad
Austad	Gress	Olson, Barnes
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Peterson, Bottineau
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens

Boulden	Johnson, Richland	Semerad
Braun, McLean	Juhola	Severson
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	McInnes	Wambheim
Drovdal	Moe	Welder
Erickson, Divide	Mollet	Westby
Erickson, Williams	Morland	Williams, Richland
Falconer	Morrison	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker

Absent and not voting:

Bubel	Johnson, Cass	Saumur
Crockett	Myers	Schmidt
Hofstrand	Sandness	Trydahl

So the bill passed and the title was agreed to.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection 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, 101; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Schwartz
Bolmeier	Johnson, Richland	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson

Culver	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Moe	Welder
Drovdal	Mollet	Westby
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser	Nelson, Sargent	

Absent and not voting:

Bubel	Johnson, Cass	Schmidt
Crockett	Myers	Smart
Fitch	Saumur	Trydahl
Hofstrand		

So the bill passed and the title was agreed to.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection 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, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Sargent
Allen	Fuglestad	Nelson, Steele
Anderson	Gackle	Nicholsen
Arneson	Gainor	Nystrom
Arndt	Glas	Ohnstad
Austad	Gress	Olson, Barnes
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Peterson, Bottineau
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Williams, Richland

Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker

Absent and not voting:

Bubel	Johnson, Cass	Schmidt
Fitch	Myers	Trydahl
Hofstrand	Saumur	Westly

So the bill passed and the title was agreed to.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection 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, 99; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fraser	Nicholsen
Anderson	Fuglestad	Nystrom
Arndt	Gackle	Ohnstad
Arneson	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Schwartz
Blair	Holm	Sellens
Bolmeier	Ireland	Semerad
Boulden	Jennings	Severson
Braun, McLean	Juhola	Sharpe
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Stormon
Collette	Lillehaugen	Swanson
Crockett	Lunde	Trydahl
Culver	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Moe	Welder
Drovdal	Mollet	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker

Absent and not voting:

Bubel	Johnson, Richland	Sandness
Fitch	Morland	Saumur

Gainor	Myers	Schmidt
Johnson, Cass	Nelson, Steele	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, North Dakota, for the Care and Education of Crippled Children, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection 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, 99; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Sargent
Allen	Fleck	Nicholsen
Anderson	Fraser	Nystrom
Arneson	Fuglestad	Ohnstad
Arndt	Gackle	Olson, Barnes
Austad	Gainor	Olson, Bowman
Beede	Glas	Panko
Belzer	Gress	Peterson, Bottineau
Benno	Haag	Peterson, Ransom
Bergesen	Halvorson	Rohde
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Haugen	Schwartz
Blair	Hofstrand	Sellens
Bolmeier	Hogoboom	Semerad
Boulden	Holm	Severson
Braun, McLean	Ireland	Sharpe
Braun, Stark	Jennings	Shure
Brusseau	Johnson, Richland	Singleton
Bymers	Juhola	Smart
Carlson	Kee	Starck
Coghlan	Langley	Stormon
Collette	Larson	Swanson
Crockett	Levin	Trydahl
Culver	Lillehaugen	Tuff
Dalzell	Lunde	Twichell
Devlin	McInnes	Wambheim
Dittmer	McIntee	Welder
Drovdal	McIntyre	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Ramsey	Mr. Speaker

Absent and not voting:

Bubel	Mollet	Sandness
Johnson, Cass	Morland	Saumur
Kindem	Myers	Schmidt
Moe	Nelson, Steele	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ranson
Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Schmidt
Black	Holm	Schwartz
Blair	Ireland	Sellens
Bolmeier	Jennings	Semerad
Boulden	Juhola	Severson
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Culver	Lillehaugen	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad		

Absent and not voting:

Bjella	Johnson, Cass	Nelson, Steele
Brusseau	Johnson, Richland	Sandness
Bubel	Lunde	Saumur
Collette	Morland	Westby
Crockett	Myers	

So the bill passed and the title was agreed to.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 4; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Sargent
Allen	Gainor	Nicholsen
Anderson	Glas	Nystrom

Arneson	Gress	Ohnstad
Arndt	Haag	Olson, Barnes
Austad	Haugen	Olson, Bowman
Beede	Haugland	Panko
Belzer	Heckman	Peterson, Bottineau
Bergesen	Hofstrand	Peterson, Ransom
Bingenheimer	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Bymers	Kindem	Sharpe
Carlson	Langley	Shure
Coghlan	Larson	Singleton
Crockett	Levin	Smart
Culver	Lillehaugen	Starck
Devlin	Lunde	Stormon
Dittmer	McInnes	Swanson
Drovdal	McIntee	Trydahl
Erickson, Divide	McIntyre	Twichell
Erickson, Williams	Moe	Wambheim
Falconer	Mollet	Williams, Richland
Fitch	Morrison	Williams, Stutsman
Fitzharris	Nelson, Cass	Wolf, McIntosh
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker

Those voting in the negative were:

Fuglestad	Tuff	Welder
Halvorson		

Absent and not voting:

Benno	Dalzell	Rohde
Ejella	Johnson, Cass	Sandness
Brusseau	Morland	Saumur
Bubel	Myers	Westby
Collette	Nelson, Steele	

So the bill passed and the title was agreed to.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Sargent
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde

Bingenheimer	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogboom	Schmidt
Blair	Holm	Schwartz
Bolmeier	Ireland	Sellens
Boulden	Jennings	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Juhola	Sharpe
Bymers	Kee	Shure
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Crockett	Larson	Starck
Culver	Levin	Stormon
Dalzell	Lillehaugen	Swanson
Devlin	Lunde	Trydahl
Dittmer	McInnes	Tuff
Drovdal	McIntee	Wambheim
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Moe	Williams, Richland
Falconer	Mollet	Williams, Stutsman
Fitch	Morrison	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker

Absent and not voting:

Brusseau	Morland	Sandness
Bubel	Myers	Saumur
Collette	Nelson, Cass	Twichell
Johnson, Cass	Nelson, Steele	Westby

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 172

House Bill No. 146

House Bill No. 176

Were delivered to the Governor for his approval at the hour of 3:00 o'clock P. M., February 28.

REP. WAMBHEIM, Chairman.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws

of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

House Concurrent Resolution "N." A Resolution Requesting Congress to Investigate Conditions on the Standing Rock Indian Reservation, and Relieve Needs Existing There.

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "M". A Resolution Memorializing Congress to Construct the Proposed Missouri River Diversion Project.

Senate Concurrent Resolution "J". A Concurrent Resolution Requesting the Board of Administration to Require a Monthly Rental from Federal Agencies Housed in the Capitol Building.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 140. A Bill for an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 309. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 12 of Section 3511 of the Compiled Laws of the State of North Dakota for the Year 1913, Re-

lating to and Clarifying the Fee for Chattel Mortgage Abstract; Repeal.

House Bill No. 173. A Bill for an Act to Exempt Certain Personal Property to the Amount of \$150.00 from Taxation, and Declaring an Emergency.

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 79. A Bill for an Act to Provide that the Expense for the Maintenance, Care, Board and Treatment of All Patients in the State Hospital for the Insane at Jamestown, North Dakota, the Institution for the Feeble Minded at Grafton, North Dakota, and the North Dakota State Tuberculosis Sanatorium at San Haven, North Dakota, Shall Be Borne Entirely by the State of North Dakota; etc.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Q". A Concurrent Resolution Petitioning Congress to Enact the Capper Bill Establishing a Division of Cooperatives in the United States Department of Agriculture.

Which the Senate has adopted.

W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 46. A Bill for an Act to Amend Section 3787 of the Compiled Laws of North Dakota for 1913 Prescribing Qualifications of Officers Under the Commission Form of City Government.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 131. A Bill for an Act Validating the Record of Mineral Deeds in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act Validating the Record of All Deeds and Mortgages in the Office of the Register of Deeds of the Counties of the State Made Prior

to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Sections 5518 and 5519 of the Compiled Laws of North Dakota for 1913, Relating to Aid to Assessors in Valuing Coal Deposits Reserved to Grantors by Providing That All Deeds and Transfers of Real Property Which Reserves the Coal Deposits to the Grantor Shall Contain a Full Description of the Coal Deposits so Reserved, Its Length, Width, and Thickness, and Validating All Reservations and Conveyances of Other Minerals or Mineral Deposits Made Prior to the Passage and Taking Effect of This Act, and Limiting the Time Within Which Actions May Be Commenced in the Courts of This State to Contest the Validity or Legality of Such Reservations or Conveyances, and Declaring an Emergency.

Senate Bill No. 134. A Bill for an Act to Authorize the Leasing of Land Owned by School Districts, Cities, Villages, Townships and Park Districts, for Oil and Gas; Authorizing the Governing Boards to Make Such Leases; Providing for the Consolidation of Such Oil and Gas Leases with Adjoining Lands for Operation and Development; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 65
House Bill No. 153
House Bill No. 175
House Bill No. 76
House Bill No. 170

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 51 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Fitch, Peterson of Bottineau and Halvorson.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to inform you that the House has granted the request of the Senate and sends herewith House Bill No. 179.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931,

Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation Act.

House Bill No. 170. A Bill for an Act Providing for the Establishment of, License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery stock.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 135. A Bill for an Act Authorizing Executors and Administrators of Decedents and Guardians of Minors and Incompetents to Execute Oil and Gas Leases, Providing for the Procedure for the Approval and Confirmation of Such Leases, and Validating All Such Leases Executed Prior to the Passage and Taking Effect of This Act, and Declaring an Emergency.

Senate Bill No. 136. A Bill for an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mort-

gages and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Senate Bill No. 142. A Bill for an Act Authorizing the Board of County Commissioners of the Counties of the State of North Dakota to Confirm, Approve and Adopt Oil and Gas Leases, Executed by Owners of the Right of Redemption, Owners of the Title to and Owners of Interest in Lands Subject to Delinquent Tax Charges, Including Lands the Tax Charges Against Which Have Been Adjusted by Contract, and Lands Forfeited to the County Under Tax Proceedings, and Held by the County by Tax Deeds Sufficient to Constitute Color of Title in the County; and Providing That Upon Such Confirmation, Approval or Adoption, That Such Oil and Gas Leases Shall Be and Become Binding Upon the County and the Lessee Named Therein and Assigns, with Like Force and Effect as Though the County Had Become a Party to the Said Leases; and Providing for the Payment of Rentals, Bonuses and Royalties and the Distribution and Allocation Thereof; and Providing for Constructive Notice to Purchasers of Said Lands from the County, and Validating Prior Proceedings of County Commissioners in Substantial Compliance Herewith.

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Chapter 243 of the Session Laws of 1939 Relating to the Distribution of Seeds and Planting Stock by the State Forester, and Declaring an Emergency.

Senate Bill No. 45. A Bill for an Act to Re-enact Chapter 110 of the Session Laws of North Dakota for the Year of 1935, Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Senate Bill No. 105. A Bill for an Act to Repeal Sections 6553 to 6619, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota, Relating to Marine Insurance.

Senate Bill No. 104. A Bill for an Act to Repeal Chapter 235 of the Session Laws for the Year 1917, Being Sections 5604a1 to 5604a82, Both Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Registration of Land and the Title Thereto in the State of North Dakota.

Senate Bill No. 103. A Bill for an Act Recognizing the Rule Making Powers of the Supreme Court; Providing That Existing Statutes of Procedure Shall Be Continued in Effect as Rules of Court Until Altered by the Supreme Court; Providing That Procedural Statutes Exist as Rules of Court; Authorizing the Supreme Court to Amend Rules Promulgated By It and Statutes Governing Procedure; Permitting the Supreme Court to Make New Rules; Providing for Hearings on Rules Before the Same Are Promulgated By the Court; Providing for the Making of a Complaint to the Supreme Court Against Rules and for Hearing on Such Complaint; Providing for Giving Notice of the Effective Date of the Rules Promulgated By the Court; and Authorizing the Supreme Court to Make Rules Governing the Practice of

Law and for the Admission, Disbarment, Discipline, and Reinstatement of Attorneys at Law.

Senate Bill No. 169. A Bill for an Act Providing for the Destruction of Certain Bonds, Coupons, Warrants and Other Evidences of Debt of Cities and Villages, Providing the Procedure to Be Adopted and Used Before Destruction and the Time During Which Such Documents Must Be Kept Before Destruction Thereof.

Senate Bill No. 94. A Bill for an Act Prohibiting Any Sheriff, Deputy Sheriff or Employee in the Sheriff's Office or Any Constable from Acting as a Collector or Collection Agent for Any Person, Firm or Corporation in the Collection of Any Account or Claims in the County Where He Is Acting as Such Sheriff, Deputy Sheriff or Employee, and Prescribing Penalties.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 146. A Bill for an Act Authorizing City Councils of Cities in the State Having a Population 15,000 and Over to Provide Ordinances for the Regulating and Inspecting of Food Markets, Stores and Other Places of Business Where Food Intended for Human Consumption Is Sold at Retail and to Prohibit the Operation Thereof on Sundays, Legal Holidays Not Inconsistent with the Provisions of Any State Laws Relating to the Same Subject Matter; Declaring an Emergency.

Senate Bill No. 63. A Bill for an Act to Regulate the Practice of Lobbying Requiring Certain Information to be Filed Relative to Lobbyists and Providing Penalty for the Violation Thereof.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, February 28, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 8 of the 1939 Session Laws Relating to Unfair Discrimination in the Purchase of Certain Farm Products; Repealing Acts in Conflict, and Declaring an Emergency.

Senate Bill No. 107. A Bill for an Act to Provide a Method of Assigning Sheriff's Certificates, Mortgages, and Other Instruments and of Conveying Title to Lands Which Have Been Acquired by the State and Departments and Agencies Thereof.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 16. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to

2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 1; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Beede	Haag	Peterson, Bottineau
Belzer	Halvorson	Peterson, Ransom
Benno	Haugen	Rohde
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Saumur
Bjella	Hofstrand	Schmidt
Black	Hogoboom	Schwartz
Blair	Holm	Sellens
Bolmeier	Ireland	Semerad
Boulden	Jennings	Severson
Braun, McLean	Johnson, Richland	Sharpe
Braun, Stark	Juhola	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langley	Starck
Crockett	Larson	Stormon
Culver	Levin	Swanson
Dalzell	Lillehaugen	Trydahl
Devlin	Lunde	Tuff
Dittmer	McInnes	Twichell
Drovdal	McIntee	Wambheim
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Williams, Stutsman
Falconer	Morrison	Williams, Richland
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser		

Those voting in the negative were:

Moe

Absent and not voting:

Austad	Morland	Olson, Barnes
Brusseau	Myers	Sagehorn
Bubel	Nelson, Cass	Sandness
Collette	Nelson, Steele	Westby
Johnson, Cass		

So the bill passed and the title was agreed to.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 92; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Allen	Gainor	Nystrom
Anderson	Glas	Panko
Arneson	Gress	Peterson, Bottineau
Arndt	Haag	Peterson, Ransom
Austad	Halvorson	Rohde
Beede	Haugen	Rygg
Belzer	Heckman	Sagehorn
Bergesen	Hofstrand	Sandness
Bingenheimer	Hogboom	Saumur
Bjella	Holm	Schwartz
Black	Ireland	Sellens
Blair	Jennings	Semerad
Bolmeier	Johnson, Richland	Severson
Boulden	Kee	Sharpe
Braun, McLean	Kindem	Shure
Braun, Stark	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Trydahl
Devlin	McIntee	Tuff
Dittmer	McIntyre	Twichell
Drovdal	Moe	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morland	Williams, Richland
Fitch	Morrison	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker
Gackle	Nicholsen	

Absent and not voting:

Aker	Fuglestad	Nelson, Steele
Benno	Haugland	Ohnstad
Brusseau	Johnson, Cass	Olson, Barnes
Bubel	Juhola	Olson, Bowman
Collette	Myers	Schmidt
Crockett	Nelson, Cass	Westby
Falconer		

So the bill passed and the title was agreed to.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 92; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

Allen	Gainor	Panko
Anderson	Glas	Peterson, Bottineau
Arneson	Gress	Peterson, Ransom
Arndt	Haag	Rohde
Austad	Halvorson	Rygg

Beede	Haugen	Sagehorn
Belzer	Heckman	Sandness
Benno	Hofstrand	Saumur
Bergesen	Hogoboom	Schmidt
Bingenheimer	Holm	Schwartz
Bjella	Ireland	Sellens
Black	Jennings	Semerad
Bolmeier	Johnson, Richland	Severson
Boulden	Juhola	Sharpe
Braun, McLean	Kee	Shure
Braun, Stark	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Trydahl
Devlin	McIntee	Tuff
Dittmer	McIntyre	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Nelson, Morton	Welder
Erickson, Williams	Nelson, Ramsey	Williams, Richland
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nicholsen	Wolf, McIntosh
Fleck	Nystrom	Wolf, Morton
Fraser	Olson, Barnes	Mr. Speaker
Gackle	Olson, Bowman	

Absent and not voting:

Aker	Fuglestad	Morrison
Blair	Haugland	Myers
Brusseau	Johnson, Cass	Nelson, Cass
Bubel	Lillehaugen	Nelson, Steele
Collette	Moe	Ohnstad
Crockett	Morland	Westby
Falconer		

So the bill passed and the title was agreed to.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Allen	Fuglestad	Olson, Barnes
Anderson	Gackle	Olson, Bowman
Arneson	Gainor	Panko
Arndt	Glas	Peterson, Bottineau
Austad	Gress	Peterson, Ransom
Beede	Haag	Rohde
Belzer	Halvorson	Rygg
Benno	Haugen	Sagehorn
Bergesen	Heckman	Sandness
Bingenheimer	Hofstrand	Saumur
Bjella	Hogoboom	Schmidt
Black	Holm	Schwartz

Bolmeier	Ireland	Sellens
Boulden	Jennings	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Juhola	Sharpe
Bymers	Kee	Shure
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Crockett	Larson	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Tuff
Dittmer	McIntyre	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Nelson, Morton	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nicholsen	Wolf, Morton
Fraser	Nystrom	Mr. Speaker

Absent and not voting:

Aker	Haugland	Myers
Blair	Johnson, Cass	Nelson, Cass
Brusseau	Levin	Nelson, Steele
Bubel	Lillehaugen	Ohnstad
Collette	Moe	Trydahl
Falconer	Morland	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 22. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Olson, Barnes
Arndt	Glas	Olson, Bowman
Austad	Gress	Panko
Beede	Haag	Peterson, Bottineau
Belzer	Halvorson	Peterson, Ransom
Benno	Haugen	Rohde
Bergesen	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Schmidt
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Juhola	Severson
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck

Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fraser		

Absent and not voting:

Aker	Levin	Ohnstad
Bingenheimer	Lillehaugen	Sharpe
Collette	Morland	Trydahl
Falconer	Myers	Westby
Fleck	Nelson, Cass	Williams, Richland
Haugland	Nelson, Steele	

So the bill passed and the title was agreed to.

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 84; nays, 5; absent and not voting, 22.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gainor	Olson, Barnes
Anderson	Glas	Olson, Bowman
Arneson	Gress	Panko
Arndt	Halvorson	Peterson, Bottineau
Austad	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Schmidt
Black	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Lunde	Starck
Culver	McIntee	Stormon
Dalzell	McIntyre	Swanson
Dittmer	Moe	Trydahl
Drovdal	Mollet	Tuff
Erickson, Divide	Nelson, Morton	Twichell
Erickson, Williams	Nelson, Ramsey	Wambheim
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker

Those voting in the negative were:

Belzer	Haag	Wolf, McIntosh
Braun, McLean	Welder	

Absent and not voting:

Blair	Johnson, Cass	Myers
Boulden	Johnson, Richland	Nelson, Cass
Collette	Levin	Ohnstad
Crockett	Lillehaugen	Saumur
Devlin	McInnes	Severson
Falconer	Morland	Westby
Fleck	Morrison	Williams, Richland
Gackle		

So the bill passed and the title was agreed to.

Senate Bill No. 194. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 89; nays, 4; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Falconer	Nelson, Steele
Allen	Fitch	Nicholsen
Anderson	Fitzharris	Nystrom
Arneson	Fraser	Olson, Bowman
Arndt	Fuglestad	Panko
Austad	Gainor	Peterson, Bottineau
Beede	Glas	Peterson, Ransom
Belzer	Gress	Rohde
Benno	Haag	Rygg
Bergesen	Haugen	Sagehorn
Bingenheimer	Haugland	Saumur
Bjella	Heckman	Sellens
Black	Hofstrand	Sharpe
Bolmeier	Hogoboom	Shure
Braun, McLean	Holm	Singleton
Braun, Stark	Ireland	Smart
Brusseau	Jennings	Stark
Bubel	Johnson, Cass	Stormon
Bymers	Juhola	Swanson
Carlson	Kee	Trydahl
Coghlan	Kindem	Tuff
Collette	Langley	Twichell
Crockett	Larson	Wambheim
Culver	Lunde	Welder
Dalzell	McInnes	Williams, Richland
Devlin	McIntee	Williams, Stutsman
Dittmer	Mollet	Wolf, McIntosh
Drovdal	Morland	Wolf, Morton
Erickson, Divide	Nelson, Morton	Mr. Speaker
Erickson, Williams	Nelson, Ramsey	

Those voting in the negative were:

Halvorson	Schmidt	Semerad
Moe		

Absent and not voting:

Blair	Lillehaugen	Ohnstad
Boulden	McIntyre	Olson, Barnes
Fleck	Morrison	Sandness
Gackle	Myers	Schwartz
Johnson, Richland	Nelson, Cass	Severson
Levin	Nelson, Sargent	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 28 was read the second time.

Rep. Trydahl moved that the rules be suspended for the purpose of amending Senate Bill No. 28, which motion prevailed.

Rep. Trydahl moved that the Senate amendments to Senate Bill No. 28 be stricken out, which motion prevailed.

Rep. Trydahl moved that Senate Bill No. 28 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 3; absent and not voting, 15.

Those voting in the affirmative were:

Allen	Fitzharris	Nystrom
Anderson	Fraser	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bergesen	Heckman	Sandness
Bingenheimer	Hofstrand	Saumur
Bjella	Hogoboom	Schmidt
Black	Ireland	Schwartz
Blair	Jennings	Sellens
Bolmeier	Johnson, Cass	Semerad
Boulden	Johnson, Richland	Sharpe
Braun, McLean	Juhola	Shure
Braun, Stark	Kee	Singleton
Brusseau	Kindem	Smart
Bymers	Langley	Starck
Carlson	Larson	Stormon
Coghan	Levin	Trydahl
Collette	Lillehaugen	Tuff
Crockett	Lunde	Twichell
Culver	McIntee	Wambheim
Dalzell	McIntyre	Welder
Devlin	Moe	Williams, Richland
Dittmer	Mollet	Williams, Stutsman
Drovdal	Morland	Wolf, McIntosh
Erickson, Divide	Morrison	Wolf, Morton
Erickson, Williams	Nelson, Morton	Mr. Speaker
Falconer	Nelson, Sargent	
Fitch		

Those voting in the negative were:

Fuglestad	Nelson, Steele	Swanson
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Absent and not voting:

Aker	Holm	Nicholsen
Bubel	McInnes	Ohnstad
Fleck	Myers	Rohde
Gackle	Nelson, Cass	Severson
Gainor	Nelson, Ramsey	Westby

So the bill passed and the title was agreed to.

Rep. Anderson moved that the vote by which Senate Bill No. 28 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Allen	Fleck	Nelson, Steele
Anderson	Fraser	Nystrom
Arneson	Fuglestad	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Crockett	Lunde	Swanson
Culver	McIntee	Tuff
Dalzell	McIntyre	Twichell
Devlin	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Aker	Holm	Nicholsen
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Bubel	Johnson, Richland	Rohde
Dittmer	McInnes	Severson
Gackle	Myers	Trydahl
Gainor	Nelson, Cass	Westby

So the bill passed and the title was agreed to.

Rep. Beede moved that action on Senate Bill No. 149 be deferred one legislative day, which motion prevailed.

Rep. Haugen moved that action on Senate Bill No. 179 be deferred one legislative day, which motion prevailed.

Rep. Twichell moved that Senate Bill No. 75 be re-referred to the Comm. on Tax and Tax Laws.

Rep. Swanson moved a substitute motion that Senate Bill No. 75 be re-referred to the Comm. on State Affairs, which motion prevailed.

Senate Bill No. 121. A Bill for an Act to Exempt New Farm Machinery, Purchased to Be Used in Farming Operations from Personal Property Tax in First Year After the Purchase.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 91; nays, 8; absent and not voting, 12.

Those voting in the affirmative were:

Allen	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Benno	Halvorson	Peterson, Bottineau
Bergesen	Haugen	Peterson, Ransom
Bingenheimer	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Ireland	Saumur
Boulden	Jennings	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kindem	Semerad
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Mollet	Welder
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Morton	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Aker	Fitzharris	Nicholsen
Arndt	Kee	Wambheim
Coghlan	Moe	

Absent and not voting:

Anderson	Johnson, Cass	Severson
Drovdal	Morland	Sharpe
Fleck	Myers	Trydahl
Holm	Nelson, Cass	Westby

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Crockett moved that the vote by which Senate Bill No. 121 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twitchell moved that the House reconsider its action taken on Senate Bill No. 43, which motion prevailed.

Rep. Beede moved that Senate Bill No. 43 be re-referred to the Comm. on State Affairs, which motion prevailed.

Rep. Crockett moved that the rules be suspended for the purpose of introducing a bill, which motion prevailed.

Rep. Crockett moved that House Bill No. 338 be mimeographed instead of printed, which motion prevailed.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Counties, to whom was referred Senate Bill No. 208, have had the same under consideration and recommend that the same do pass.

P. K. HOLM, Chairman.

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health, to whom was referred Senate Bill No. 177, have had the same under consideration and recommend that the same do pass.

C. T. OLSON, Chairman.

Rep. Peterson of Ransom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 201, have had the same under consideration and recommend that the same do pass.

C. T. OLSON, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 202, have had the same under consideration and recommend that the same be amended as follows:

Amend the title by inserting after the word "statistics" in the fifth line of the title the words "and of local registrars" and by adding after the word "confidential" the following: "Providing a penalty when local registrars disclose confidential information; and".

In section 7, line 89, on page 5 of the printed Bill after the word "office." add the following: "Information obtained from such records may be furnished without charge to any State department upon the order of the Attorney General made

upon the written application of the executive head of the department showing the name of the individual relative to whom such information is required and stating that such information is required in the proper administration of the work of such department. Any information so furnished to any department shall be deemed confidential."

In line 138, on page 7 of the printed Bill insert a new section 11 as follows: "SECTION 11. LOCAL REGISTRAR'S RECORDS CONFIDENTIAL; PENALTY. A local registrar shall not permit the inspection of any records made by him and shall not disclose any information obtained by him as local registrar to any person except the State Registrar of Vital Statistics, or officers or employees of the State Department of Vital Statistics. Any local registrar violating the provisions of this section shall be guilty of a misdemeanor.

Change "Section 11" in the printed Bill to "Section 12"; change "Section 12" in the printed Bill to "Section 13"; change "Section 13" in the printed Bill to "Section 14"; and change "Section 14" of the printed Bill to "Section 15."

And when so amended recommend the same do pass.

C. T. OLSON, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 125, have had the same under consideration and return the same without recommendation.

C. T. OLSON, Chairman.

Rep. Tuff moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Benno moved that Senate Bill No. 125 be indefinitely postponed.

Rep. Moe moved a substitute motion that Senate Bill No. 125 be placed in General Orders, which motion prevailed.

Rep. Johnson of Richland moved that action on Senate Bill No. 197 be deferred one legislative day, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

Which the Senate has amended as follows:

In line one of the title of the bill following the word, "cigarettes", insert the words "cigarette papers used for the making of cigarettes". In Section one, in lines 7, 8, 9, 14, and 20, after the word "cigarettes," insert the words "cigarette

papers". In Section two, line 11, after the word "snuff" insert "No retailer shall be granted a distributor's license". In Section two, lines 2, 11, 27, after the word "cigarettes," insert the words "cigarette papers". In Section four; in line 11, after the hyphenated word "cigarettes", and in line 17 after the word "cigarettes," insert the words "cigarette papers". In Section five, lines 2, 6, and 11, after the word "cigarettes," insert the words "cigarette papers". In Section six, line 4, after the word "cigarettes," insert the words "cigarette papers". In Section six, after line 11, insert a new paragraph: Class "C" to read as follows: "On cigarette papers made up in packages, books, or sets; on each such package, book, or set containing more than fifty papers, one-half cent; containing more than fifty papers but not more than one hundred papers, one cent; containing more than one hundred papers, one cent for each fifty papers or major fractional part thereof." Renumber Class "C" in line 12 to read Class "D". In Section six, line 22, after the word "snuff", insert the words "And each package, book, or set of papers". In Section six, line 33, after the word "cigarettes," insert "book or set of papers,". In Section six, line 40, after the word "(Possession)," strike out the following words: "except cigarettes in unbroken containers of at least two thousand (2,000) cigarettes,". In Section six, line 49, after the word "cigarettes," insert the words "cigarette papers". In Section seven, lines 11, 15, and 18, after the word "cigarettes," insert the words "cigarette papers". In Section eight, in lines 2, 4, 16, 23, 27, 36, 40, 48, and 52, after the word "cigarettes," insert the word "cigarette papers". In Section ten, lines 4, 10, 12, 17, after the word "cigarettes," insert the words "cigarette papers". In Section eleven, in line 6, after the word "cigarettes," insert the words "cigarette papers". Strike out all of Section twelve and renumber sections in numerical order. In Section thirteen, lines 6, 9, and 10, after the word "cigarettes," insert the words "cigarette papers". In Section fourteen, in line 2, after the hyphenated word "cigarettes," insert the words "cigarette papers".

W. J. TROUT, Secretary.

Rep. Bolmeier moved that the House do concur in the Senate amendments to House Bill No. 98, which motion prevailed.

Rep. Bolmeier moved that the rules be suspended and that House Bill No. 98 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 72; nays, 21; absent and not voting, 17; pass, 1.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Steele
Allen	Fraser	Ohnstad
Anderson	Fuglestad	Olson, Barnes
Arneson	Gackle	Olson, Bowman
Arndt	Gainor	Peterson, Bottineau
Austad	Gress	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Sellens
Bolmeier	Johnson, Richland	Severson
Boulden	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Crockett	Larson	Smart
Culver	Lunde	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Tuff
Dittmer	Morland	Twichell
Drovdal	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Beede	Falconer	Nicholsen
Belzer	Haag	Panko
Braun, McLean	Heckman	Schwartz
Brusseau	Levin	Semerad
Bubel	Lillehaugen	Welder
Collette	Moe	Williams, Richland
Erickson, Divide	Mollet	Wolf, Morton

Absent and not voting:

Braun, Stark	Juhola	Schmidt
Coghlan	McInnes	Starck
Fleck	Myers	Trydahl
Glas	Nelson, Cass	Wambheim
Halvorson	Nelson, Morton	Westby
Johnson, Cass	Nystrom	

Passed:

Haugen

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 98 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Aker moved that Rep. Haugen be excused from voting on House Bill No. 98, which motion prevailed.

Senate Chamber,
Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 189. A Bill for an Act to Amend and Re-

enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

Which the Senate has amended as follows:

In line 29, after the word "village" insert "or within the boundaries of any organized irrigation district, organized pursuant to the irrigation laws of the state of North Dakota,".

W. J. TROUT, Secretary.

Rep. Holm moved that the House do concur in the Senate amendments to House Bill No. 189, which motion prevailed.

Rep. Holm moved that the rules be suspended and that House Bill No. 189 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays 2; absent and not voting, 17.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Saumur
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz
Boulden	Jennings	Sellens
Braun, McLean	Johnson, Richland	Semerad
Braun, Stark	Kee	Sharpe
Bubel	Kindem	Shure
Carlson	Langley	Singleton
Crockett	Larson	Smart
Culver	Levin	Stormon
Dalzell	Lillehaugen	Swanson
Devlin	Lunde	Tuff
Dittmer	McIntee	Wambheim
Drovdal	McIntyre	Welder
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton

Fitzharris	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	

Those voting in the negative were:

Brusseau	Moe
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Absent and not voting:

Bingenheimer	Juhola	Severson
Bymers	McInnes	Starck
Coghlan	Myers	Trydahl
Collette	Nelson, Cass	Twichell
Fleck	Nelson, Morton	Westby
Johnson, Cass	Sandness	

So the bill passed and the title was agreed to.

Rep. Drovdal moved that the vote by which House Bill No. 189 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, February 28, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 40, and the President has appointed as a conference committee to act with a like committee from the House, Senators Fowler, Morgan of Walsh and Greiser.

W. J. TROUT, Secretary.

Rep. Shure moved that the Speaker appoint a committee to act with a like committee from the Senate on Senate Bill No. 40, which motion prevailed and the Speaker appointed on that committee Reps. Shure, Sagehorn and Bymers.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, February 28, 1941.

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. 40: Reps. Shure, Sagehorn and Bymers.

C. R. VERRY, Chief Clerk.

Rep. Swanson moved that the House do now recess until 12:30 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTY-THIRD DAY AFTER RECESS AND
FIFTY-FOURTH DAY

Bismarck, March 1, 1941.

The House re-assembled pursuant to recess, Speaker Symington presiding.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

House Bill No. 98

House Bill No. 140

House Bill No. 189

House Concurrent Resolution "Q".

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred Senate Bill No. 67, have had the same under consideration and recommend that the same do pass.

A. R. BERGESEN, Chairman.

Rep. Nelson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking to whom was referred Senate Bill No. 126, have had the same under consideration and recommend that the same do pass.

A. R. BERGESEN, Chairman.

Rep. Drovdal moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 185, have had the same under consideration and recommend that the same do pass.

A. R. BERGESEN, Chairman.

Rep. Peterson of Ransom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 127, have had the same under consideration and recommend that the same do pass.

A. R. BERGESEN, Chairman.

Rep. Nelson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 83, have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 190, have had the same under consideration and recommend that the same be indefinitely postponed.

C. H. HOFSTRAND, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which Senate Bill No. 190 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 170, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMON, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 170 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 150, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 141, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

Rep. Welder moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 139, have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY STORMON, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Gackle moved that the vote by which Senate Bill No. 139 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Judiciary to whom was referred Senate Bill No. 109, have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 108, have had the same under consideration and recommend that the same be amended as follows:

In title in line two following "Agencies" strike semi-colon and add "from the Determination of Which an Appeal to the Court is provided semi-colon".

In Section one, end of line eight, strike semi-colon and add "and which by statute is subject to review in the courts of this state semi-colon".

And when so amended recommend the same do pass.

HARRY STORMON, Chairman.

Rep. Bingenheimer moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Concurrent Resolution "L", have had the same under consideration and recommend that the same do pass.

HARRY STORMON, Chairman.

Rep. Nystrom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred Senate Bill No. 102, have had the same under consideration and recommend that the same do pass.

A. H. NYSTROM, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Corporations Other than Municipal to whom was referred Senate Bill No. 165, have had the same under consideration and recommend that the same do pass.

WM. IRELAND, Chairman.

Rep. Kee moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 162, have had the same under consideration and recommend that the same do pass.

C. H. HOFSTRAND, Chairman.

Rep. Nelson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 167, have had the same under consideration and recommend that the same be amended as follows:

In the Engrossed bill.

In line 131 insert the word "taxable" between the words "the" and "assessed."

In line 136 strike out the word "December" and insert in lieu thereof the word "August."

In line 140 following the word "of" add "the end of the preceding school year (who have attended ninety days or more) comma".

In line 141, strike out the word "October first."

In line 142 strike out the words "can be" and insert in lieu thereof the word "were." In the same line strike out the words "current school" and insert in lieu thereof the words "preceding school."

In line 189 strike out the word "September" and insert in lieu thereof the word "April."

In the same line strike out the "comma" and insert in lieu thereof a "period."

In lines 189, 190, 191, 192 and 193, strike out the following: "when the County Superintendent has certified the number of months that the school will be conducted, and the enrollment of bona fide resident pupils who have attended school at least ninety days during the school year."

And when so amended recommend the same do pass.

C. H. HOFSTRAND, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Agriculture to whom was referred Senate Bill No. 93, have had the same under consideration and recommend that the same be amended as follows:

On page 2, line 14, after the word "Growing" strike out "to be paid out of the general fund of".

In line 15, strike out the following: "The county wherein such trees are so planted" and insert the following: "To be credited upon the taxes assessed against the land upon which such trees are planted."

In line 16, strike out the word "paid" and insert the word "allowed."

In line 19, strike out the word "paid" and insert the word "allowed."

In line 27, after the word "taxes" insert a period, and strike out the balance of the bill.

And when so amended recommend the same do pass.

ALEX DALZELL, Chairman.

Rep. Haugland moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 116, have had the same under consideration and recommend that the same do pass.

REP. L. K. MORLAND, Chairman.

Rep. Sagehorn moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 159, have had the same under consideration and recommend that the same be amended as follows:

In Section 4, line 53 of the re-engrossed bill, after the word "inclusive", strike out the words "A corporation" and insert in lieu thereof the words "A bulk dealer".

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 192, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 183, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 166, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Saumur moved that the report be adopted.

Rep. Twichell moved a substitute motion that action on Senate Bill No. 166 be deferred until after 2:00 P. M., Monday, March 3rd, which motion prevailed.

Mr. Speaker: Your Committee on Insurance to whom was referred Senate Bill No. 118, have had the same under consideration and recommend that the same be amended as follows:

In section (1) page 4, line 56, strike out the words "proximately caused" and in line 57 the word "by" and insert in lieu thereof the words "which can be fairly traceable to".

On page 4, line 66, strike out the words "proximately caused by" and insert in lieu thereof the words "fairly traceable to" and at the end of the same line strike out the word "only".

On page 5, line 74, after the hyphenated word "employment" insert a period and strike out the balance of line 74 and all of line 75 and line 76 up to and including the word "employment".

On section (4) page 10, line 199, after the word "claimant" strike out the comma and insert the following: "for injury or disease concerning which claim has been filed".

And when so amended recommend the same do pass.

WESLEY L. BOLMEIER, Chairman.

Rep. Erickson of Divide moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 203, have had the same under consideration and recommend that the same be amended as follows:

In the original bill, at the end of the title, strike out the words "of this Act" and insert in lieu thereof the following: "hereof and making the Act retroactive".

On line 2 of Section 1, after the word "have" insert the word "heretofore", on same line after the word "failed" insert the words "or shall hereafter fail."

And when so amended recommend the same do pass.

REP. L. K. MORLAND, Chairman.

Rep. Peterson of Bottineau moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 140. A Bill for an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution "Q". A Concurrent Resolution Petitioning Congress to Enact the Capper Bill Establishing a Division of Cooperatives in the United States Department of Agriculture.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "M". A Resolution Memorializing Congress to Construct the Proposed Missouri River Diversion Project.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "J". A Concurrent Resolution Requesting the Board of Administration to Require a Monthly Rental from Federal Agencies Housed in the Capitol Building.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "N." A Concurrent Resolution In Regard to Third House Session and Dance in Capitol Corridors.

And the Speaker signed the same in the presence of the House.

Rep. Shure moved that Senate Bill No. 148 be re-referred to the Comm. on State Affairs, which motion prevailed.

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 197, have had the same under consideration and recommend that the same be indefinitely postponed.

C. T. OLSON, Chairman.

Rep. Panko moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the vote by which Senate Bill No. 197 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

Rep. Beede moved that action on Senate Bill No. 155 be deferred until action has been taken on Senate Bill No. 192.

Rep. Bergesen moved a substitute motion that Senate Bill No. 192 be placed at the head of the calendar in lieu of Senate Bill No. 155, which motion prevailed.

Senate Bill No. 192 was read the second time.

Rep. Bergesen moved that action on Senate Bills Nos. 155 and 192 be deferred until after 2:00 P. M., Monday, March 3rd, which motion prevailed.

Senate Concurrent Resolution 2. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 29 of the Constitution of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 78; nays, 24; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Erickson, Divide	Ohnstad
Allen	Erickson, Williams	Olson, Barnes
Anderson	Falconer	Olson, Bowman
Arneson	Fitzharris	Panko
Arndt	Fleck	Peterson, Ransom
Austad	Fraser	Rygg
Beede	Fuglestad	Sagehorn
Benno	Gackle	Sandness
Bergesen	Gainor	Saumur
Bingenheimer	Glas	Schwartz
Black	Halvorson	Sellens
Blair	Haugland	Semerad
Bolmeier	Hogoboom	Severson
Boulden	Holm	Sharpe
Braun, Stark	Ireland	Shure

Brusseau	Johnson, Richland	Singleton
Bymers	Kee	Smart
Carlson	Langley	Stormon
Coghlan	Larson	Swanson
Collette	Lunde	Trydahl
Crockett	McInnes	Twichell
Culver	Moe	Wambheim
Dalzell	Morland	Williams, Richland
Devlin	Morrison	Wolf, McIntosh
Dittmer	Nicholsen	Wolf, Morton
Drovdal	Nystrom	Mr. Speaker

Those voting in the negative were:

Belzer	Jennings	Nelson, Ramsey
Braun, McLean	Juhola	Peterson, Bottineau
Bubel	Kindem	Rohde
Gress	Levin	Schmidt
Haag	Lillehaugen	Starck
Haugen	McIntee	Tuff
Heckman	McIntyre	Welder
Hofstrand	Mollet	Williams, Stutsman

Absent and not voting:

Bjella	Myers	Nelson, Sargent
Fitch	Nelson, Cass	Nelson, Steele
Johnson, Cass	Nelson, Morton	Westby

So the resolution was passed and the title was agreed to.

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4 and Section 10 of Chapter 235 of the Session Laws of 1929 Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes; Providing for Exceptions to Such Levies; Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 82; nays, 21; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Erickson, Williams	Mollet
Allen	Falconer	Nelson, Sargent
Anderson	Fleck	Nelson, Steele
Arneson	Fraser	Nicholsen
Arndt	Fuglestad	Nystrom
Austad	Gackle	Ohnstad
Beede	Gainor	Panko
Belzer	Glas	Peterson, Ransom
Benno	Gress	Rohde
Bergesen	Haag	Rygg
Bingenheimer	Haugen	Sandness
Black	Haugland	Saumur
Blair	Heckman	Sellens
Bolmeier	Hogoboom	Sharpe
Boulden	Holm	Shure
Braun, McLean	Ireland	Smart
Braun, Stark	Jennings	Starck
Brusseau	Johnson, Richland	Stormon
Bubel	Juhola	Swanson

Carlson	Kee	Trydahl
Coghlan	Langley	Twichell
Collette	McInnes	Wambheim
Crockett	Larson	Welder
Culver	Lunde	Williams, Richland
Dalzell	McIntee	Williams, Stutsman
Dittmer	McIntyre	Wolf, Morton
Drovdal	Moe	Mr. Speaker
Erickson, Divide		

Those voting in the negative were:

Bymers	Lillehaugen	Schmidt
Devlin	Morland	Schwartz
Fitzharris	Morrison	Semerad
Halvorson	Nelson, Ramsey	Severson
Hofstrand	Olson, Bowman	Singleton
Kindem	Peterson, Bottineau	Tuff
Levin	Sagehorn	Wolf, McIntosh

Absent and not voting:

Bjella	Myers	Olson, Barnes
Fitch	Nelson, Cass	Westby
Johnson, Cass	Nelson, Morton	

So the bill passed and the title was agreed to.

Rep. Juhola voted "aye" for the purpose of reconsideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: Your Committee on Delayed Bills to whom was referred House Bill No. 338, House Bill No. 339, have had the same under consideration and recommend that the same be introduced.

K. L. BOULDEN, Chairman.

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 151, have had the same under consideration and recommend that the same be amended as follows:

In the original bill, in the title on line one after the word "of" insert "Section 1 of".

On line 1 after the word "of" insert "Section 1 of".

On line 37 strike out the words "for each day that the filing of such report is delayed" and insert in lieu thereof "failure to file such report".

And when so amended recommend the same do pass.

L. K. MORLAND, Chairman.

Rep. Arndt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 78, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Sagehorn moved a substitute motion that Senate Bill No. 78 be placed in General Orders, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 338. A Bill for an Act to Amend Sub-section (3) of Section 5 of Chapter 91 of the 1935 Session Laws as amended by Chapter 98 of the 1939 Session Laws.

Was read the first time and referred to the Committee on Ways and Means.

Rep. Twitchell moved that the rules be suspended for the purpose of introducing House Bill No. 339, which motion prevailed.

House Bill No. 339. A Bill for an Act to amend and reenact Section 3, Chapter 152, Session Laws of 1939, State of North Dakota, Providing for the designation of a State feeder highway system, and for the division of the cost of improving same, and for maintenance, and declaring an emergency.

Was read the first time and referred to the Committee on State Affairs.

Rep Wolf of McIntosh moved that the absent members be excused, which motion prevailed.

Rep. Wolf of McIntosh moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTY-FOURTH DAY

Bismarck, March 1, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. C. L. Wallace, Mandan.

Roll Call disclosed all members present except Reps. Fitch, Johnson of Cass, Myers, Nelson of Cass, Nelson of Morton and Westby.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Third day and recommends that the same be corrected as follows:

On page 978, between lines 12 and 13 from the bottom of the page insert the following: "Absent and not voting;"

On page 986, in lines 10 and 13, strike out the figures "175" and insert in lieu thereof the figures "75".

And recommend the following correction to the Journal of the Fiftieth Day:

On page 876, in the explanation of vote of Rep. Wolf of McIntosh, in lines 3 and 4 of the same strike out the following: "and I am in favor of a corporation also, I would support it" and insert in lieu thereof the words "I am in favor of competition".

And when so corrected recommends the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Letters were received from the Speaker of the House of

Representatives Sam Rayburn acknowledging receipt of House Concurrent Resolution "K".

A similar one was received from Senator Wm. Langer acknowledging receipt of Senate Concurrent Resolution "D".

A similar one was received from Congressman Robertson acknowledging receipt of House Concurrent Resolutions "K" and "L".

A similar one from the Director of the Advisory Commission to the Council of National Defense, Washington, D. C., acknowledging receipt of Senate Concurrent Resolution "F".

A similar one from Vice President Wallace acknowledging receipt of House Concurrent Resolution "K".

And one from Mr. M. H. McIntyre, Secretary to the President, acknowledging receipt of House Concurrent Resolution "L".

Rep. Twitchell moved that House Bill No. 339 be mimeographed instead of printed, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 252. A Bill for an Act Establishing Standards and Definitions of Milk and Milk Products and Butter; and Amending Section 2852 of the Compiled Laws of 1913 and Section 2855a1 of the 1925 Supplement of the Compiled Laws of 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith, Providing for the Enforcement of the Provision of This Act and for Penalties for the Violation Thereof and Declaring an Emergency.

Which the Senate has laid on the table.

W. J. TROUT, Secretary,
Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

Which the Senate has amended.

W. J. TROUT, Secretary,
Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill 152.

W. J. TROUT, Secretary,
Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 56. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of 1935, as Amended by Section 3 of Chapter 178, of the Session Laws of 1939. Declaring an Emergency.

House Bill No. 274. A Bill for an Act Fixing the Maximum Annual Compensation Which May Be Paid to Persons

Holding Administrative or Supervisory Positions Under the State Welfare Board or Any State Agency Which Is Its Successor.

House Bill No. 302. A Bill for an Act Requiring That All Public Funds of the State Be Paid Into the General Fund of the State and Be Disbursed Only Upon Legislative Appropriation, Excepting Funds of the Bank of North Dakota, Monies Payable to the State Hail Insurance Fund, State Bonding Fund, State Fire and Tornado Fund, Workmen's Compensation Fund, Funds Under the Jurisdiction of the Board of University and School Lands, Funds of the State Mill and Elevator Association, Funds Required for the Payment of Interest and Principal of Bonds and Other Fixed Obligations of the State, Funds Paid to the Teachers Insurance and Retirement Fund, Monies Received Under the Retail Sales Tax Act, State Gasoline Tax Law, Monies Received from the Motor Vehicle License Fees, and Funds Allocated to the State by the Federal Government; Repealing All Laws Providing for Special Funds with the Exceptions Above Noted and Repealing All Laws or Parts of Laws in Conflict Herewith.

House Bill No. 32. A Bill for an Act to Repeal Chapter 51 of the Session Laws of the State of North Dakota for the Year 1933, Establishing a Tannery at the Penitentiary of the State of North Dakota, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 294. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders for Livestock Owners in Such Townships, Fixing Penalty for Violation.

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 179. A Bill for an Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects

and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 336. A Bill for an Act Making an Appropriation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral Expenses of Representative Edward Rieker of Kidder County; and Declaring an Emergency.

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 330. A Bill for an Act to Amend Section 189b29 of Chapter 137, Session Laws of 1933 Providing for the Abatement of Hail Indemnity Tax; Correction of Records and Reduction from the Surplus; Declaring an Emergency.

House Bill No. 319. A Bill for an Act to Amend and Re-enact Chapter 247 of the Session Laws of 1931, Providing for the Payment of Per Capita School Tax; Repealing Acts in Conflict and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 155. A Bill for an Act Making an Emergency Appropriation to the Livestock Sanitary Board to Pay Claims on Cattle Destroyed on Account of Bang's Disease up to July 1, 1941; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation Act.

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery stock.

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.
Dakota in Captivity.

House Bill No. 170. A Bill for an Act Providing for the Establishment of License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 100. A Bill for an Act to Prohibit Sales of Total Assets and Reorganizations of Corporations Unless Authorized by a Two-thirds Vote of Stockholders or Members, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Rep. Haugen moved that the Senate be granted its request for the return of House Bill No. 152, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations 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, 29; nays 67; absent and not voting 15.

Those voting in the affirmative were:

Allen	Coghlan	Ireland
Arneson	Collette	Nystrom
Austad	Crockett	Olson, Barnes
Bergesen	Dalzell	Olson, Bowman
Bjella	Fitzharris	Peterson, Ransom
Black	Fleck	Sellens
Blair	Fuglestad	Sharpe
Bolmeier	Gackle	Shure
Boulden	Gainor	Wambheim
Carlson	Gress	

Those voting in the negative were:

Aker	Hofstrand	Ohnstad
Anderson	Hogoboom	Panko
Arndt	Holm	Peterson, Bottineau
Beede	Jennings	Rohde
Belzer	Juhola	Rygg
Bingenheimer	Kee	Sagehorn
Braun, McLean	Kindem	Schmidt
Braun, Stark	Langley	Schwartz
Brusseau	Larson	Semerad
Bubel	Levin	Severson
Bymers	Lillehaugen	Singleton
Culver	Lunde	Starck
Dittmer	McInnes	Stormon
Drovdal	McIntee	Swanson
Erickson, Divide	Moe	Trydahl
Falconer	Mollet	Tuff
Fraser	Morland	Welder
Glas	Morrison	Williams, Richland
Haag	Nelson, Ramsey	Williams, Stutsman
Halvorson	Nelson, Sargent	Wolf, McIntosh
Haugen	Nelson, Steele	Wolf, Morton
Haugland	Nicholsen	Mr. Speaker
Heckman		

Absent and not voting:

Benno	Johnson, Richland	Sandness
Devlin	McIntyre	Saumur
Erickson, Williams	Myers	Smart
Fitch	Nelson, Cass	Twichell
Johnson, Cass	Nelson, Morton	Westby

So the bill was declared lost.

Rep. Trydahl voted "No" for the purpose of reconsideration.

Senate Bill No. 179. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Cooperatives and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Their Personal Property; Providing for the Collection of Such Tax and Appropriating the Proceeds; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 9; passed, 1.

Those voting in the affirmative were:

Aker	Fraser	Nicholsen
Allen	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Arneson	Glas	Olson, Bowman
Austad	Gress	Panko
Beede	Haag	Peterson, Bottineau
Belzer	Halvorson	Peterson, Ransom
Bergesen	Haugen	Rohde
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hofstrand	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schmidt
Boulden	Ireland	Schwartz
Braun, McLean	Jennings	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Crockett	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Williams, Stutsman
Erickson, Williams	Morrison	Wolf, McIntosh
Falconer	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck	Nelson, Steele	

Absent and not voting:

Benno	Juhola	Nelson, Morton
Fitch	Myers	Westby
Johnson, Cass	Nelson, Cass	Williams, Richland

Passed:

Shure

So the bill passed and the title was agreed to.

Rep. Saumur moved that the vote by which Senate Bill No.

179 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 208. A Bill for an Act Authorizing Counties to Maintain Actions in Adverse Claims to Quiet Title to Lands Acquired Through Tax Deeds; Providing for the Joinder of the Causes of Action and Parties Defendant; Providing for Separate Trials and Judgments; Authorizing Judgments by Default and Prescribing the Procedure Applicable to the Service of Process and Trial of Such Actions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz
Boulden	Jennings	Saumur
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad		

Absent and not voting:

Benno	Johnson, Cass	Nelson, Morton
Bjella	Juhola	Trydahl
Collette	Myers	Westby
Fitch	Nelson, Cass	

So the bill passed and the title was agreed to.

Rep. Swanson moved that the vote by which Senate Bill

No. 208 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws of 1935, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 85; nays, 16; absent and not voting, 10.

Those voting in the affirmative were:

Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Haugen	Panko
Beede	Haugland	Peterson, Bottineau
Belzer	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Black	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starek
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Ramsey	Wolf, McIntosh
Falconer	Nelson, Sargent	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker
Fraser		

Those voting in the negative were:

Aker	Gackle	Rohde
Braun, McLean	Halvorson	Sandness
Carlson	Moe	Semerad
Dalzell	Mollet	Tuff
Fleck	Nelson, Steele	Williams, Richland
Fuglestad		

Absent and not voting:

Benno	Juhola	Nelson, Morton
Bjella	Myers	Trydahl
Fitch	Nelson, Cass	Westby
Johnson, Cass		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Hofstrand moved that the vote by which Senate Bill

No. 177 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 201 was read the second time.

Rep. Bergesen moved that action on Senate Bill No. 201 be deferred one legislative day, which motion prevailed.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 714a7 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1939 Relating to Pledging Securities for Public 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, 67; nays, 23; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Fleck	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Arndt	Haugland	Panko
Austad	Hogoboom	Peterson, Ransom
Bergesen	Holm	Rygg
Bingenheimer	Ireland	Sagehorn
Black	Jennings	Sandness
Bolmeier	Kee	Saumur
Boulden	Kindem	Sellens
Brusseau	Langley	Severson
Bubel	Levin	Sharpe
Bymers	Lillehaugen	Shure
Carlson	Lunde	Singleton
Coghlan	McInnes	Smart
Culver	McIntee	Stormon
Dalzell	Moe	Wambheim
Devlin	Morland	Williams, Richland
Dittmer	Nelson, Ramsey	Williams, Stutsman
Droydal	Nelson, Steele	Wolf, Morton
Erickson, Williams	Nicholsen	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Beede	Haag	Schmidt
Belzer	Haugen	Schwartz
Braun, McLean	Heckman	Semerad
Braun, Stark	Larson	Starck
Erickson, Divide	McIntyre	Tuff
Falconer	Mollet	Welder
Fraser	Nelson, Sargent	Wolf, McIntosh
Glas	Rohde	

Absent and not voting:

Benno	Gainor	Nelson, Cass
Bjella	Hofstrand	Nelson, Morton
Blair	Johnson, Cass	Peterson, Bottineau
Collette	Johnson, Richland	Swanson
Crockett	Juhola	Trydahl
Fitch	Morrison	Twichell
Fuglestad	Myers	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 126. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96 of the Session Laws for the State of North Dakota, as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937, Relating to Reserve Fund Requirements for State Banking 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, 40; nays, 59; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fleck	Ohnstad
Allen	Fuglestad	Olson, Barnes
Anderson	Gackle	Peterson, Ransom
Arndt	Gress	Sandness
Austad	Hofstrand	Saumur
Bergesen	Ireland	Sellens
Bolmeier	Jennings	Severson
Carlson	Kindem	Sharpe
Collette	Langley	Shure
Crockett	McIntee	Singleton
Dalzell	Nelson, Ramsey	Wambheim
Drovdal	Nelson, Steele	Wolf, Morton
Erickson, Williams	Nystrom	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Arneson	Gainor	Nelson, Sargent
Beede	Glas	Nicholsen
Belzer	Haag	Olson, Bowman
Benno	Halvorson	Panko
Bingenheimer	Haugen	Peterson, Bottineau
Black	Haugland	Rohde
Blair	Heckman	Rygg
Boulden	Hogoboom	Schmidt
Braun, McLean	Holm	Schwartz
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Smart
Bubel	Larson	Starck
Bymers	Levin	Stormon
Coghlan	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Devlin	McInnes	Tuff
Dittmer	McIntyre	Williams, Richland
Erickson, Divide	Mollet	Williams, Stutsman
Falconer	Morland	Wolf, McIntosh
Fraser	Morrison	

Absent and not voting:

Bjella	Moe	Sagehorn
Fitch	Myers	Twichell
Johnson, Cass	Nelson, Cass	Welder
Johnson, Richland.	Nelson, Morton	Westby

So the bill was declared lost.

Rep. Boulden moved that the vote by which Senate Bill No. 126 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 185 was read the second time.

Rep. Swanson moved that Senate Bill No. 185 be indefinitely postponed, which motion prevailed.

Rep. Rohde moved that the vote by which Senate Bill No. 185 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 127. A Bill for an Act to Amend and Re-enact Section 22 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, as Amended by Chapter 95 of the Session Laws of North Dakota for the Year 1937, Relating to the Responsibility of Shareholders of State Bank Stock.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 97; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom
Arndt	Glas	Ohnstad
Austad	Gress	Olson, Barnes
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bingenheimer	Heckman	Rygg
Black	Hofstrand	Sagehorn
Bolmeier	Hogboom	Sandness
Boulden	Holm	Saumur
Bymers	Ireland	Schwartz
Braun, McLean	Jennings	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Juhola	Severson
Bubel	Kee	Sharpe
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Collette	Larson	Starck
Crockett	Levin	Stormon
Culver	Lillehaugen	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Tuff
Dittmer	McIntee	Wambheim
Drovdal	McIntyre	Welder
Erickson, Divide	Moe	Williams, Richland
Erickson, Williams	Mollet	Williams, Stutsman
Falconer	Morland	Wolf, McIntosh
Fitzharris	Morrison	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser		

Those voting in the negative were:

Arneson	Nelson, Sargent	Shure
Blair	Schmidt	Twichell
Absent and not voting:		
Bjella	Myers	Peterson, Bottineau
Fitch	Nelson, Cass	Westby
Johnson, Cass	Nelson, Morton	

So the bill passed and the title was agreed to.

Rep. Bolmeier moved that the vote by which Senate Bill No. 127 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Chapter 246 of the Session Laws of 1931, Relating to the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for Supervision Thereof and for Maintenance of Instruction by Tuition 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, 94; nays, 7; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Ramsey
Allen	Fuglestad	Nelson, Sargent
Anderson	Gackle	Nelson, Steele
Arneson	Gainor	Nicholsen
Arndt	Glas	Nystrom
Austad	Gress	Ohnstad
Beede	Haag	Olson, Barnes
Belzer	Halvorson	Olson, Bowman
Benno	Haugen	Panko
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rohde
Black	Hofstrand	Rygg
Blair	Hogoboom	Sagehorn
Bolmeier	Holm	Sandness
Boulden	Ireland	Saumur
Braun, McLean	Jennings	Schwartz
Braun, Stark	Johnson, Richland	Sellens
Bruseau	Juhola	Semerad
Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Collette	Levin	Smart
Culver	Lillehaugen	Starck
Dalzell	Lunde	Stormon
Devlin	McInnes	Swanson
Dittmer	McIntee	Wambheim
Drovdal	McIntyre	Williams, Richland
Erickson, Divide	Moe	Williams, Stutsman
Erickson, Williams	Mollet	Wolf, McIntosh
Falconer	Morland	Wolf, Morton
Fitzharris	Morrison	Mr. Speaker
Fleck		

Those voting in the negative were:

Crockett	Severson	Twichell
Peterson, Bottineau	Trydahl	Welder
Schmidt		

Absent and not voting:

Bjella	Larson	Nelson, Morton
Coghlan	Myers	Tuff
Fitch	Nelson, Cass	Westby
Johnson, Cass		

So the bill passed and the title was agreed to.

Rep. Hofstrand moved that the vote by which Senate Bill No. 83 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact § 1179 of the Compiled Laws for 1913 Relating to Powers of School Districts to Admit Pupils from Other Districts Providing for Payment of Tuition.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 95; nays, 2; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Fuglestad	Olson, Barnes
Allen	Gackle	Olson, Bowman
Anderson	Glas	Panko
Arneson	Gress	Peterson, Bottineau
Austad	Haag	Peterson, Ransom
Beede	Halvorson	Rohde
Belzer	Haugen	Rygg
Benno	Heckman	Sagehorn
Bergesen	Hofstrand	Sandness
Bingenheimer	Hogoboom	Saumur
Black	Holm	Schwartz
Blair	Jennings	Sellens
Bolmeier	Johnson, Richland	Semerad
Boulden	Juhola	Severson
Braun, McLean	Kindem	Sharpe
Braun, Stark	Langley	Shure
Brusseau	Larson	Singleton
Bubel	Levin	Smart
Bymers	Lillehaugen	Starck
Carlson	Lurde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Moe	Twichell
Devlin	Mollet	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Ramsey	Williams, Stutsman
Falconer	Nelson, Steele	Wolf, McIntosh
Fitzharris	Nicholsen	Wolf, Morton
Fleck	Nystrom	Mr. Speaker
Fraser	Ohnstad	

Those voting in the negative were:

Arndt Kee

Absent and not voting:

Bjella	Haugland	Nelson, Morton
Coghlan	Ireland	Nelson, Sargent
Dittmer	Johnson, Cass	Schmidt
Fitch	Myers	Westby
Gainor	Nelson, Cass	

So the bill passed.

Rep. Hofstrand moved that the title of Senate Bill No. 162 be amended as follows: After the last word "tuition" in the

title strike out the period and insert the words "and transportation" and a period.

Which motion prevailed.

Rep. Sandness moved that the vote by which Senate Bill No. 162 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 150 was read the second time.

Rep. Crockett moved that Senate Bill No. 150 be indefinitely postponed, which motion was lost.

Senate Bill No. 150. A Bill for an Act Providing for the Change of Place of Trial of Civil and Criminal Actions Triable to a Jury in Counties Where Jury Terms Have Not Been Held for a Period of One Year, and Providing the Necessary Procedure Therefor, in Addition to That Now Provided by Law for the Change of Place of Trial of Criminal and Civil Actions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 48; absent and not voting, 13.

Those voting in the negative were:

Allen	Dittmer	Olson, Barnes
Arndt	Fitzharris	Peterson, Ransom
Arneson	Fuglestad	Saumur
Austad	Gainor	Schmidt
Benno	Haugen	Sellens
Bergesen	Hofstrand	Sharpe
Black	Holm	Shure
Blair	Jennings	Singleton
Bolmeier	Johnson, Richland	Smart
Boulden	Kee	Starck
Braun, Stark	Kindem	Stormon
Brusseau	Langley	Swanson
Bubel	Lunde	Trydahl
Bymers	Moe	Twichell
Carlson	Nelson, Sargent	Wambheim
Coghlan	Nystrom	Mr. Speaker
Collette	Ohnstad	

Those voting in the negative were:

Aker	Glas	Nelson, Ramsey
Anderson	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Bingenheimer	Haugland	Rohde
Braun, McLean	Heckman	Rygg
Crockett	Hogoboom	Sagehorn
Culver	Juhola	Sandness
Dalzell	Larson	Schwartz
Devlin	Levin	Semerad
Drovdal	Lillehaugen	Tuff
Erickson, Divide	McIntee	Welder
Erickson, Williams	McIntyre	Williams, Richland
Falconer	Mollet	Williams, Stutsman
Fraser	Morland	Wolf, McIntosh

Gackle	Morrison	Wolf, Morton
Absent and not voting:		
Bjella	McInnes	Nelson, Steele
Fitch	Myers	Nicholsen
Fleck	Nelson, Cass	Severson
Ireland	Nelson, Morton	Westby
Johnson, Cass		

So the bill was declared lost.

Rep. Wolf of McIntosh moved that the vote by which Senate Bill No. 150 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 190
 House Bill No. 175
 House Bill No. 170
 House Bill No. 143
 House Bill No. 76
 House Bill No. 65
 House Bill No. 267
 House Bill No. 203
 House Bill No. 153

Were delivered to the Governor for his approval at the hour of 3:05 o'clock P. M., March 1.

REP. WAMBHEIM, Chairman.

MESSAGES TO THE SENATE

House of Representatives,
 Bismarck, March 1, 1941.

Mr. President: I have the honor to return House Bill No. 152 which the Senate has requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
 Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 7. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, North Dakota, for the Care and Education of Crippled Children, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 16. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 22. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Senate Bill No. 194. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 121. A Bill for an Act to Exempt New Farm Machinery, Purchased to Be Used in Farming Operations from Personal Property Tax in First Year After the Purchase.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter 121 of the Laws of 1931, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

Which the House has amended as follows:

In line 32, page 3 after comma following word "lands" add the following "and final decrees of distribution".

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

Which the House has amended as follows:

To strike out the amendment made by the Senate and leave the bill as originally printed.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 123. A Bill for an Act to Amend and Re-enact Section 8793 of the Compiled Laws of North Dakota, Relating to Petitions for Conveyance of Real Estate Sold on Contracts, and Contents of Petition and Decree, and Declaring an Emergency.

Which the House has amended as follows:

In line 12 of Section 1 of the bill strike word "petitioner".
Strike all of line 13.

In line 14 strike out all of line preceeding the comma.

At end of line 12 add "petition should be granted".

Renumber lines accordingly.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

Which the House has amended as follows:

In the Second line of the title after the word "thereof" insert a period and strike out the following: "and authorizing a tax levy for the maintenance of youth activities."

Strike out all of Section 1 and insert in lieu thereof the following:

Section 1. The establishment of a Community Youth Council in each city, village, or township, is hereby authorized. Such a Council may be initiated by the mayor of any city, by the president of the city commission, by the chairman of the Board of Trustees of any village, or by the chairman of the Board of Supervisors of a township, or by the superintendent or principal of the schools of the community. The officer so initiating the Council shall appoint as additional members thereof representatives of the local government, the churches, the American Legion, and of all service or women's clubs or welfare organizations in the community. All members of the Council shall serve without compensation.

Strike out all of Section 3 and insert in lieu thereof the following:

SECTION 3.) The initiating officer shall call the Council into being on a petition of any organization or of five residents of the community or on his own motion. The Council shall organize by the selection of a chairman and a secretary and adoption of such rules and regulations for future meetings and activities as it may deem desirable for the purpose of carrying out the objects of this Act. Three members shall be sufficient to organize the Council and shall constitute a quorum.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 130. A Bill for an Act Defining Citizens of the State of North Dakota; Providing for a Judicial Proceeding for the Establishment of Citizenship for the State of North Dakota; And Repealing Section 13 of the 1913 Compiled Laws of the State of North Dakota.

Which the House has amended as follows:

In the title, in line 4, after the words "section 13" add "of Chapter 1".

In line 102, of Sec. 8 of printed bill, after the words "section 13" add "of Chapter 1".

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 140. A Bill for an Act Authorizing the Sale by Executors, Administrators and Guardians of Estates of Oil, Gas and Mineral Interests in Land, Providing for the Procedure Relative to Such Sales, and Declaring an Emergency.

Which the House has amended as follows:

In original bill, Sec. 5, line 44, strike period at end of line and add "and amendments thereto".

In Sec. 8, line 65 of original bill, strike out the period at end of the line and add "and amendments thereto".

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 171. A Bill for an Act Authorizing the Board of Commissioners of the Workmen's Compensation Bureau to Limit the Right to Unemployment Compensation Benefits in the Case of Workers in Seasonal Industries and Classes of Occupations Within Seasonal Industries; Providing for Determinations of Seasonal Industries and Seasonal Occupations Within Such Industries.

Senate Bill No. 137. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 254 of the Session Laws of 1935; Providing That Deeds Taken in Lieu of Foreclosure Shall Have the Force and Effect of a Sheriff's Certificate on Foreclosure Sale as to All Subsequent Lien Holders; for Notice to Subsequent Lien Holders, of the Record of Such Deeds Preserving to Such Subsequent Lien Holders the Same Rights of Redemption as They Would Have Had, Had Foreclosure Been Made; Providing That After the Period of Redemption Expires, Such Deeds Shall Have the Full Force and Effect of a Sheriff's Deed on Foreclosure as Against Subsequent Lien Holders Who Do Not Redeem.

Senate Concurrent Resolution No. 4. A Concurrent Resolution Providing for the Amendment of the Constitution to Empower the Legislative Assembly or the Electors by Initiated Measure to Provide for an Appointive Board to Manage the Permanent Funds of the State, Which Board, If Established, Will Supersede, the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

Rep. Haugen moved that the House recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution "M". A Resolution Memorializing Congress to Construct the Proposed Missouri River Diversion Project.

Senate Concurrent Resolution "J". A Concurrent Resolution Requesting the Board of Administration to Require a Monthly Rental from Federal Agencies Housed in the Capitol Building.

Senate Concurrent Resolution "N." A Concurrent Resolution In Regard to Third House Session and Dance in Capitol Corridors.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 1, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

House Bill No. 140. A Bill for an Act Providing for the

Bonding of Deputy County Officials and Declaring an Emergency.

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

House Concurrent Resolution "Q". A Concurrent Resolution Petitioning Congress to Enact the Capper Bill Establishing a Division of Cooperatives in the United States Department of Agriculture.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 141 was read the second time.

Rep. Rohde moved that further consideration of Senate Bill No. 141 be laid on the table, which motion prevailed.

Rep. Rohde moved that the vote by which further consideration of Senate Bill No. 141 was laid on the table be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Beede moved that action on Senate Bill No. 109 be deferred until after 2:00 P. M., Monday, March 3rd, which motion prevailed.

Senate Concurrent Resolution "L" was read the second time.

Senate Concurrent Resolution "L". A Concurrent Resolution Specifying the Number of Copies of the Report of the Code Revision Commission to Be Prepared for Submission to the Twenty-eighth Legislative Assembly.

Rep. Rohde moved that the House adopt Senate Concurrent Resolution "L", which motion prevailed and the Resolution was declared adopted.

Senate Bill No. 102. A Bill for an Act Relating to the Appointment, Powers and Duties of the State Engineer, to Amend and Re-enact Section 8239 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 224 of the Session Laws of 1929, and to Repeal Section 8240 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 2 of Chapter 224 of the Session Laws of 1929.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 94; nays, 9; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Arneson	Gackle	Nystrom

Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Benno	Haag	Peterson, Bottineau
Bergesen	Halvorson	Peterson, Ransom
Bingenheimer	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Sandness
Bolmeier	Holm	Saumur
Boulden	Ireland	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Eymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Morland	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Ramsey	Wolf, Morton
Falconer	Nelson, Sargent	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Anderson	Mollet	Tuff
Belzer	Panko	Welder
Haugen	Sharpe	Wolf, McIntosh

Absent and not voting:

Fitch	Johnson, Cass	Nelson, Morton
Fleck	Myers	Westby
Jennings	Nelson, Cass	

So the bill passed and the title was agreed to.

Rep. Collette moved that the vote by which Senate Bill No. 102 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Was 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, 67; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fitzharris	Sandness
Allen	Gackle	Saumur
Arneson	Gainor	Sellens
Austad	Haugland	Singleton
Bergesen	Ireland	Smart
Bingenheimer	Johnson, Richland	Stormon

Boulden	Kee	Swanson
Carlson	Langley	Trydahl
Coghlan	McInnes	Twichell
Collette	Nelson, Sargent	Wambheim
Crockett	Ohnstad	Mr. Speaker
Dalzell	Peterson, Ransom	

Those voting in the negative were:

Anderson	Glas	Nelson, Steele
Arndt	Gress	Nicholsen
Beede	Haag	Nystrom
Belzer	Halvorson	Olson, Barnes
Benno	Haugen	Olson, Bowman
Bjella	Heckman	Panko
Black	Hofstrand	Peterson, Bottineau
Blair	Hogoboom	Rohde
Bolmeier	Holm	Rygg
Braun, McLean	Juhola	Sagehorn
Braun, Stark	Kindem	Schmidt
Brusseau	Larson	Schwartz
Bubel	Levin	Semerad
Bymers	Lillehaugen	Severson
Culver	Lunde	Sharpe
Devlin	McIntee	Shure
Dittmer	McIntyre	Starck
Drovdal	Moe	Welder
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fraser	Nelson, Ramsey	Wolf, Morton
Fuglestad		

Absent and not voting:

Fitch	Johnson, Cass	Nelson, Morton
Fleck	Myers	Tuff
Jennings	Nelson, Cass	Westby

So the bill was declared lost.

Rep. Shure voted "no" for the purpose of reconsideration.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229, of the Session Laws for 1939, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing that as to Stocks of Merchandise, the Average Value Thereof for the Year Preceding the Time of Assessment, Shall Be Taken as the Value Thereof for Assessment 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, 103; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom

Belzer	Haugen	Rohde
Benno	Haugland	Rygg
Bergesen	Heckman	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Hogboom	Saumur
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Johnson, Richland	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bubel	Larson	Singleton
Bymers	Levin	Smart
Carlson	Lillehaugen	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Moe	Twichell
Devlin	Mollet	Wambheim
Dittmer	Morland	Welder
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Ramsey	Williams, Stutsman
Erickson, Williams	Nelson, Sargent	Wolf, McIntosh
Falconer	Nelson, Steele	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker
Fraser		
Absent and not voting:		
Fitch	Johnson, Cass	Nelson, Morton
Fleck	Myers	Westby
Jennings	Nelson, Cass	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Boulden moved that the vote by which Senate Bill No. 116 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 96.

W. J. TROUT, Secretary.

Rep. Bergesen moved that Senate Bill No. 183 be taken off the calendar and placed in General Orders for Monday, March 3rd, which motion prevailed.

The House reverted to the Fifth Order of Business.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Culver moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom

was referred Senate Bill No. 5, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Culver moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 2, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 31, have had the same under consideration and recommend that the same be amended as follows:

Line 3, strike out "\$40,347.00", and insert in lieu thereof "\$41,847.00".

Add the following after line 16, and renumber the lines: 17 "Interim Committee—S.C.R. "H" 1,500.00".

In line 18, change the total to "\$41,847.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 36, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Culver moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Drainage and Irrigation to whom was referred Senate Bill No. 174, have had the same under consideration and recommend that the same do pass.

A. H. NYSTROM, Chairman.

Rep. Olson of Barnes moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Safety to whom was referred Senate Bill No. 124, have had the same under consideration and recommend that the same do pass.

A. I. SHARPE, Chairman.

Rep. Benno moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Public Safety to whom was referred Senate Bill No. 114, have had the same under consideration and recommend that the same be indefinitely postponed.

A. I. SHARPE, Chairman.

Rep. Singleton moved that the report be adopted.

Rep. Swanson moved a substitute motion that Senate Bill No. 114 be placed on the calendar, which motion was lost.

The question being on the motion of Rep. Singleton that Senate Bill No. 114 be indefinitely postponed, the motion prevailed.

Rep. Rohde moved that the vote by which Senate Bill No.

114 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

GENERAL ORDERS

Rep. Crockett moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Crockett to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 29.

Line 11, strike out "\$600.00" and insert in lieu thereof "\$350.00".

Line 12, strike out "\$500.00" and insert in lieu thereof "\$300.00".

Line 14, strike out "\$1,000.00" and insert in lieu thereof "\$1,300.00".

The total remains the same as amended by the Senate, namely \$2,850.00.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 117.

On page 8, line 8, correct the spelling of the word "local."

On page 25, line 19, strike out the word "one" and insert in lieu thereof the word "two".

On line 20, strike out the word "week" and insert in lieu thereof the word "weeks."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following further amendment:

Page 51 of the mimeographed section 11, insert the following at the end of such section:

(b) All monies in the Administration Fund hereinbefore mentioned, received from the United States, or any Agency thereof, or which may be appropriated by this State for any of the purposes herein described, shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board of the United States, or any other Agency of the United States succeeding thereto, for the proper and efficient administration of this Act.

(c) Nothing in this Act, or any part thereof, shall be construed to authorize any refund of monies due and payable under the law and regulations in effect at the time such monies were paid.

And when so amended recommend the same do pass.

Senate Bill No. 205.

In line 269, after the word "property," strike out the period and insert a semi-colon in lieu thereof, and then insert the following:

"Provided, however, that if such sale is made to any other person than the original owner or his successor in interest, such sale shall be held in abeyance for a period of thirty (30) days, during which time the original owner or his successor in interest may make redemption by payment in full of delinquent taxes, penalty and interest charged against such real estate. Provided, further, that if no redemption is made by the original owner or his successor in interest during said period of thirty (30) days, then the sale shall be final and the purchaser shall be entitled to a deed as provided herein."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the further amendment:

On page 17, line 369, strike out the comma after the word "county" and insert the following: "provided that such right to repurchase shall be subject to any valid lease previously entered into by the county" and a period.

And when so amended recommend the same do pass.

Senate Bill No. 202.

Amend the title by inserting after the word "statistics" on the fifth line of the title the words "and of local registrars" and by adding after the word "confidential" the following: "Providing a penalty when local registrars disclose confidential information; and".

In section 7, line 89, on page 5 of the printed Bill after the word "office." add the following: "Information obtained from such records may be furnished without charge to any State department upon the order of the Attorney General made upon the written application of the executive head of the department showing the name of the individual relative to whom such information is required and stating that such information is required in the proper administration of the work of such department. Any information so furnished to any department shall be deemed confidential."

In line 138, on page 7 of the printed Bill insert a new section 11 as follows: SECTION 11. LOCAL REGISTRAR'S RECORDS CONFIDENTIAL; PENALTY. A local registrar shall not permit the inspection of any records made by him and shall not disclose any information obtained by him as local registrar to any person except the State Registrar of Vital Statistics, or officers or employees of the State Department of Vital Statistics. Any local registrar violating the provisions of this section shall be guilty of a misdemeanor.

Change "Section 11" in the printed Bill to "Section 12"; change "Section 12" in the printed Bill to "Section 13"; change "Section 13" in the printed Bill to "Section 14"; and change "Section 14" of the printed Bill to "Section 15."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 125.

And recommend the adoption of the following amendment:

On page 2, line 11, strike out the balance of Section 1 after the word "derivatives" and insert the following in lieu

thereof: "unless the name and quantity or proportion of any such drug is stated on the label or container thereof" and a period.

And when so amended recommend the same do pass.

W. M. CROCKETT, Chm., Committee of the Whole.

Rep. Brusseau moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 1, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

Which the Senate has amended as follows:

In the last line of the title, strike out the period, insert a comma and the following language "and declaring an emergency".

W. J. TROUT, Secretary.

Rep. Trydahl moved that the House do concur in the Senate amendments to House Bill No. 300, which motion prevailed.

Rep. Trydahl moved that the rules be suspended and that House Bill No. 300 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 25.

Those voting in the affirmative were:

Aker	Gainor	Olson, Barnes
Allen	Haag	Panko
Anderson	Halvorson	Peterson, Bottineau
Arneson	Haugen	Peterson, Ransom
Austad	Haugland	Rohde
Beede	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bingenheimer	Holm	Saumur
Bjella	Ireland	Schmidt
Black	Johnson, Richland	Schwartz
Bolmeier	Juhola	Sellens
Boulden	Kee	Semerad
Braun, McLean	Kindem	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Shure

Bymers	Levin	Singleton
Carlson	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McIntee	Swanson
Culver	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Williams	Morland	Welder
Falconer	Morrison	Williams, Richland
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nicholsen	Wolf, Morton
Fuglestad	Nystrom	Mr. Speaker
Gackle	Ohnstad	
Absent and not voting:		
Arndt	Fleck	Nelson, Morton
Belzer	Glas	Nelson, Sargent
Blair	Gress	Nelson, Steele
Braun, Stark	Jennings	Nelson, Bowman
Coghlan	Johnson, Cass	Smart
Dalzell	McInnes	Trydahl
Devlin	Myers	Westby
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Fitch		

So the bill passed and the title was agreed to, and the Emergency Clause was declared carried.

Rep. Bolmeier moved that the House do now recess until 12:30 P. M., Monday, March 3rd, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTY-FOURTH DAY AFTER RECESS AND
FIFTY-SIXTH DAY

Bismarck, March 3, 1941.

The House re-assembled at 12:30 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would continue business on Standing Committee reports.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 145, have had the same under consideration and recommend that the same be amended as follows:

In the original bill on line 17, after the word "State" insert the following: "and local".

On line 67, Section 4. strike out everything after "SECTION 4." and insert in lieu thereof the following: "That the tax imposed herein shall be levied for the purpose of providing revenue for the payment of interest due or to accrue upon outstanding North Dakota Real Estate Series Bonds, that the State Treasurer shall collect the tax levied pursuant to the provisions of this act and deposit the same monthly to the credit of, 'Real Estate Bond Interest Payment Fund,' established by Chapter 128 of the Session Laws of 1929 and the State Board of Equalization shall consider the revenue derived from the administration of this act in determining, the necessity and amount of any tax to be levied in the manner provided by law."

And when so amended recommend the same do pass.

L. K. MORLAND, Chairman.

Rep. Shure moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 95, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

Rep. Sharpe moved that the report be adopted.

Rep. Crockett moved a substitute motion that Senate Bill No. 95 be placed in General Orders, which motion was lost.

The question being on the motion of Rep. Sharpe that Senate Bill No. 95 be indefinitely postponed, roll call was demanded and granted.

ROLL CALL

The question being on the motion of Rep. Sharpe that Senate Bill No. 95 be indefinitely postponed, the roll was called and there were ayes, 61; nays, 42; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Heckman	Ohnstad
Anderson	Hofstrand	Olson, Bowman
Arndt	Ireland	Panko
Beede	Jennings	Peterson, Bottineau
Belzer	Johnson, Cass	Rohde
Benno	Juhola	Rygg
Bingenheimer	Kee	Sagehorn
Boulden	Kindem	Schmidt
Braun, McLean	Larson	Schwartz
Braun, Stark	Levin	Sharpe
Bymers	Lillehaugen	Shure
Culver	McIntee	Singleton
Devlin	McIntyre	Smart
Drovdal	Mollet	Starck
Erickson, Divide	Morland	Swanson
Falconer	Morrison	Tuff
Fitch	Nelson, Morton	Welder
Fleck	Nelson, Ramsey	Williams, Richland
Glas	Nelson, Sargent	Williams, Stutsman
Halvorson	Nystrom	Mr. Speaker
Haugen		

Those voting in the negative were:

Allen	Dalzell	Nelson, Steele
Arneson	Dittmer	Nicholsen
Austad	Erickson, Williams	Olson, Barnes
Bergesen	Fitzharris	Peterson, Ransom
Bjella	Fuglestad	Sandness
Black	Gackle	Sellens
Blair	Gainor	Semerad
Bolmeier	Gress	Severson
Brusseau	Haag	Stormon
Bubel	Johnson, Richland	Trydahl
Carlson	Langley	Twichell
Coghlan	Lunde	Wambheim
Collette	McInnes	Wolf, McIntosh
Crockett	Moe	Wolf, Morton

Absent and not voting:

Fraser	Holm	Saumur
Haugland	Myers	Westby
Hogoboom	Nelson, Cass	

So the motion was declared carried.

Rep. Beede moved that the vote by which Senate Bill No. 95 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 147, have had the same under consideration and recommend that the same be indefinitely postponed.

L. K. MORLAND, Chairman.

Rep. Swanson moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which Senate Bill No. 147 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 188, have had the same under consideration and recommend that the same be amended as follows:

Senate Bill No. 188.

Page 2, Section 9, Line 20 of printed bill.

Strike out lines 20-35, inclusive, and insert the following:

For the purpose of reimbursing the State for the expenses of carrying out the provisions of this act, the State Treasurer is hereby authorized and directed to credit to the General Fund of the State on the 1st. day of July of each year, the sum of 19,637.50 dollars from the monies received from the sale of such stamps. The remainder thereof shall be placed in three special funds to be known respectively as The Institutional Support Fund, Insane; The Institutional Support Fund, Grafton State School; The Institutional Support Fund, Tubercular; said funds to be established in the offices of the State Treasurer and State Auditor as special revolving funds in the manner herein provided and expenditures therefrom to be made by State Auditor's warrant by similar authority and in the same manner as expenditures from other institutional funds.

The distribution of the funds from the sale of said stamps, among the various counties, shall be in proportion to the total amount of Institutional Care charged against each county for the care and treatment of patients in said three institutions during the preceding quarter year. The allocation of said funds to the three institutions shall be made and determined by the Board of Administration.

On September 1, December 1, March 1, and June 1, each year after the effective date of this act, the State Treasurer shall certify to the Board of Administration the amount available on such date for distribution to the Institutional Support Funds and deliver a copy of such certificate to the State Auditor. The Board of Administration shall on or before September 30, December 31, March 31, and June 30, of each year certify to the State Treasurer, State Auditor, and to each of said three Institutions the amount to be placed to the credit of the fund for the care of Insane, Feeble-minded, and Tubercular respectively, in proportion to the amount certified as due from the counties to each Institution for the said preceding quarter.

The amount certified to each institution by the Board of Administration shall be credited by each institution to the several counties in the state in proportion to the number of patients each county has in said institution.

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

Rep. Bolmeier moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education, to whom was

referred Senate Bill No. 161, have had the same under consideration and recommend that the same be amended as follows:

In lines 28, 29 and 30 strike out the following words "Provided, however, that a teacher must have taught at least nine months in any such state institution."

In line 49, strike out "25" and insert in lieu thereof "50."

In line "56" strike out "15" and insert in lieu thereof "25."

In line 103 strike out everything after the word "time" and all of the balance of the section.

And when so amended recommend the same do pass.

C. H. HOFSTRAND, Chairman.

Rep. Gainor moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Education to whom was referred Senate Bill No. 193, have had the same under consideration and recommend that the same be indefinitely postponed.

C. H. HOFSTRAND, Chairman.

Rep. Lillehaugen moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Welder moved that the vote by which Senate Bill No. 193 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 21, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 26, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Kee moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 37, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. McIntyre moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 55, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Singleton moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 90, have had the same under

consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

Rep. Heckman moved that the report be adopted.

Rep. Smart moved that Senate Bill No. 90 be re-referred to the Comm. on Game and Fish, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred S.C. Res. G, have had the same under consideration and recommend that the same be returned for consideration by Committee of the Whole.

TARGIE TRYDAHL, Chairman.

Rep. McIntyre moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 204, have had the same under consideration and recommend that the same be returned without recommendation.

TARGIE TRYDAHL, Chairman.

Rep. McIntyre moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Trydahl moved that Senate Bill No. 204 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 173, have had the same under consideration and recommend that the same be indefinitely postponed.

W. H. SHURE, Chairman.

Rep. Aker moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Aker moved that the vote by which Senate Bill No. 173 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Public Welfare, to whom was referred Senate Bill No. 77, have had the same under consideration and return same without recommendation.

REP. HAUGLAND, Chairman.

Rep. Swanson moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Beede moved that Senate Bill No. 77 be indefinitely postponed, which motion prevailed.

Rep. Rohde moved that the vote by which Senate Bill No. 77 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Public Welfare to whom was referred Senate Bill No. 191, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. HAUGLAND, Chairman.

Rep. Dittmer moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Brusseau moved that the vote by which Senate Bill No. 191 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 206, have had the same under consideration and recommend that the same be amended as follows:

In Section 2 (a) at the end of line 15, strike out the words "In lieu" and strike out all of lines 16, 17 and 18.

And when so amended, recommend the same do pass.

L. L. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Concurrent Resolution No. 3, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Arneson moved that the vote by which Senate Concurrent Resolution No. 3 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 339, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted.

Rep. Beede moved a substitute motion that House Bill No. 339 be placed in General Orders, which motion prevailed.

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred Senate Bill No. 186, have had the same under consideration and recommend that the same do pass.

A. C. JOHNSON, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

A divided report came in on Senate Bill No. 3.

Rep. Haugen moved that action on Senate Bill No. 3 be deferred until action on Senate Bill Nos. 90 and 91 has been taken, which motion prevailed.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 8
House Bill No. 106
House Bill No. 179
House Bill No. 248
House Bill No. 282
House Bill No. 294
House Bill No. 300
House Bill No. 319
House Bill No. 329
House Bill No. 330
House Bill No. 331

House Bill No. 336

House Bill No. 262

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 6 was read the second time.

Rep. Trydahl requested the unanimous consent of the House to amend Senate Bill No. 6, which consent was granted and Rep. Trydahl moved that Senate Bill No. 6 be amended as follows:

Line 23, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$5,000.00".

In line 30, strike out the figures "\$2,000.00" and insert in lieu thereof the figures "\$3,000.00".

In line 31, strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$5,000.00".

Which motion prevailed.

Rep. Trydahl moved that the rules be suspended and that Senate Bill No. 6 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Steele
Allen	Fleck	Nicholsen
Anderson	Fraser	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Gress	Panko
Belzer	Haag	Peterson, Bottineau
Benno	Halvorson	Peterson, Ransom
Bergesen	Haugen	Rohde
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hogoboom	Saumur
Blair	Holm	Schmidt
Bolmeier	Ireland	Schwartz
Boulden	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Braun, Stark	Juhola	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Starck
Coghlan	Levin	Stormon
Collette	Lillehaugen	Swanson
Crockett	Lunde	Trydahl

Culver	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Welder
Dittmer	Moe	Williams, Richland
Drovdal	Mollet	Williams, Stutsman
Erickson, Divide	Morland	Wolf, McIntosh
Erickson, Williams	Morrison	Wolf, Morton
Falconer	Nelson, Morton	Mr. Speaker
Fitch	Nelson, Ramsey	

Absent and not voting:

Fuglestad	Nelson, Cass	Smart
Hofstrand	Nelson, Sargent	Wambheim
Johnson, Richland	Sandness	Westby
Myers		

So the bill passed and the title was agreed to.

Rep. Swanson requested that the House be on the Seventh Order of Business, which request was granted and Rep. Swanson moved that the House reconsider its action taken on Senate Bill No. 185, which motion was lost.

Rep. Rohde moved that the House reconsider its action taken on Senate Bill No. 114, which motion prevailed.

Rep. Rohde moved that Senate Bill No. 114 be placed on the calendar, which motion prevailed.

Rep. Culver moved that the House reconsider its action taken on Senate Bill No. 126 and that it be placed on the calendar, which motion prevailed.

Rep. Shure moved that the House reconsider its action taken on Senate Bill No. 165, which motion was lost.

Rep. Moe moved that the House reconsider its action taken on Senate Bill No. 46, which motion was lost.

Rep. Rohde moved that the absent members be excused, which motion prevailed.

Rep. Rohde moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTY-SIXTH DAY

Bismarck, March 3, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. C. L. Wallace, Mandan.

Roll Call disclosed all members present except Reps. Myers, Nelson of Cass and Westby.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-fourth day and recommends that the same be corrected as follows:

On page 1028, line 2 from the bottom of the page, strike out "Section 2" and insert "Section 1" in lieu thereof.

On page 1016, line 8 from the top of the page, strike out the figure "152" and insert in lieu thereof the figure "150".

On page 1021, in the messages to the Senate, Senate Bill No. 4 is shown as being messaged to the Senate indefinitely

postponed whereas it should record that Senate Concurrent Resolution No. 4 was returned to the Senate indefinitely postponed.

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Representative Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

A petition was received signed by 264 residents of Bismarck opposing the passage of Senate Bill No. 172, which the Speaker referred to the Comm. on Ways and Means.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 3, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 3, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Quinness Patent Butter and to Patent Butter and Cheese.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

House Bill No. 141. A Bill for an Act Amending and Re-enacting Sections 578b1, 578b3, 578b4, 578b5, 578b7 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; To Amend and Re-enact Chapter 139 of the Session Laws of North Dakota for 1937; Providing for a State Board of Electricians, Prescribing Their Duties; Providing for Classification and Licensing of Electric Workers; Prescribing Fees for the Examination and License; Providing for Inspection and Regulation of Electric Work; Providing for Allocation of Fees; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

House Bill No. 166. A Bill for an Act to Amend and Re-enact Sections 8247a1, 8247a2, 8247a3, 8247a4, 8247a5, 8247a10, 8247a16, 8247a17, 8247a47, 8247a57 and 8247a60 of the Supplement to the Compiled Laws of 1925 as Amended

and Re-enacted by Sections 1, 2, 3, 5, 6, 11, 21, 22, 30, 35, and 37 of Chapter 253 of the Session Laws of North Dakota for 1939 Relating to Irrigation Districts, Their Functions, Powers and Duties.

House Bill No. 212. A Bill for an Act to Provide for Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 179. A Bill for an Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 294. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders for Livestock Owners in Such Townships, Fixing Penalty for Violation.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 319. A Bill for an Act to Amend and Re-enact Chapter 247 of the Session Laws of 1931, Providing for the Payment of Per Capita School Tax; Repealing Acts in Conflict and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 330. A Bill for an Act to Amend Section 189b29 of Chapter 137, Session Laws of 1933 Providing for the Abatement of Hail Indemnity Tax; Correction of Records and Reduction from the Surplus; Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral

Expenses of Representative Edward Rieker of Kidder County; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 336. A Bill for an Act Making an Appropriation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

CONSIDERATION OF MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 3, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

Which the Senate has amended as follows:

In the title strike out the period after the word "thereunder" and add the following: "and declaring an emergency."

Add Section 2 as follows:

"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."

W. J. TROUT, Secretary.

Rep Fitch moved that the House do concur in the Senate amendments to House Bill No. 1, which motion prevailed.

Rep. Fitch moved that the rules be suspended and the House Bill No. 1 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 100; nays, 3; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fleck	Nicholsen
Allen	Fuglestad	Nystrom
Anderson	Gackle	Ohnstad
Arneson	Gainor	Olson, Barnes
Arndt	Glas	Olson, Bowman
Austad	Gress	Panko
Beede	Haag	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bingenheimer	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Boulden	Johnson, Cass	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Crockett	Lunde	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Mollet	Twitchell
Dittmer	Morland	Welder
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Morton	Williams, Stutsman
Erickson, Williams	Nelson, Ramsey	Wolf, McIntosh
Falconer	Nelson, Sargent	Wolf, Morton
Fitch	Nelson, Steele	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Brusseau	Halvorson	Moe
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Absent and not voting:

Fraser	Myers	Wambheim
Juhola	Nelson, Cass	Westby
McInnes	Saumur	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Twitchell moved that the vote by which House Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 3, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake

Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

Which the Senate has amended as follows:

In Section 1, line 3, strike out the word "twenty-five" and insert in lieu thereof the word "ten."

In Section 9, line 3, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$3,000.00."

W. J. TROUT, Secretary.

Rep. Panko moved that the House do concur in the Senate amendments to House Bill No. 95, which motion prevailed.

Rep. Panko moved that the rules be suspended and that House Bill No. 95 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 4; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Morton
Allen	Fleck	Nelson, Sargent
Anderson	Fraser	Nicholsen
Arneson	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Benno	Halvorson	Peterson, Bottineau
Bergesen	Haugen	Peterson, Ransom
Bingenheimer	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Bolmeier	Hogoboom	Saumur
Boulden	Holm	Schmidt
Braun, McLean	Ireland	Schwartz
Braun, Stark	Jennings	Sellens
Brusseau	Johnson, Richland	Semerad
Bubel	Juhola	Severson
Bymers	Kee	Sharpe
Carlson	Kindem	Shure
Coghlan	Langley	Singleton
Collette	Larson	Smart
Crockett	Levin	Stark
Culver	Lillehaugen	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Tuff
Dittmer	McIntee	Welder
Drovdal	McIntyre	Williams, Richland
Erickson, Divide	Moe	Williams, Stutsman

Erickson, Williams	Mollet	Wolf, McIntosh
Falconer	Morland	Wolf, Morton
Fitch	Morrison	Mr. Speaker
Those voting in the negative were:		
Blair	Nelson, Steele	Wambheim
Fuglestad		

Absent and not voting:

Johnson, Cass	Nelson, Ramsey	Twichell
Myers	Sandness	Westby
Nelson, Cass	Stormon	

So the bill passed and the title was agreed to.

Rep. Panko moved that the vote by which House Bill No. 95 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 3, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 300.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 3, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution "L". A Concurrent Resolution Specifying the Number of Copies of the Report of the Code Revision Commission to Be Prepared for Submission to the Twenty-eighth Legislative Assembly.

Which the House has adopted.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 3, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 235 of the Session Laws of 1929 Relating to Tax Levy Limitations.

Senate Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 304 of the Session Laws of 1931 Relating to Validating Certain Deeds, Judgment, Mortgage Foreclosures, and Other Transactions of Real Property.

Senate Bill No. 139. A Bill for an Act to Provide a Method for the Satisfaction of Chattel Mortgages, Crop Mortgages, Conditional Sale Contracts and Other Liens Filed in the Office of the Register of Deeds and Specifying the Form of Such Satisfaction, and Declaring an Emergency.

Senate Bill No. 197. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Food and Drugs Act and the North Dakota Cosmetic Act; Prevent Adulteration and Misbranding of Foods, Drugs and Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Section 6789, of the Compiled Laws of North Dakota, for the Year 1913; and Repealing Section 6786, of the Compiled Laws of North Dakota for the Year 1913, Relating to the Sale of Pledged Securities.

Senate Bill No. 150. A Bill for an Act Providing for the Change of Place of Trial of Civil and Criminal Actions Triable to a Jury in Counties Where Jury Terms Have Not Been Held for a Period of One Year, and Providing the Necessary Procedure Therefor, in Addition to That Now Provided by Law for the Change of Place of Trial of Criminal and Civil Actions.

Senate Bill No. 141. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, by Chapter 168 of the Session Laws for 1935, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 3, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution 2. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 29 of the Constitution of North Dakota.

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4 and Section 10 of Chapter 235 of the Session Laws of 1929 Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes; Providing for Exceptions to Such Levies; Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Senate Bill No. 179. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Cooperatives and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Their Personal Property; Providing for the Collection of Such Tax and Appropriating the Proceeds; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 208. A Bill for an Act Authorizing Counties to Maintain Actions in Adverse Claims to Quiet Title to Lands Acquired Through Tax Deeds; Providing for the Joinder of the Causes of Action and Parties Defendant; Providing for Separate Trials and Judgments; Authorizing Judgments by Default and Prescribing the Procedure Applicable to the Service of Process and Trial of Such Actions.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws of 1935.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 714a7 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1939 Relating to Pledging Securities for Public Deposits.

Senate Bill No. 127. A Bill for an Act to Amend and Re-enact Section 22 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, as Amended by Chapter 95 of the Session Laws of North Dakota for the Year 1937, Relating to the Responsibility of Shareholders of State Bank Stock.

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Chapter 246 of the Session Laws of 1931, Relating to the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for Supervision Thereof and for Maintenance of Instruction by Tuition Fees.

Senate Bill No. 102. A Bill for an Act Relating to the Appointment, Powers and Duties of the State Engineer, to Amend and Re-enact Section 8239 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 224 of the Session Laws of 1929, and to Repeal Section 8240 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 2 of Chapter 224 of the Session Laws of 1929.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229, of the Session Laws for 1939, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing that as to Stocks of Merchandise, the Average Value Thereof for the Year Preceding the Time of Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, and Declaring an Emergency.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 3, 1941.

Mr. President: I have the honor to transmit:

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 179. A Bill for an Act to Authorize Undertake Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit

the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

House Bill No. 294. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders for Livestock Owners in Such Townships, Fixing Penalty for Violation.

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

House Bill No. 319. A Bill for an Act to Amend and Re-enact Chapter 247 of the Session Laws of 1931, Providing for the Payment of Per Capita School Tax; Repealing Acts in Conflict and Declaring an Emergency.

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

House Bill No. 330. A Bill for an Act to Amend Section 189b29 of Chapter 137, Session Laws of 1933 Providing for the Abatement of Hail Indemnity Tax; Correction of Records and Reduction from the Surplus; Declaring an Emergency.

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral Expenses of Representative Edward Rieker of Kidder County; and Declaring an Emergency.

House Bill No. 336. A Bill for an Act Making an Appropriation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 3, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact § 1179 of the Compiled Laws for 1913 Relating to Powers of School Districts to Admit Pupils from Other Districts Providing for Payment of Tuition.

Which the House has amended as follows:

Strike out the "period" at end of title and insert a "comma" and the following words "and transportation".

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 3, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1 and House Bill No. 95.

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fraser	Nicholsen
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Glas	Olson, Bowman
Beede	Gress	Panko
Belzer	Haag	Peterson, Bottineau
Benno	Halvorson	Peterson, Ransom
Bergesen	Haugen	Rohde
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hofstrand	Saumur
Blair	Hogoboom	Schmidt
Bolmeier	Holm	Schwartz
Boulden	Ireland	Sellens
Braun, McLean	Jennings	Semerad
Braun, Stark	Johnson, Richland	Severson
Brusseau	Juhola	Sharpe
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Levin	Stormon

Crockett	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Welder
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, Morton
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Mr. Sneaker

Absent and not voting:

Johnson, Cass	Nelson, Cass	Sandness
Myers	Nelson, Steele	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 2 was read the second time.

Rep. Trydahl requested the unanimous consent of the House to amend Senate Bill No. 2, which consent was granted and Rep. Trydahl moved that Senate Bill No. 2 be amended as follows:

On page 3, line 40, strike out the figures "50,000" and insert in lieu thereof the figures "42,000".

Insert a new line "40a" and the following: "Indemnity Available Upon Passage and Approval8,000.00".

Which motion prevailed.

Rep. Trydahl moved that Senate Bill No. 2 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of Animals, to the Glanders and Dourine Fund, to the Bovine Tuberculosis Fund and to the Bangs Disease Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Morton
Allen	Fleck	Nelson, Ramsey
Anderson	Fraser	Nelson, Sargent
Arneson	Fuglestad	Nicholsen
Arndt	Gackle	Ohnstad
Austad	Gainor	Olson, Barnes
Beede	Glas	Olson, Bowman
Belzer	Gress	Panko
Benno	Haag	Peterson, Bottineau
Bergesen	Halvorson	Peterson, Ransom
Bingenheimer	Haugen	Rohde
Bjella	Haugland	Rygg
Black	Heckman	Sagehorn
Blair	Hofstrand	Sandness
Bolmeier	Hogoboom	Schmidt
Boulden	Holm	Schwartz
Braun, McLean	Ireland	Sellens

Braun, Stark	Jennings	Semerad
Brusseau	Johnson, Cass	Severson
Bubel	Johnson, Richland	Sharpe
Bymers	Juhola	Shure
Carlson	Kee	Singleton
Coghlan	Kindem	Starck
Collette	Langley	Stormon
Crockett	Larson	Swanson
Culver	Levin	Trydahl
Dalzell	Lillehaugen	Tuff
Devlin	Lunde	Twichell
Dittmer	McInnes	Welder
Drovdal	McIntee	Williams, Richland
Erickson, Divide	McIntyre	Williams, Stutsman
Erickson, Williams	Mollet	Wolf, McIntosh
Falconer	Morland	Wolf, Morton
Fitch	Morrison	Mr. Speaker

Absent and not voting:

Moe	Nelson, Steele	Smart
Myers	Nystrom	Wambheim
Nelson, Cass	Saumur	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 36. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fraser	Nelson, Sargent
Anderson	Fuglestad	Nicholsen
Arneson	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Benno	Halvorson	Peterson, Bottineau
Bergesen	Haugen	Peterson, Ransom
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hofstrand	Sandness
Blair	Hogoboom	Schmidt
Bolmeier	Holm	Schwartz
Boulden	Ireland	Sellens
Braun, McLean	Jennings	Semerad
Braun, Stark	Johnson, Cass	Severson
Brusseau	Johnson, Richland	Sharpe
Bubel	Juhola	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Starck
Coghlan	Langley	Stormon
Collette	Larson	Swanson
Crockett	Levin	Trydahl
Culver	Lillehaugen	Tuff

Dalzell	Lunde	Twichell
Devlin	McInnes	Wambheim
Dittmer	McIntee	Welder
Drovdal	McIntyre	Westby
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker

Absent and not voting:

Moe	Nelson, Steele	Saumur
Myers	Rohde	Smart

So the bill passed and the title was agreed to.

Senate Bill No. 174. A Bill for an Act Providing for the Dissolution of Irrigation Districts; Providing for the Sale of the Assets of Such Districts; Providing for the Disposition of Cash Assets of the District After All District Obligations Have Been Fully Paid; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fraser	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rohde
Benno	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Boulden	Johnson, Cass	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Juhola	Sharpe
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Starck
Carlson	Larson	Stormon
Coghlan	Levin	Swanson
Collette	Lillehaugen	Trydahl
Crockett	Lunde	Tuff
Culver	McIntee	Twichell
Dalzell	McIntyre	Wambheim
Dittmer	Moe	Welder
Drovdal	Mollet	Williams, Richland
Erickson, Divide	Morland	Williams, Stutsman
Erickson, Williams	Morrison	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton

Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris	Nelson, Sargent	
Absent and not voting:		
Bergesen	McInnes	Olson, Barnes
Devlin	Myers	Saumur
Fleck	Nelson, Cass	Smart
Fuglestad	Nelson, Steele	Westby
Hofstrand		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 124 was read the second time.

Rep. Twitchell moved that further consideration of Senate Bill No. 124 be indefinitely postponed, which motion was lost.

Senate Bill No. 124. A Bill for an Act to Prohibit the Sale, Offering or Exposing for Sale of Fireworks, and to Regulate the Manner of Their Use, and to Provide Penalties for the Violation of the Provisions of This Act.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 59; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Ramsey
Arneson	Fuglestad	Nelson, Sargent
Austad	Gress	Nicholsen
Beede	Haugen	Nystrom
Belzer	Hofstrand	Ohnstad
Bergesen	Holm	Panko
Bjella	Ireland	Rohde
Bolmeier	Jennings	Sandness
Boulden	Johnson, Richland	Semerad
Brusseau	Kindem	Sharpe
Bymers	Langley	Singleton
Dalzell	Larson	Smart
Dittmer	Lunde	Stormon
Erickson, Divide	McIntyre	Swanson
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman

Those voting in the negative were:

Allen	Gackle	Olson, Bowman
Anderson	Gainor	Peterson, Bottineau
Arndt	Glas	Peterson, Ransom
Benno	Haag	Rygg
Bingenheimer	Halvorson	Sagehorn
Black	Haugland	Saumur
Blair	Heckman	Schmidt
Braun, McLean	Hogoboom	Schwartz
Braun, Stark	Juhola	Sellens
Bubel	Kee	Severson
Carlson	Levin	Shure
Coghian	Lillehaugen	Starck
Collette	McInnes	Trydahl
Crockett	McIntee	Tuff
Culver	Moe	Twichell
Devlin	Mollet	Wambheim

Drovdal	Morland	Welder
Fitch	Nelson, Steele	Wolf, McIntosh
Fleck	Olson, Barnes	Wolf, Morton
Fraser		Mr. Speaker

Absent and not voting:

Johnson, Cass	Nelson, Cass	Westby
Myers		

So the bill was declared lost.

Rep. Fitch moved that the vote by which Senate Bill No. 124 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 4; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Eubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Culver	Lunde	Starck
Dalzell	McInnes	Stormon
Devlin	McIntee	Swanson
Drovdal	McIntyre	Trydahl
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morland	Wambheim
Falconer	Morrison	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Brusseau	Moe	Welder
Crockett		

Absent and not voting:

Benno	Johnson, Cass	Twichell
Dittmer	Myers	Westby
Fleck	Nelson, Cass	

So the bill passed and the title was agreed to.

Rep. Dalzell moved that the vote by which Senate Bill No. 29 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Sandness moved that Rep. Crockett be given permission to vote regardless of a personal interest in the bill, which motion prevailed.

Senate Bill No. 117 was read the second time.

Rep. Beede moved that the rules be suspended for the purpose of amending Senate Bill No. 117, which motion prevailed.

Rep. Beede moved that Senate Bill No. 117 be amended as follows: Strike out the Senate amendment to line 8, on page 8, which inserted the words "private or public laundry" and leave as originally written.

Which motion prevailed.

Rep. Beede moved that the rules be suspended and that Senate Bill No. 117 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 2, 4, 5, 6, 7, 8, 9, 12 and 17, of Chapter 232, Laws of North Dakota for 1937, as amended by Chapter 215, Laws of 1939, the Same Being Known as the North Dakota Unemployment Compensation Law; Providing for Definitions of the Terms Used in Said Act; Providing a Definition of Agricultural Labor; Providing for Included and Excluded Services; Providing for the Payment of Contributions Into an Unemployment Compensation Fund; Providing for Contribution Rates Based Upon a System of Experience Rating; Providing for the payment of benefits to Unemployed Individuals and Specifying the Amount and Duration Thereof; Providing Conditions of Eligibility for Benefits; Providing for the Disqualification of Individuals Under Certain Circumstances; Providing the Procedure for making Claims for Benefits and the Determination Thereof; Providing Procedure for Appeals; Providing for the Period, Election and Termination of Coverage for Employers; Providing for a System of Reciprocal Arrangements With Other States and With the United States; Providing Penalties for Violations of the Unemployment Compensation Law; Providing Prohibiting the Disclosure of Information; Providing for the Reimbursement of Funds in Certain Circumstances.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 31; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Glas	Nystrom
Allen	Gress	Ohnstad
Anderson	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau

Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Braun, McLean	Holm	Saumur
Braun, Stark	Ireland	Schmidt
Brusseau	Jennings	Schwartz
Bubel	Juhola	Semerad
Bymers	Kindem	Severson
Carlson	Larson	Sharpe
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Culver	McInnes	Starck
Devlin	McIntee	Tuff
Drovdal	McIntyre	Wambheim
Erickson, Divide	Mollet	Welder
Erickson, Williams	Morrison	Williams, Richland
Fitch	Nelson, Morton	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Gainor		

Those voting in the negative were:

Arneson	Fuglestad	Olson, Barnes
Arndt	Gackle	Peterson, Ransom
Bjella	Johnson, Richland	Sellens
Blair	Kee	Shure
Bolmeier	Langley	Stormon
Boulden	Lunde	Swanson
Crockett	Moe	Trydahl
Dalzell	Morland	Twichell
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nicholsen	Mr. Speaker
Fleck		

Absent and not voting:

Bingenheimer	Myers	Nelson, Steele
Dittmer	Nelson, Cass	Westby
Johnson, Cass		

So the bill passed and the title was agreed to.

Rep. Fitch moved that the vote by which Senate Bill No. 117 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Haugen moved that the House do now recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 100. A Bill for an Act to Prohibit Sales of Total Assets and Reorganizations of Corporations Unless Authorized by a Two-thirds Vote of Stockholders or Members, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 3, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of Animals, to the Glanders and Dourine Fund, to the Bovine Tuberculosis Fund and to the Bangs Disease Fund.

Which the House has amended as follows:

In line 40 strike out the figures "50,000.00" and insert in lieu thereof the figures "42,000.00."

Add a new line numbered 40A and the following: Indemnity Available upon passage and approval \$8,000.00." (The totals will remain the same.)

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 202. A Bill for an Act Providing for Proof of Birth, the Correction of Birth Records, the Issuance by the State Registrar of Vital Statistics of a Certification of the Record of the Proof of Birth, Providing that All Records of State Registrar of Vital Statistics are Confidential, Repealing Chapter 109 of the Session Laws for the Year 1939 and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Glas	Olson, Bowman
Arneson	Gress	Panko
Arndt	Haag	Peterson, Bottineau
Austad	Halvorson	Peterson, Ransom
Beede	Haugen	Rohde
Belzer	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Singleton
Collette	Larson	Smart
Crockett	Levin	Starck
Culver	Lillehaugen	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morland	Welder
Falconer	Morrison	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh

Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad		

Absent and not voting:

Benno	Haugland	Nelson, Morton
Bingenheimer	Juhola	Olson, Barnes
Boulden	Lunde	Shure
Carlson	Myers	Westby
O'ghlan	Nelson, Cass	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Arneson moved that the vote by which Senate Bill No. 202 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 205 was read the second time.

Rep. Beede moved that the rules be suspended for the purpose of amending Senate Bill No. 205, which motion prevailed.

Rep. Beede moved that Senate Bill No. 205 be amended as follows:

On page 17, line 361, after the word "conditions" insert the following: "and upon the same notice."

Which motion prevailed.

Rep. Beede moved that the rules be suspended and that Senate Bill No. 205 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Alien	Gainor	Nystrom
Anderson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Austad	Halvorsen	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rohde

Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Welder
Falconer	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fraser	Nelson, Sargent	Wolf, McIntosh
Fuglestad	Nelson, Steele	Wolf, Morton
Gackle	Nicholsen	Mr. Speaker

Those voting in the negative were:

Aker	Braun, McLean	Fleck
Blair		

Absent and not voting:

Fitch	Myers	Westby
Johnson, Richland	Nelson, Cass	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Erickson of Divide, 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.

Rep. Shure requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Shure moved that the Governor be requested to return House Bill No. 176 to the House, which motion prevailed.

MESSAGE TO THE GOVERNOR

House of Representatives,
Bismarck, March 3, 1941.

Hon. John Moses,
Governor of North Dakota,
Bismarck, North Dakota.

Dear Governor Moses:

The House requests the return of House Bill No. 176 for the purpose of an amendment.

Yours respectfully,

C. R. VERRY, Chief Clerk.

Senate Bill No. 125 was read the second time.

Rep. Bergesen moved that the rules be suspended for the

purpose of amending Senate Bill No. 125, which motion was lost.

Rep. Wolf of McIntosh moved that Senate Bill No. 125 be indefinitely postponed, which motion prevailed.

Rep. Crockett moved that the vote by which Senate Bill No. 125 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Bergesen moved that action on Senate Bill Nos. 155 and 192 be deferred until action has been taken on Senate Bill No. 188, which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

March 3, 1941

To the House of Representatives
27th Legislative Assembly
Bismarck, North Dakota

Gentlemen:

Pursuant to your request of even date, I herewith return House Bill No. 176, unsigned, for the purpose expressed in your letter, to-wit: To secure an amendment thereto before action is taken upon the bill by me.

JOHN MOSES, Governor

Rep. Shure moved that the House reconsider its action taken on House Bill No. 176 for the purpose of amending the same, which motion prevailed.

Rep. Shure moved that House Bill No. 176 be amended as follows: On page 3, line 36, after the word "levy" insert the following: "for general park purposes."

Which motion prevailed.

Rep. Shure moved that the rules be suspended and that House Bill No. 176 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Aker

Fleck

Nelson, Sargent

Allen	Fraser	Nelson, Steele
Anderson	Fuglestad	Nicholsen
Arneson	Gainor	Nystrom
Arndt	Glas	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Sellens
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Juhola	Sharpe
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Cophlan	Levin	Stormon
Collette	Lillehaugen	Swanson
Crockett	Lunde	Trydahl
Culver	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Those voting in the	negative were:	
Falconer	Schmidt	Wolf, McIntosh
Moe	Semerad	
Absent and not voting:		
Fitch	Myers	Ohnstad
Gackle	Nelson, Cass	Westby
Gress		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Shure moved that the vote by which House Bill No. 176 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 201 was read the second time.

Rep. Bergesen moved that the rules be suspended for the purpose of amending Senate Bill No. 201, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 201 be amended as follows: Strike out all of Section 2.

Which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 201 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 201. A Bill for an Act Specifying the

Duties of the Clerks of the District Court and of the County Court with Increased Jurisdiction Relating to the Furnishing of Information to the State Registrar of Vital Statistics.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Glas	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Schmidt
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Cass	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Carlson	Langley	Shure
Coghan	Larson	Singleton
Collette	Levin	Smart
Crockett	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morland	Williams, Richland
Falconer	Morrison	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Bingenheimer

Absent and not voting:

Bymers	Myers	Welder
Fitch	Nelson, Cass	Westby
Juhola	Nelson, Sargent	

So the bill passed and the title was agreed to.

Senate Bill No. 109. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as

Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for the Repeal of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Glas	Panko
Austad	Gress	Peterson, Bottineau
Beede	Haag	Peterson, Ransom
Belzer	Haugen	Rohde
Benno	Haugland	Rygg
Bergesen	Heckman	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Hogoboom	Saumur
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Boulden	Johnson, Cass	Semerad
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bubel	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Culver	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Steele	Mr. Speaker
Fleck	Nicholsen	

Absent and not voting:

Dalzell	Myers	Nelson, Sargent
Halvorson	Nelson, Cass	Westby
Juhola		

So the bill passed and the title was agreed to.

Rep. Olson of Bowman moved that the vote by which Senate Bill No. 109 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Article 29, Section 2791 of the 1913 Compiled 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, 86; nays, 17; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Gainor	Nelson, Sargent
Allen	Glas	Nelson, Steele
Anderson	Haag	Nicholsen
Austad	Halvorson	Nystrom
Beede	Haugen	Ohnstad
Belzer	Haugland	Olson, Barnes
Benno	Heckman	Olson, Bowman
Bergesen	Hofstrand	Peterson, Ransom
Bingenheimer	Holm	Rohde
Bjella	Ireland	Rygg
Black	Jennings	Sagehorn
Blair	Johnson, Cass	Sandness
Bolmeier	Johnson, Richland	Saumur
Braun, Stark	Kee	Schmidt
Bubel	Kindem	Sellens
Carlson	Langley	Semerad
Collette	Larson	Severson
Crockett	Levin	Shure
Culver	Lillehaugen	Smart
Devlin	Lunde	Starck
Dittmer	McInnes	Stormon
Drovdal	McIntee	Swanson
Erickson, Divide	McIntyre	Tuff
Erickson, Williams	Moe	Twichell
Falconer	Mollet	Wambheim
Fitzharris	Morland	Williams, Richland
Fleck	Morrison	Wolf, Morton
Fuglestad	Nelson, Morton	Mr. Speaker
Gackle	Nelson, Ramsey	

Those voting in the negative were:

Arneson	Fraser	Sharpe
Arndt	Gress	Singleton
Boulden	Hogoboom	Welder
Braun, McLean	Panko	Williams, Stutsman
Bymers	Peterson, Bottineau	Wolf, McIntosh
Coghlan	Schwartz	

Absent and not voting:

Brusseau	Juhola	Trydahl
Dalzell	Myers	Westby
Fitch	Nelson, Cass	

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which Senate Bill No. 114 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 126. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96 of the Session Laws for the State of North Dakota, as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937, Relating to Reserve Fund Requirements for State Banking 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, 85; nays, 20; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gackle	Olson, Bowman
Allen	Gainor	Panko
Anderson	Glas	Peterson, Ransom
Arneson	Gress	Rohde
Arndt	Haag	Rygg
Austad	Haugen	Sagehorn
Beede	Haugland	Sandness
Benno	Heckman	Saumur
Bergesen	Hofstrand	Schwartz
Bingenheimer	Holm	Sellens
Black	Ireland	Semerad
Bolmeier	Jennings	Sharpe
Braun, Stark	Johnson, Cass	Shure
Brusseau	Johnson, Richland	Singleton
Bubel	Kindem	Smart
Bymers	Langley	Starck
Carlson	Larson	Stormon
Coghlan	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Tuff
Dalzell	Morland	Twichell
Devlin	Morrison	Wambheim
Drovdal	Nelson, Morton	Welder
Erickson, Divide	Nelson, Ramsey	Williams, Richland
Erickson, Williams	Nelson, Steele	Williams, Stutsman
Fitzharris	Nystrom	Wolf, McIntosh
Fleck	Ohnstad	Wolf, Morton
Fraser	Olson, Barnes	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Belzer	Halvorson	Mollet
Blair	Hogoboom	Nelson, Sargent
Boulden	Kee	Nicholsen
Braun, McLean	Levin	Peterson, Bottineau
Collette	Lillehaugen	Schmidt
Dittmer	Lunde	Severson
Falconer	Moe	

Absent and not voting:

Bjella	Juhola	Nelson, Cass
Fitch	Myers	Westby

So the bill passed and the title was agreed to.

Rep. Drovdal moved that the vote by which Senate Bill No. 126 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

GENERAL ORDERS

Rep. Benno moved that the House resolve itself into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a Committee of the Whole.

The Speaker called Rep. Benno to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration.

Senate Bill No. 108.

In title in line two following "Agencies" strike semi-colon and add "from the Determination of Which an Appeal to the Court is provided semi-colon".

In Section one, end of line eight, strike semi-colon and add "and which by statute is subject to review in the courts of this state semi-colon".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 31.

Line 3, strike out "\$40,347.00", and insert in lieu thereof "\$41,847.00".

Add the following after line 16, and renumber the lines: 17 "Interim Committee—S.C.R. "H" 1,500.00".

In line 18, change the total to "\$41,847.00".

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following further amendments:

In line 26, strike out the figures "\$16,880.00" and insert in lieu thereof the figures "\$18,380.00".

Insert a new line "42a" as follows: "Interim Committee—S.C.R. "H"1500.00".

And when so amended recommend the same do pass.

Senate Bill No. 167.

In line 131 insert the word "taxable" between the words "the" and "assessed."

In line 136 strike out the word "December" and insert in lieu thereof the word "August."

In line 140 following the word "of" add "the end of the preceding school year (who have attended ninety days or more) comma".

In line 141, strike out the word "October first."

In line 142 strike out the words "can be" and insert in lieu thereof the word "were." In the same line strike out the words "current school" and insert in lieu thereof the words "preceding school."

In line 189 strike out the word "September" and insert in lieu thereof the word "April."

In the same line strike out the "comma" and insert in lieu thereof a "period."

In lines 189, 190, 191, 192 and 193, strike out the following: "when the County Superintendent has certified the number of months that the school will be conducted, and the enrollment of bona fide resident pupils who have attended school at least ninety days during the school year."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend that the same do pass.

Senate Bill No. 93.

On page 2, line 14, after the word "Growing" strike out "to be paid out of the general fund of".

In line 15, strike out the following: "The county wherein such trees are so planted" and insert the following: "To be credited upon the taxes assessed against the land upon which such trees are planted."

In line 16, strike out the word "paid" and insert the word "allowed."

In line 19, strike out the word "paid" and insert the word "allowed."

In line 27, after the word "taxes" insert a period, and strike out the balance of the bill.

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the further following amendment:

Sec. 1, line 7, after the word "shall" strike out the word "hereinafter" and insert the following "subsequent to July 1, 1937".

After the last word "planted" in the Standing Committee amendment to line 15 insert the following: "and such credit shall be apportioned to the shares due the state and respective taxing districts for general fund levies".

And when so amended recommend the same do pass.

Senate Bill No. 159.

In Section 4, line 53 of the re-engrossed bill, after the word "inclusive", strike out the words "A corporation" and insert in lieu thereof the words "A bulk dealer".

And recommend that the same be indefinitely postponed.

Senate Bill No. 118.

In section (1) page 4, line 56, strike out the words "proximately caused" and in line 57 the word "by" and insert in lieu thereof the words "which can be fairly traceable to".

On page 4, line 66, strike out the words "proximately caused by" and insert in lieu thereof the words "fairly traceable to" and at the end of the same line strike out the word "only".

On page 5, line 74, after the hyphenated word "employment" insert a period and strike out the balance of line 74 and all of line 75 and line 76 up to and including the word "employment".

On section (4) page 10, line 199, after the word "claimant" strike out the comma and insert the following: "for injury or disease concerning which claim has been filed".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 203.

In the original bill, at the end of the title, strike out the words "of this Act" and insert in lieu thereof the following: "hereof and making the Act retroactive".

On line 2 of Section 1, after the word "have" insert the

word "heretofore", on same line after the word "failed" insert the words "or shall hereafter fail."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 151.

In the original bill, in the title on line one after the word "of" insert "Section 1 of".

On line 1 after the word "of" insert "Section 1 of".

On line 37 strike out the words "for each day that the filing of such report is delayed" and insert in lieu thereof "failure to file such report".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 78.

And recommend the following amendments:

In the original bill on line 2 of the title after the word "of" insert the following "North Dakota for".

In Section 1, line 1, after the parenthesis insert the following: "Section 3352 of the Compiled Laws of North Dakota for 1913 is hereby amended and Re-enacted to read as follows: Section 3352".

On line 15, strike out the word "four" and insert in lieu thereof the word "five".

And recommend that action be deferred one legislative day.

Senate Bill No. 183.

And recommend that the same be indefinitely postponed.

A. W. BENNO, Chm., Committee of the Whole.

Rep. Bergesen moved that the House adopt the report of the Committee of the Whole with exception to Senate Bill Nos. 159 and 183, which motion prevailed.

Rep. Wambheim moved that action on Senate Bill No. 159 be made a special order of business after 2:00 P. M., tomorrow, which motion prevailed, on a standing vote.

Roll Call was demanded and granted.

Rep. Saumur demanded a Call of the House which request was granted.

The Chief Clerk called the roll in order to ascertain that all members were present. Subsequent to Call of the House all members were present except Reps. Culver, Devlin, Myers, Nelson of Cass and Westby.

Rep. Saumur moved that further proceedings of the Call of the House be dispensed with, which motion prevailed.

ROLL CALL

The question being on the motion of Rep. Wambheim that action on Senate Bill No. 159 be made a special order of business after 2:00 P. M., tomorrow, the roll was called and there were ayes, 58; nays, 49; absent and not voting, 4.

Those voting in the affirmative were:

Aker
Allen

Fleck
Fuglestad

Nystrom
Olson, Barnes

Arneson	Gackle	Peterson, Ransom
Arndt	Gainor	Sagehorn
Austad	Haugland	Sandness
Benno	Hogoboom	Saumur
Bergesen	Holm	Sellens
Bjella	Ireland	Severson
Black	Johnson, Cass	Sharpe
Blair	Johnson, Richland	Shure
Bolmeier	Kee	Singleton
Boulden	Langley	Smart
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Collette	Moe	Trydahl
Crockett	Morland	Twichell
Dalzell	Nelson, Sargent	Wambheim
Dittmer	Nelson, Steele	Williams, Stutsman
Fitch	Nicholsen	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Anderson	Haag	Nelson, Ramsey
Beede	Halvorson	Ohnstad
Belzer	Haugen	Olson, Bowman
Bingenheimer	Heckman	Panko
Braun, McLean	Hofstrand	Peterson, Bottineau
Braun, Stark	Jennings	Rohde
Brusseau	Juhola	Rygg
Bubel	Kindem	Schmidt
Bymers	Larson	Schwartz
Culver	Levin	Semerad
Drovdal	Lillehaugen	Starck
Erickson, Divide	McIntee	Tuff
Erickson, Williams	McIntyre	Welder
Falconer	Mollet	Williams, Richland
Fraser	Morrison	Wolf, McIntosh
Glas	Nelson, Morton	Wolf, Morton
Gress		

Absent and not voting:

Devlin	Nelson, Cass	Westby
Myers		

So the motion was declared carried.

Rep. Bergesen moved that action on Senate Bill No. 183 be made a special order of business after 2:00 P. M., tomorrow, following action on Senate Bill 159, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 3, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 134. A Bill for an Act to Authorize the Leasing of Land Owned by School Districts, Cities, Villages, Townships and Park Districts, for Oil and Gas; Authorizing the Governing Boards to Make Such Leases; Providing for the Consolidation of Such Oil and Gas Leases with Adjoining Lands for Operation and Development; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 135. A Bill for an Act Authorizing

Executors and Administrators of Decedents and Guardians of Minors and Incompetents to Execute Oil and Gas Leases, Providing for the Procedure for the Approval and Confirmation of Such Leases, and Validating All Such Leases Executed Prior to the Passage and Taking Effect of This Act, and Declaring an Emergency.

Senate Bill No. 136. A Bill for an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Senate Bill No. 142. A Bill for an Act Authorizing the Board of County Commissioners of the Counties of the State of North Dakota to Confirm, Approve and Adopt Oil and Gas Leases, Executed by Owners of the Right of Redemption, Owners of the Title to and Owners of Interests in Lands Subject to Delinquent Tax Charges, Including Lands the Tax Charges Against Which Have Been Adjusted by Contract, and Lands Forfeited to the County Under Tax Proceedings, and Held by the County by Tax Deeds Sufficient to Constitute Color of Title in the County; and Providing That Upon Such Confirmation, Approval or Adoption, That Such Oil and Gas Leases Shall Be and Become Binding Upon the County and the Lessee Named Therein and Assigns, with Like Force and Effect as Though the County Had Become a Party to the Said Leases; and Providing for the Payment of Rentals, Bonuses and Royalties and the Distribution and Allocation Thereof; and Providing for Constructive Notice to Purchasers of Said Lands from the County, and Validating Prior Proceedings of County Commissioners in Substantial Compliance Herewith.

Senate Bill No. 146. A Bill for an Act Authorizing City Councils of Cities in the State Having a Population 15,000 and Over to Provide Ordinances for the Regulating and Inspecting of Food Markets, Stores and Other Places of Business Where Food Intended for Human Consumption Is Sold at Retail and to Prohibit the Operation Thereof on Sundays, Legal Holidays Not Inconsistent with the Provisions of Any State Laws Relating to the Same Subject Matter; Declaring an Emergency.

Senate Bill No. 169. A Bill for an Act Providing for the Destruction of Certain Bonds, Coupons, Warrants and Other Evidences of Debt of Cities and Villages, Providing the Procedure to Be Adopted and Used Before Destruction and the Time During Which Such Documents Must Be Kept Before Destruction Thereof.

Senate Bill No. 194. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 3, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 22. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Sections 5518 and 5519 of the Compiled Laws of North Dakota for 1913, Relating to Aid to Assessors in Valuing Coal Deposits Reserved to Grantors by Providing That All Deeds and Transfers of Real Property Which Reserves the Coal Deposits to the Grantor Shall Contain a Full Description of the Coal Deposits so Reserved, Its Length, Width, and Thickness, and Validating All Reservations and Conveyances of Other Minerals or Mineral Deposits Made Prior to the Passage and Taking Effect of This Act, and Limiting the Time Within Which Actions May Be Commenced in the Courts of This State to Contest the Validity or Legality of Such Reservations or Conveyances, and Declaring an Emergency.

Senate Bill No. 121. A Bill for an Act to Exempt New Farm Machinery, Purchased to Be Used in Farming Operations from Personal Property Tax in First Year After the Purchase.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 3, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

Senate Bill No. 45. A Bill for an Act to Re-enact Chapter 110 of the Session Laws of North Dakota for the Year of 1935, Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Senate Bill No. 63. A Bill for an Act to Regulate the

Practice of Lobbying Requiring Certain Information to be Filed Relative to Lobbyists and Providing Penalty for the Violation Thereof.

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Chapter 243 of the Session Laws of 1939 Relating to the Distribution of Seeds and Planting Stock by the State Forester, and Declaring an Emergency.

Senate Bill No. 94. A Bill for an Act Prohibiting Any Sheriff, Deputy Sheriff or Employee in the Sheriff's Office or Any Constable from Acting as a Collector or Collection Agent for Any Person, Firm or Corporation in the Collection of Any Account or Claims in the County Where He Is Acting as Such Sheriff, Deputy Sheriff or Employee, and and Prescribing Penalties.

Senate Bill No. 103. A Bill for an Act Recognizing the Rule Making Powers of the Supreme Court; Providing That Existing Statutes of Procedure Shall Be Continued in Effect as Rules of Court Until Altered by the Supreme Court; Providing That Procedural Statutes Exist as Rules of Court; Authorizing the Supreme Court to Amend Rules Promulgated By It and Statutes Governing Procedure; Permitting the Supreme Court to Make New Rules; Providing for Hearings on Rules Before the Same Are Promulgated By the Court; Providing for the Making of a Complaint to the Supreme Court Against Rules and for Hearing on Such Complaint; Providing for Giving Notice of the Effective Date of the Rules Promulgated By the Court; and Authorizing the Supreme Court to Make Rules Governing the Practice of Law and for the Admission, Disbarment, Discipline, and Reinstatement of Attorneys at Law.

Senate Bill No. 104. A Bill for an Act to Repeal Chapter 235 of the Session Laws for the Year 1917, Being Sections 5604a1 to 5604a82, Both Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Registration of Land and the Title Thereto in the State of North Dakota.

Senate Bill No. 105. A Bill for an Act to Repeal Sections 6553 to 6619, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota, Relating to Marine Insurance.

Senate Bill No. 131. A Bill for an Act Validating the Record of Mineral Deeds in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act Validating the Record of All Deeds and Mortgages in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 3, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 7. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods

of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, North Dakota, for the Care and Education of Crippled Children, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Rep. Swanson moved that the House do now recess until 12:30 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTY-SIXTH DAY AFTER RECESS AND
FIFTY-SEVENTH DAY

Bismarck, March 4, 1941.

The House re-assembled at 12:30 P. M., pursuant to recess, Speaker Symington presiding.

The Speaker announced the House would continue on the Fifth Order of Business.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 1
House Bill No. 95
House Bill No. 117
House Bill No. 128
House Bill No. 141
House Bill No. 166
House Bill No. 212

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Houes Bill No. 176

And find the same correctly Re-enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

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The Chief Clerk announced that the Speaker was about to sign:

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And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 142. A Bill for an Act Authorizing the Board of County Commissioners of the Counties of the State of North Dakota to Confirm, Approve and Adopt Oil and Gas Leases, Executed by Owners of the Right of Redemption, Owners of the Title to and Owners of Interests in Lands Subject to Delinquent Tax Charges, Including Lands the Tax Charges Against Which Have Been Adjusted by Contract, and Lands Forfeited to the County Under Tax Proceedings, and Held by the County by Tax Deeds Sufficient to Constitute Color of Title in the County; and Providing That Upon Such Confirmation, Approval or Adoption, That Such Oil and Gas Leases Shall Be and Become Binding Upon the County and the Lessee Named Therein and Assigns,

with Like Force and Effect as Though the County Had Become a Party to the Said Leases; and Providing for the Payment of Rentals, Bonuses and Royalties and the Distribution and Allocation Thereof; and Providing for Constructive Notice to Purchasers of Said Lands from the County, and Validating Prior Proceedings of County Commissioners in Substantial Compliance Herewith.

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And the Speaker signed the same in the presence of the House.

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The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 94. A Bill for an Act Prohibiting Any Sheriff, Deputy Sheriff or Employee in the Sheriff's Office or Any Constable from Acting as a Collector or Collection Agent for Any Person, Firm or Corporation in the Collection of Any Account or Claims in the County Where He Is Acting as Such Sheriff, Deputy Sheriff or Employee, and Prescribing Penalties.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Chapter 243 of the Session Laws of 1939 Relating to the Distribution of Seeds and Planting Stock by the State Forester, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 63. A Bill for an Act to Regulate the Practice of Lobbying Requiring Certain Information to be Filed Relative to Lobbyists and Providing Penalty for the Violation Thereof.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

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And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And the Speaker signed the same in the presence of the House.

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And the Speaker signed the same in the presence of the House.

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Senate Bill No. 7. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 9. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 10. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, North Dakota, for the Care and Education of Crippled Children, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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The Chief Clerk announced that the Speaker was about to sign:

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And the Speaker signed the same in the presence of the House.

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And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 16. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 141. A Bill for an Act Amending and Re-enacting Sections 578b1, 578b3, 578b4, 578b5, 578b7 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; To Amend and Re-enact Chapter 139 of the Session Laws of North Dakota for 1937; Providing for a State Board of Electricians, Prescribing Their Duties; Providing for Classification and Licensing of Electric Workers; Prescribing Fees for the Examination and License; Providing for Inspection and Regulation of Electric Work; Providing for Allocation of Fees; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 166. A Bill for an Act to Amend and Re-enact Sections 8247a1, 8247a2, 8247a3, 8247a4, 8247a5, 8247a10, 8247a16, 8247a17, 8247a47, 8247a57 and 8247a60 of the Supplement to the Compiled Laws of 1925 as Amended and Re-enacted by Sections 1, 2, 3, 5, 6, 11, 21, 22, 30, 35, and 37 of Chapter 253 of the Session Laws of North Dakota for 1939 Relating to Irrigation Districts, Their Functions, Powers and Duties.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 212. A Bill for an Act to Provide for Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal.

And the Speaker signed the same in the presence of the House.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 4, 1941.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or

Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 4, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 202. A Bill for an Act Providing for Proof of Birth, the Correction of Birth Records, the Issuance by the State Registrar of Vital Statistics of a Certification of the Record of the Proof of Birth, Providing that All Records of State Registrar of Vital Statistics are Confidential, Repealing Chapter 109 of the Session Laws for the Year 1939 and Declaring an Emergency.

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 2, 4, 5, 6, 7, 8, 9, 12 and 17, of Chapter 232, Laws of North Dakota for 1937, as amended by Chapter 215, Laws of 1939, the Same Being Known as the North Dakota Unemployment Compensation Law; Providing for Definitions of the Terms Used in Said Act; Providing a Definition of Agricultural Labor; Providing for Included and Excluded Services; Providing for the Payment of Contributions Into an Unemployment Compensation Fund; Providing for Contribution Rates Based Upon a System of Experience Rating; Providing for the payment of benefits to Unemployed Individuals and Specifying the Amount and Duration Thereof; Providing Conditions of Eligibility for Benefits; Providing for the Disqualification of Individuals Under Certain Circumstances; Providing the Procedure for making Claims for Benefits and the Determination Thereof; Providing Procedure for Appeals; Providing for the Period, Election and Termination of Coverage for Employers; Providing for a System of Reciprocal Arrangements With Other States and With the

United States; Providing Penalties for Violations of the Unemployment Compensation Law; Providing Prohibiting the Disclosure of Information; Providing for the Reimbursement of Funds in Certain Circumstances.

Senate Bill No. 201. A Bill for an Act Specifying the Duties of the Clerks of the District Court and of the County Court with Increased Jurisdiction Relating to the Furnishing of Information to the State Registrar of Vital Statistics.

Which the House has amended.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 4, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 95. A Bill for an Act to Provide for the Taxation of Leasehold, Equitable, and Executory Interests in Real Property, of Which the Principal Estate is Exempt; to Provide for the Creation of a Lien in Favor of the State as Security for the Payment of Such Taxes; to Provide for the Mode of Foreclosing Such Lien; to Impose Duty to Collect Such Taxes; to Make Officials Liable for Neglect of Such Duty; to Repeal Section 2118 of the North Dakota 1913 Compiled Laws and All Acts and Parts of Acts in Conflict with This Act; and to Create an Emergency.

Senate Bill No. 147. A Bill for an Act Providing Relief for the Poor, Prescribing the Procedure Therefor, Defining the Duties of the County Commissioners, Township Supervisors, City Commissioners, City Councilmen and Village Trustees in Respect Thereto, Granting the District Courts Power to Determine Issues Involving Removal of Poor Persons and the Legal Residence Thereof; Providing for County Welfare Boards; Providing for Financial Responsibility of Counties and Local Subdivisions for the Aid to Needy Persons; Prescribing Method for Distribution of Funds by Public Welfare Board of North Dakota to Counties; and Repealing Chapter 97 of the Session Laws of North Dakota for 1933, as Amended by Chapters 119 and 123 of the Session Laws of 1935, and Chapters 124 and 126 of the Session Laws of North Dakota for 1939, and All Acts or Parts of Acts in Conflict Herewith.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Repeal, and Declaring an Emergency.

Senate Bill No. 173. A Bill for an Act Conferring Additional Powers Upon Cities and Park Districts; Authorizing the Leasing or Rental of Public Property Thereof; Limiting the Terms of Such Leases or Rental Agreements; Validating Certain Acts of Municipalities.

Senate Bill No. 77. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 221 of the Session Laws of North Dakota for the Year 1935, Providing for the Appointment of Members of the State Board of Public Welfare.

Senate Bill No. 191. A Bill for an Act to Repeal Chapter 120 of the Session Laws of 1915 Relating to Poor Relief Fund Transfer.

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing for the Amendment of Sections 53, 56 and 60 of Article 2 of the Constitution of the State of North Dakota, Relating to the Convening of the Legislative Assembly.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

House of Representatives,

Bismarck, March 4, 1941.

Mr. President: I have the honor to return:

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Senate Bill No. 36. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 174. A Bill for an Act Providing for the Dissolution of Irrigation Districts; Providing for the Sale of the Assets of Such Districts; Providing for the Disposition of Cash Assets of the District After All District Obligations Have Been Fully Paid; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 109. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for the Repeal of Acts in Conflict Herewith.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Article 29, Section 2791 of the 1913 Compiled Laws.

Senate Bill No. 126. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96 of the Session Laws for the State of North Dakota, as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937, Relating to Reserve Fund Requirements for State Banking Associations.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

House of Representatives,

Bismarck, March 4, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 124. A Bill for an Act to Prohibit the Sale, Offering or Exposing for Sale of Fireworks, and to Regulate the Manner of Their Use, and to Provide Penalties for the Violation of the Provisions of This Act.

Senate Bill No. 125. A Bill for an Act Amending Article 2889b6, 1925 Supplement to the 1913 Compiled Laws of North Dakota Known as the North Dakota Food and Drugs

Act and Chapter 132 of 1937 Laws of North Dakota; to Regulate the Sale of Dangerous Drugs; and to Provide for the Control of New Drugs.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 4, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Senate Bill No. 194. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Senate Bill No. 169. A Bill for an Act Providing for the Destruction of Certain Bonds, Coupons, Warrants and Other Evidences of Debt of Cities and Villages, Providing the Procedure to Be Adopted and Used Before Destruction and the Time During Which Such Documents Must Be Kept Before Destruction Thereof.

Senate Bill No. 146. A Bill for an Act Authorizing City Councils of Cities in the State Having a Population 15,000 and Over to Provide Ordinances for the Regulating and Inspecting of Food Markets, Stores and Other Places of Business Where Food Intended for Human Consumption Is Sold at Retail and to Prohibit the Operation Thereof on Sundays, Legal Holidays Not Inconsistent with the Provisions of Any State Laws Relating to the Same Subject Matter; Declaring an Emergency.

Senate Bill No. 142. A Bill for an Act Authorizing the Board of County Commissioners of the Counties of the State of North Dakota to Confirm, Approve and Adopt Oil and Gas Leases, Executed by Owners of the Right of Redemption, Owners of the Title to and Owners of Interests in Lands Subject to Delinquent Tax Charges, Including Lands the Tax Charges Against Which Have Been Adjusted by Contract, and Lands Forfeited to the County Under Tax Proceedings, and Held by the County by Tax Deeds Sufficient to Constitute Color of Title in the County; and Providing That Upon Such Confirmation, Approval or Adoption, That Such Oil and Gas Leases Shall Be and Become Binding Upon the County and the Lessee Named Therein and Assigns, with Like Force and Effect as Though the County Had Become a Party to the Said Leases; and Providing for the Payment of Rentals, Bonuses and Royalties and the Distribution and Allocation Thereof; and Providing for Constructive Notice to Purchasers of Said Lands from the County, and Validating Prior Proceedings of County Commissioners in Substantial Compliance Herewith.

Senate Bill No. 136. A Bill for an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mort-

gages and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Senate Bill No. 135. A Bill for an Act Authorizing Executors and Administrators of Decedents and Guardians of Minors and Incompetents to Execute Oil and Gas Leases, Providing for the Procedure for the Approval and Confirmation of Such Leases, and Validating All Such Leases Executed Prior to the Passage and Taking Effect of This Act, and Declaring an Emergency.

Senate Bill No. 134. A Bill for an Act to Authorize the Leasing of Land Owned by School Districts, Cities, Villages, Townships and Park Districts, for Oil and Gas; Authorizing the Governing Boards to Make Such Leases; Providing for the Consolidation of Such Oil and Gas Leases with Adjoining Lands for Operation and Development; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Senate Bill No. 132. A Bill for an Act Validating the Record of All Deeds and Mortgages in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 131. A Bill for an Act Validating the Record of Mineral Deeds in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Senate Bill No. 105. A Bill for an Act to Repeal Sections 6553 to 6619, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota, Relating to Marine Insurance.

Senate Bill No. 104. A Bill for an Act to Repeal Chapter 235 of the Session Laws for the Year 1917, Being Sections 5604a1 to 5604a82, Both Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Registration of Land and the Title Thereto in the State of North Dakota.

Senate Bill No. 103. A Bill for an Act Recognizing the Rule Making Powers of the Supreme Court; Providing That Existing Statutes of Procedure Shall Be Continued in Effect as Rules of Court Until Altered by the Supreme Court; Providing That Procedural Statutes Exist as Rules of Court; Authorizing the Supreme Court to Amend Rules Promulgated By It and Statutes Governing Procedure; Permitting the Supreme Court to Make New Rules; Providing for Hearings on Rules Before the Same Are Promulgated By the Court; Providing for the Making of a Complaint to the Supreme Court Against Rules and for Hearing on Such Complaint; Providing for Giving Notice of the Effective Date of the Rules Promulgated By the Court; and Authorizing the Supreme Court to Make Rules Governing the Practice of Law and for the Admission, Disbarment, Discipline, and Reinstatement of Attorneys at Law.

Senate Bill No. 94. A Bill for an Act Prohibiting Any Sheriff, Deputy Sheriff or Employee in the Sheriff's Office or Any Constable from Acting as a Collector or Collection Agent for Any Person, Firm or Corporation in the Collection of Any Account or Claims in the County Where He

Is Acting as Such Sheriff, Deputy Sheriff or Employee, and Prescribing Penalties.

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Chapter 243 of the Session Laws of 1939 Relating to the Distribution of Seeds and Planting Stock by the State Forester, and Declaring an Emergency.

Senate Bill No. 63. A Bill for an Act to Regulate the Practice of Lobbying Requiring Certain Information to be Filed Relative to Lobbyists and Providing Penalty for the Violation Thereof.

Senate Bill No. 45. A Bill for an Act to Re-enact Chapter 110 of the Session Laws of North Dakota for the Year of 1935, Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

Senate Bill No. 22. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Senate Bill No. 121. A Bill for an Act to Exempt New Farm Machinery, Purchased to Be Used in Farming Operations from Personal Property Tax in First Year After the Purchase.

Senate Bill No. 7. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 9. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 10. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 20. A Bill for an Act Making an Appropria-

tion for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, North Dakota, for the Care and Education of Crippled Children, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission.

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Senate Bill No. 16. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Senate Bill No. 100. A Bill for an Act to Prohibit Sales of Total Assets and Reorganizations of Corporations Unless Authorized by a Two-thirds Vote of Stockholders or Members, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Highways and Bridges to whom was referred Senate Bill No. 111, have had the same under consideration and recommend that the same do pass.

A. C. JOHNSON, Chairman.

Rep. Langley moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 184, have had the same under consideration and recommend that the same be amended as follows:

In line One of Title, strike the word "reform" and insert in lieu thereof the word "survey."

On page 2 at line 10 of the preamble, strike the word "next."

Strike Section one and insert in lieu thereof the following: "SECTION 1. There is hereby established a Governmental Survey Commission consisting of the Governor, one member of the House of Representatives, and one member of the Senate, of the Twenty-seventh Legislative Assembly; said legislative members shall be selected by a roll call vote of the members of the branch of the Legislative Assembly from which they are chosen, prior to the adjournment of the present session of said Twenty-seventh Legislative Assembly. The Governor shall be Chairman of the Commission."

In Section 3, line 3, strike the word "reform" and insert in lieu thereof the word "survey."

In Section 4, line 3, strike the word "reform" and insert in lieu thereof the word "survey."

In Section 8, line 2, strike the word "reform" and insert in lieu thereof the word "survey."

In Section 8, line 22, strike the word "appeal" and insert in lieu thereof the word "repeal."

In Section 8, line 23, strike the word "next".

In Section 9, line one, strike the word "reform" and insert in lieu thereof the word "survey." Also in line 21 strike the word "reform" and insert in lieu thereof the word "survey."

In Section 9, line 27, strike the word "reform" and insert in lieu thereof the word "survey."

After line 29 of Section 9 insert the following: "(3) To accept funds or services from any individual or group, public, private or governmental, which will aid the Commission in its work".

In Section 10, line one, strike the word "commissioners" and insert in lieu thereof the word "commission."

In Section 10, line 12, strike the word "Governor" and insert in lieu thereof the following: "an advisory board consisting of the Governor, State Examiner, Attorney General, three others to be chosen by the Governor, who shall be a representative of the School of Accounting of the University of North Dakota, and two finance officers of political subdivisions."

In Section 10, line 43, strike the word "Governor" and insert in lieu thereof the words "Advisory Board."

In Section 10, line 51, strike the words "to the Governor."

In Section 11, beginning at line 3, strike the words "to a board composed of the Governor, State Examiner, Attorney General, and four others to be chosen by the Governor, one representative of the School of Accounting of the University of North Dakota, two finance officers of political subdivisions, and one other," and insert in lieu thereof, "to the Advisory Board."

In Section 11, at line 8, strike the words "after due consideration a majority of said board are" and insert in lieu thereof the words "after due consideration and recommendations from said Advisory Board, the said Commission is."

In Section 12, line 2, strike the word "commissioners" and insert in lieu thereof the word "commission."

In Section 12, line 15, strike the word "board" and insert in lieu thereof the word "commission."

In Section 13 at line 4, after the word "reform" insert "uniform accounting and utilization of physical resources."

In Section 14, line 2, strike the word "reform" and insert in lieu thereof the word "survey."

In Section 14, line 8, strike the word "reform" and in lieu thereof insert the word "survey."

In Section 14, line 9, strike the word "reform" and insert in lieu thereof the word "survey."

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman

Rep. Saumur moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 164, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 152, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Crockett moved that the report be adopted.

Rep. Aker moved a substitute motion that Senate Bill No. 152 be indefinitely postponed, which motion was lost.

The question being on the motion of Rep. Crockett that Senate Bill No. 152 do pass, the motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 43, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill", and insert in lieu thereof the following:

"For an act to amend and re-enact Sub-section 4 of Section 1, and Section 2, of Chapter 241 of the Session Laws of North Dakota for 1939, and to repeal Sub-section 9 of Section 3 of Chapter 241 of the Session Laws of North Dakota for 1939, being an act to impose a tax on the storage, use or consumption in this state of tangible personal property, as such terms are defined therein; to provide certain exemptions therefrom; to provide for the collection of such tax and the administration of the act; to fix fines and penalties for the violation of the provisions of the act, and to re-adopt Sections 1, 3, excepting Sub-section 9 of Sections 3, 4, 5, 6, 8, 9, and 10 of said act by reference, and to amend and re-enact Sections 7, 11, and 14 of said Chapter 241 of the Session Laws of North Dakota for 1939.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 Section 1. Amendment.) That Sub-Section 4 of
- 2 Section 1 of Chapter 241 of the Session Laws of North
- 3 Dakota for 1939, be amended and re-enacted to read as
- 4 follows:
- 5 (4). "Tangible personal property" means tangible
- 5a goods,
- 6 wares and merchandise, gas, electricity, and water, when
- 7 furnished or delivered to consumers or users within this
- 8 state, and also means machinery, appliances, apparatus,
- 9 and other like property when leased for use within this
- 10 state, or when purchased without this state, and used or
- 11 operated by the owner or lessee thereof within this state.
- 12 Section 2. Amendment.) That Section 2 of Chapter

13 241 of the Session Laws of North Dakota for 1939, is
14 hereby amended and re-enacted to read as follows:

15 Section 2. Tax Imposed.) An excise tax is hereby
16 imposed on the storage, use or consumption in this state
16a of

17 tangible personal property purchased at retail for stor-
17a age,

18 use or consumption in this state, at the rate of two
19 percent (2%) of the purchase price of such property.

20 Section 3. Repeal.) That Sub-Section 9 of Section 3
21 of Chapter 241 of the Session Laws of North Dakota for
21a 1939,

22 be and the same is hereby repealed.

23 Section 4. Provisions of Use Tax Law Applicable.)

24 All of the provisions of Section 1, except Sub-Section 4
25 thereof (which is separately re-enacted herein), Section
26 3, except Sub-Section 9 thereof, Section 4, Section 5,
27 Section 6, Section 8, Section 9, and Section 10, of

28 Chapter 241 of the Session Laws of North Dakota for the
29 year 1939, are hereby incorporated into and made a part
29a of

30 this Act; and the Tax Commissioner is hereby authorized
30a and

31 empowered to enforce the provisions thereof, and for that
32 purpose, shall exercise all of the powers and duties
33 conferred upon him by the Use Tax and Sales Tax Laws in
34 effect in this State.

35 Section 5. Provisions of Sales Tax Act Applicable.)

36 All of the provisions of Section 5, Sub-Sections 4 and 5 of
37 Section 10, and Sections 11, 12, 13, 14, 15, 16, 17, 18, 19,
38 20, 21, and 22, of Chapter 249 of the Session Laws of
38a North

39 Dakota for the year 1937, and any amendment or re-
39a enactment

40 thereof, are hereby incorporated into and made a part of
41 this Act; and the Tax Commissioner is hereby authorized
42 and empowered to enforce all of the powers and duties
43 conferred upon him by the provisions of said Chapter
43a 249 of

44 the Session Laws of North Dakota for the year 1937,
44a and any

45 amendment or re-enactment thereof.

46 Section 6. Amendment.) That Section 7 of Chapter
46a 241

47 of the Session Laws of North Dakota for 1939, be amended
47a and

48 re-enacted to read as follows:

49 Section 7. Unlawful Advertising.) It shall be un-
49a lawful

50 for any retailer to advertise or hold out or state to the
51 public or to any purchaser, consumer or user, directly or
52 indirectly, that the tax or any part thereof imposed by
52a this

53 Act will be assumed or absorbed by the retailer or that it
54 will not be added to the selling price of the property sold,
55 or if added that it or any part thereof will be refunded.

56 Any person violating any of the provisions of this Section
57 within this State shall be guilty of misdemeanor and

57a subject

58 to a fine of not to exceed one hundred (\$100.00) dollars for
59 each offense or to imprisonment for not to exceed thirty
59a (30)
60 days or to both such fine and imprisonment in the
60a discretion
61 of the court.

62 Section 7. Amendment.) That Section 14 of Chapter
62a 241

63 of the Session Laws of North Dakota for 1939, be
63a amended and

64 re-enacted to read as follows:

65 Section 14. Unlawful Sale or Soliciting.) It shall be
66 unlawful for any agent, canvasser, or employee of any
67 retailer, not authorized by permit from the Tax Com-
67a missioner

68 of the State of North Dakota to collect the tax as herein
69 provided, to sell, solicit orders for or deliver any
70 tangible personal property in this State. Any such agent,
71 canvasser or employee violating the provisions of this Act
72 shall be guilty of a misdemeanor and subject to a fine of
73 not to exceed one hundred (\$100.00) dollars for each such
74 offense or to imprisonment for not to exceed thirty (30)
75 days or to both such fine and imprisonment in the
76 discretion of the court.

77 Section 8. Severability Clause.) If any section,
78 subsection, clause, sentence, or phrase of this act is, for
79 any reason, held to be unconstitutional and invalid, such
80 decision shall not effect the validity of the remaining
81 portions of this act. The legislature hereby declares that
82 it would have passed this act and each section, subsection,
83 clause, sentence or phrase hereof, irrespective of whether
84 any one or more of the sections, subsections, clauses,
85 sentences, or phrases, be declared unconstitutional."

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

Rep. Nystrom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Printing to whom was referred Senate Bill No. 175, have had the same under consideration and recommend that the same do pass.

W. E. SELLENS, Chairman.

Rep. Peterson of Ransom moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Tax and Tax Laws, to whom was referred Senate Bill No. 198, have had the same under consideration and recommend that the same be amended as follows:

In Section 4 of the original bill, after the period following the words "State Treasurer", in line 21 on page 6, insert the following: "Bonds issued under paragraph (b) of Section 3 hereof, may have double interest coupons attached to the date of the maturities of the bonds refunded".

In Section 5, line 2, page 7, strike out the word "issue and comma".

In lines 77 and 78 on page 9, after the words "Date of" strike out the balance of the sentence consisting of the words "issue stated therein", and insert in lieu thereof, the words "such bonds".

In line 2 on page 9 after the word "property" strike out the word "of" and insert in lieu thereof the word "in".

In line 84 on page 12 after the word "collections" insert the following: "received from levies made for each of the three preceding years".

In line 7 on page 14 after the word "all", insert the words "net proceeds of".

And when so amended recommend it be returned to the House without recommendation.

L. K. MORLAND, Chairman.

Rep. Shure moved that the report be adopted.

Rep. Swanson moved a substitute motion that Senate Bill No. 198 be indefinitely postponed, which motion prevailed.

Rep. Aker moved that the vote by which Senate Bill No. 198 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Tax and Tax Laws to whom was referred Senate Bill No. 82, have had the same under consideration and recommend that the same do pass.

L. K. MORLAND, Chairman.

Rep. Kindem moved that the report be adopted.

Rep. Bymers moved a substitute motion that Senate Bill No. 82 be indefinitely postponed, which motion prevailed.

Rep. Bubel moved that the vote by which Senate Bill No. 82 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Sections 5518 and 5519 of the Compiled Laws of North Dakota for 1913, Relating to Aid to Assessors in Valuing Coal Deposits Reserved to Grantors by Providing That All Deeds and Transfers of Real Property Which Reserves the Coal Deposits to the Grantor Shall Contain a Full Description of the Coal Deposits so Reserved, Its Length, Width, and Thickness, and Validating All Reservations and Conveyances of Other Minerals or Mineral Deposits Made Prior to the Passage and Taking Effect of This Act, and Limiting the Time Within Which Actions May Be Commenced in the Courts of This State to Contest the Validity or Legality of Such Reservations or Conveyances, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

SECOND READING OF SENATE BILLS

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota: Providing for Reports and Deductions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Sargent
Allen	Gackle	Nelson, Steele
Anderson	Gainor	Nicholsen
Arndt	Glas	Nystrom
Arneson	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bingenheimer	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Bolmeier	Ireland	Saumur
Boulden	Jennings	Schmidt
Braun, McLean	Johnson, Cass	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Swanson
Culver	McInnes	Trydahl
Devlin	McIntee	Tuff
Dittmer	McIntyre	Welder
Drovdal	Moe	Westby
Erickson, Divide	Mollet	Williams, Richland
Falconer	Morrison	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser		

Absent and not voting:

Blair	Morland	Stormon
Dalzell	Myers	Twichell
Erickson, Williams	Sandness	Wambheim
Johnson, Richland	Shure	

So the bill passed and the title was agreed to.

Rep. Panko moved that the vote by which Senate Bill No. 21 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 26. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fraser	Nelson, Steele
Anderson	Fuglestad	Nicholsen

Arneson	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Benno	Halvorson	Peterson, Bottineau
Bergesen	Haugen	Peterson, Ransom
Bingenheimer	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schmidt
Boulden	Ireland	Schwartz
Braun, McLean	Jennings	Sellens
Braun, Stark	Johnson, Cass	Semerad
Brusseau	Juhola	Severson
Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Levin	Stormon
Crockett	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McIntee	Tuff
Devlin	McIntyre	Welder
Dittmer	Mollet	Williams, Richland
Drovdal	Morrison	Williams, Stutsman
Erickson, Divide	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris		

Absent and not voting:

Erickson, Williams	Morland	Twichell
Johnson, Richland	Myers	Wambheim
McInnes	Sandness	Westby
Moe	Starck	

So the bill passed and the title was agreed to.

Senate Bill No. 37. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fraser	Nelson, Steele
Anderson	Fuglestad	Nicholsen
Arneson.	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Austad	Glas	Olson, Barnes
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Benno	Halvorson	Peterson, Bottineau

Bergesen	Haugen	Peterson, Ransom
Bingenheimer	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Schmidt
Bolmeier	Holm	Schwartz
Boulden	Ireland	Sellens
Braun, McLean	Jennings	Semerad
Braun, Stark	Johnson, Cass	Severson
Brusseau	Juhola	Sharpe
Bubel	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Starck
Coghlan	Larson	Stormon
Collette	Levin	Swanson
Crockett	Lillehaugen	Trydahl
Culver	Lunde	Tuff
Dalzell	McIntee	Wambheim
Devlin	McIntyre	Welder
Dittmer	Moe	Williams, Richland
Drovdal	Mollet	Williams, Stutsman
Erickson, Divide	Morrison	Wolf, McIntosh
Falconer	Nelson, Cass	Wolf, Morton
Fitch	Nelson, Morton	Mr. Speaker
Fitzharris	Nelson, Ramsey	
Absent and not voting:		
Erickson, Williams	Myers	Smart
Johnson, Richland	Sandness	Twichell
McInnes	Saumur	Westby
Morland		

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill 128.

W. J. TROUT, Secretary.

Rep. Beede requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Beede moved that the House accede to the request of the Senate for the return of House Bill No. 128, which motion prevailed.

Rep. Ohnstad moved that the House reconsider its action taken on Senate Bill No. 165, and that it be placed on the calendar, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 4, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be

Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

House Bill No. 141. A Bill for an Act Amending and Re-enacting Sections 578b1, 578b3, 578b4, 578b5, 578b7 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; To Amend and Re-enact Chapter 139 of the Session Laws of North Dakota for 1937; Providing for a State Board of Electricians, Prescribing Their Duties; Providing for Classification and Licensing of Electric Workers; Prescribing Fees for the Examination and License; Providing for Inspection and Regulation of Electric Work; Providing for Allocation of Fees; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

House Bill No. 166. A Bill for an Act to Amend and Re-enact Sections 8247a1, 8247a2, 8247a3, 8247a4, 8247a5, 8247a10, 8247a16, 8247a17, 8247a47, 8247a57 and 8247a60 of the Supplement to the Compiled Laws of 1925 as Amended and Re-enacted by Sections 1, 2, 3, 5, 6, 11, 21, 22, 30, 35, and 37 of Chapter 253 of the Session Laws of North Dakota for 1939 Relating to Irrigation Districts, Their Functions, Powers and Duties.

House Bill No. 212. A Bill for an Act to Provide for Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 4, 1941.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Sections 5518 and 5519 of the Compiled Laws of North Dakota for 1913, Relating to Aid to Assessors in Valuing Coal Deposits Reserved to Grantors by Providing That All Deeds and Transfers of Real Property Which Reserves the Coal Deposits to the Grantor Shall Contain a Full Description of the Coal Deposits so Reserved, Its Length, Width, and Thickness, and Validating All Reservations and Conveyances of Other Minerals or Mineral Deposits Made Prior to the Passage and Taking Effect of This Act, and Limiting the Time Within Which Actions May Be Commenced in the Courts of This State to Contest the Validity or Legality of Such Reservations or Conveyances, and Declaring an Emergency.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 4, 1941.

Mr. President: I have the honor to return herewith the following bill:

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Quinness Patent Butter and to Patent Butter and Cheese.

Which the Senate has requested.

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 276 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 97 of the Laws of North Dakota for the Year 1919 Relating to the Contingent Fund at State Institutions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 103; nays, 2; absent not voting, 6.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Sargent
Allen	Gackle	Nelson, Steele
Anderson	Gainor	Nicholsen
Arneson	Glas	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Bergesen	Haugland	Peterson, Bottineau
Bingenheimer	Heckman	Peterson, Ransom
Bjella	Hofstrand	Rohde
Black	Hogoboom	Rygg
Blair	Holm	Sagehorn
Bolmeier	Ireland	Saumur
Boulden	Jennings	Schmidt
Braun, McLean	Johnson, Cass	Schwartz
Braun, Stark	Johnson, Richland	Sellens
Brusseau	Juhola	Semerad
Bubel	Kee	Severson
Bymers	Kindem	Sharpe
Carlson	Langley	Shure
Coghlan	Larson	Singleton
Collette	Levin	Smart
Crockett	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Falconer	Morrison	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser		

Those voting in the negative were:

Welder Wolf, Morton

Absent and not voting:

Benno	Morland	Sandness
Erickson, Williams	Myers	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 204. A Bill for an Act to Make an Appropriation to Pay Expenses Resulting from the Death of Honorable Max Rabinovich, Member of the State Board of Pardons, While Away from His Home in the Performance of His Official 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, 78; nays, 27; absent and not voting, 6.

Those voting in the affirmative were:

Allen	Fitch	Nelson, Cass
Anderson	Fitzharris	Nelson, Morton
Arneson	Fleck	Nelson, Steele
Arndt	Fraser	Nicholsen
Austad	Glas	Ohnstad
Beede	Haugen	Olson, Barnes
Belzer	Haugland	Olson, Bowman
Benno	Heckman	Panko
Bergesen	Hofstrand	Peterson, Ransom
Bingenheimer	Hogoboom	Rohde
Bjella	Holm	Rygg
Black	Ireland	Sagehorn
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Kee	Shure
Brusseau	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Swanson
Collette	Lillehaugen	Trydahl
Crockett	Lunde	Tuff
Dalzell	McIntee	Twichell
Drovdal	McIntyre	Williams, Richland
Erickson, Divide	Mollet	Williams, Stutsman
Falconer	Morrison	Wolf, Morton

Those voting in the negative were:

Aker	Gress	Schmidt
Braun, Stark	Haag	Semerad
Bubel	Halvorson	Severson
Culver	Juhola	Sharpe
Devlin	Moe	Stormon
Dittmer	Nelson, Ramsey	Wambheim
Fuglestad	Nelson, Sargent	Welder
Gackle	Nystrom	Wolf, McIntosh
Gainor	Peterson, Bottineau	Mr. Speaker

Absent and not voting:

Erickson, Williams	Morland	Sandness
McInnes	Myers	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 186. A Bill for an Act Removing Statutory

Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between April 1, 1941 and June 30, 1943; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 64; nays, 44; absent and not voting, 3.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Arneson	Gainor	Olson, Barnes
Arndt	Haugland	Olson, Bowman
Austad	Hofstrand	Peterson, Ransom
Benno	Hogoboom	Sagehorn
Bergesen	Holm	Sandness
Bjella	Ireland	Saumur
Black	Johnson, Cass	Sellens
Blair	Johnson, Richland	Severson
Bolmeier	Juhola	Sharpe
Boulden	Kee	Shure
Braun, McLean	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Culver	Morland	Trydahl
Dalzell	Nelson, Cass	Twichell
Erickson, Williams	Nelson, Ramsey	Wambheim
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Mr. Speaker
Fleck		

Those voting in the negative were:

Anderson	Gress	Ohnstad
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Bingenheimer	Haugen	Rohde
Braun, Stark	Heckman	Rygg
Brusseau	Jennings	Schmidt
Bubel	Larson	Schwartz
Crockett	Levin	Semerad
Devlin	Lillehaugen	Starck
Dittmer	McIntee	Tuff
Droydal	McIntyre	Welder
Erickson, Divide	Moe	Williams, Richland
Falconer	Mollet	Wolf, McIntosh
Fraser	Morrison	Wolf, Morton
Glas	Nelson, Morton	

Absent and not voting:

Bymers	Myers	Westby
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So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Carlson moved that the vote by which Senate Bill No. 186 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Rep. Wolf of McIntosh: I am voting "no" for the reason that I don't like dictatorship and every time we get a penny from the Federal Government, they want to tell us how to spend it.

Rep. Ohnstad requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Ohnstad moved that the House request the Senate to return Senate Bill No. 165, which motion prevailed.

Rep. Bolmeier moved that the absent members be excused which motion prevailed.

Rep. Bolmeier moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTY-SEVENTH DAY

Bismarck, March 4, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Dan J. Rueb, Bismarck.

Roll Call disclosed all members present except Reps. Myers and Westby.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-sixth day and recommends that the same be corrected as follows:

On page 1035, line 3 from the bottom of the page change the figure "91" to read "191".

On page 1069, in the roll call, Rep. Culver is recorded as absent and not voting whereas he was present and voted "no".

On page 1068 change the roll call totals to read "nays, 49; absent and not voting, 4."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 4, 1941.

Mr. President: I have the honor to request the return of Senate Bill No. 165, which the House has requested.

C. R. VERRY, Chief Clerk.

Rep. Twichell moved that action on Senate Bill No. 159 be delayed until after 2:00 P. M., tomorrow, which motion prevailed.

Rep. Beede moved that the report of the Committee of the Whole recommending the indefinite postponement of Senate Bill No. 183 be adopted, which motion prevailed.

Rep. Beede moved that the vote by which Senate Bill No. 183 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 166 was read the second time.

Rep. Crockett moved that Senate Bill No. 166 be indefinitely postponed, which motion was lost.

Senate Bill No. 166. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes 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, 63; nays, 46; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fleck	Nicholsen
Allen	Fuglestad	Nystrom
Arneson	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Austad	Haugland	Peterson, Ransom
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Sellens
Blair	Johnson, Cass	Severson
Bolmeier	Johnson, Richland	Sharpe
Boulden	Kee	Shure
Brusseau	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Collette	Moe	Trydahl
Dalzell	Morland	Twichell
Dittmer	Nelson, Cass	Wambheim
Fitch	Nelson, Sargent	Williams, Stutsman
Fitzharris	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Anderson	Gress	Nelson, Ramsey
Beede	Haag	Ohnstad
Belzer	Halvorson	Panko
Bingenheimer	Haugen	Peterson, Bottineau
Braun, McLean	Heckman	Rohde
Braun, Stark	Jennings	Rygg
Bubel	Juhola	Schmidt
Crockett	Larson	Schwartz
Culver	Levin	Semerad
Devlin	Lillehaugen	Starck

Drovdal	McIntee	Tuff
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Williams, Richland
Falconer	Morrison	Wolf, McIntosh
Fraser	Nelson, Morton	Wolf, Morton
Glas		

Absent and not voting:

Myers	Westby
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So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Blair moved that the vote by which Senate Bill No. 166 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 108. A Bill for an Act to Prescribe Uniform Rules of Practice for Administrative Agencies; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 28; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fitzharris	Morland
Allen	Fleck	Nelson, Cass
Anderson	Fuglestad	Nelson, Ramsey
Arneson	Gackle	Nelson, Sargent
Arndt	Glas	Nelson, Steele
Austad	Gress	Nicholsen
Benno	Haugen	Nystrom
Bergesen	Haugland	Ohnstad
Bingenheimer	Heckman	Olson, Barnes
Bjella	Hofstrand	Olson, Bowman
Black	Hogoboom	Peterson, Ransom
Blair	Holm	Rygg
Bolmeier	Ireland	Sagehorn
Boulden	Jennings	Saumur
Braun, McLean	Johnson, Cass	Sellens
Brusseau	Johnson, Richland	Severson
Bymers	Kee	Sharpe
Carlson	Kindem	Singleton
Coghlan	Langley	Stormon
Collette	Larson	Swanson
Dalzell	Lunde	Trydahl
Devlin	McInnes	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Williams, Stutsman
Erickson, Williams	Mollet	Mr. Speaker
Fitch		

Those voting in the negative were:

Beede	Juhola	Schmidt
Belzer	Levin	Schwartz
Braun, Stark	Lillehaugen	Semerad
Bubel	McIntee	Starck
Crockett	Morrison	Tuff
Erickson, Divide	Nelson, Morton	Welder

Falconer	Panko	Williams, Richland
Fraser	Peterson, Bottineau	Wolf, McIntosh
Haag	Rohde	Wolf, Morton
Halvorson		

Absent and not voting:

Culver	Sandness	Smart
Gainor	Shure	Westby
Myers		

So the bill passed and the title was agreed to.

Rep. Stormon moved that the vote by which Senate Bill No. 108 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Which the Senate has amended.

W. J. TROUT, Secretary.

Rep. Fitch requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Fitch sent the following Resolution to the desk which the Chief Clerk read as follows:

HOUSE CONCURRENT RESOLUTION "U"

Introduced by Representatives Fitch and Crockett

A CONCURRENT RESOLUTION

Memorializing the Congress of the United States to maintain a military post at Fort Lincoln.

WHEREAS, Fort Lincoln is situated in approximately the center of an individual area comprising one hundred-fifty thousand square miles with a population of one million two-hundred-fifty thousand, and is supported by an excellent rail and highway network, and is adjacent to a proposed international airline joining the United States, Canada and Alaska, and

WHEREAS, Fort Lincoln is situated in the geographical center of the state and is the only military post in North Dakota and the only one between Fort Snelling in Minnesota and Missoula, Montana, and is the only military post between the Canadian Border on the north, and Fort Meade in the Black Hills section of South Dakota on the south, and

WHEREAS, the buildings and grounds comprising the military post of Fort Lincoln are in excellent condition and are capable of caring for many hundreds of citizens called to the service of their country during the present national emergency, NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE TWENTY-SEVENTH LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DANOTA THE SENATE CONCURRING THEREIN:

- 1 That the Congress of the United States is hereby
- 2 respectfully memorialized and urged to take such steps

3 as are necessary to maintain Fort Lincoln as a military
4 post.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Which the Senate has amended as follows:

In Section 1, line 3, strike out the figures "\$50,199.00" and insert in lieu thereof the figures "\$48,899.00."

In line 12, strike out the figures "\$1,000.00" and insert in lieu thereof the figures "\$500.00."

In line 13, strike out the figures "\$400.00" and insert in lieu thereof the figures "\$200.00."

In line 14, strike out the figures "\$250.00" and insert in lieu thereof the figures "\$150.00."

In line 15, strike out the figures "\$800.00" and insert in lieu thereof the figures "\$300.00."

In line 22, strike out the figures "\$50,199.00" and insert in lieu thereof the figures "\$48,899.00."

W. J. TROUT, Secretary.

Rep. Rhode moved that the House do concur in the Senate amendments to House Bill No. 20, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Concurrent Resolution "U" be admitted, which motion prevailed.

Rep. Fitch moved that the House adopt House Concurrent Resolution "U", which motion prevailed and the Resolution was declared adopted.

Rep. Johnson of Cass moved that the rules be suspended and that House Bill No. 20 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Glas	Nystrom
Allen	Gress	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Bottineau

Belzer	Heckman	Peterson, Ransom
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Levin	Starck
Collette	Lillehaugen	Stormon
Dalzell	Lunde	Swanson
Devlin	McInnes	Trydahl
Drovdal	McIntee	Tuff
Erickson, Divide	Moe	Twichell
Erickson, Williams	Mollet	Wambheim
Falconer	Morland	Welder
Fitch	Morrison	Westby
Fitzharris	Nelson, Cass	Williams, Richland
Fleck	Nelson, Morton	Williams, Stutsman
Fraser	Nelson, Ramsey	Wolf, McIntosh
Fuglestad	Nelson, Sargent	Wolf, Morton
Gackle	Nelson, Steele	Mr. Speaker
Gainor	Nicholsen	
Absent and not voting:		
Beede	Culver	Myers
Bingenheimer	Dittmer	Sandness
Braun, Stark	McIntyre	Semerad
Crockett		

So the bill passed and the title was agreed to.

Rep. Benno moved that the vote by which House Bill No. 20 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 31. A Bill for an Act Making an Appropriation to the Code Revision Commission.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 1; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Morton
Allen	Gackle	Nelson, Ramsey
Anderson	Gainor	Nelson, Sargent
Arneson	Glas	Nelson, Steele
Arndt	Gress	Nicholsen
Austad	Haag	Nystrom
Belzer	Halvorson	Ohnstad
Benno	Haugen	Olson, Barnes
Bergesen	Haugland	Olson, Bowman
Bingenheimer	Heckman	Panko

Bjella	Hofstrand	Peterson, Bottineau
Black	Hogoboom	Peterson, Ransom
Blair	Holm	Rohde
Bolmeier	Ireland	Rygg
Boulden	Jennings	Sagehorn
Braun, McLean	Johnson, Richland	Schwartz
Brusseau	Juhola	Sellens
Bubel	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Coghlan	Larson	Stormon
Collette	Levin	Swanson
Dalzell	Lillehaugen	Trydahl
Devlin	Lunde	Tuff
Drovdal	McInnes	Wambheim
Erickson, Divide	McIntee	Welder
Erickson, Williams	McIntyre	Williams, Richland
Falconer	Mollet	Williams, Stutsman
Fitch	Morland	Wolf, McIntosh
Fitzharris	Morrison	Wolf, Morton
Fleck	Nelson, Cass	Mr. Speaker
Fraser		

Those voting in the negative were:

Schmidt

Absent and not voting:

Beede	Moe	Severson
Braun, Stark	Myers	Smart
Crockett	Sandness	Starck
Culver	Saumur	Twichell
Dittmer	Semerad	Westby
Johnson, Cass		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 167. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil Basis and Providing for the Distribution of an Emergency Fund and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Reports; Repealing Chapter 209 of the Session Laws of 1939 and All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 1; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Sargent
Allen	Gackle	Nelson, Steele
Anderson	Gainor	Nystrom
Arneson	Glas	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko

Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Heckman	Rohde
Bingenheimer	Hofstrand	Rygg
Bjellz	Hogoboom	Sagehorn
Black	Holm	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Braun, McLean	Johnson, Cass	Semerad
Brusseau	Juhola	Severson
Bubei	Kee	Sharpe
Bymers	Kindem	Shure
Carlson	Langley	Singleton
Cognlan	Larson	Smart
Collette	Levin	Starck
Crockett	Lillehaugen	Stormon
Dalzell	Lunde	Trydahl
Devlin	McInnes	Tuff
Drovdal	McIntee	Wambheim
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Williams, Richland
Falconer	Morland	Williams, Stutsman
Fitch	Morrison	Wolf, McIntosh
Fitzharris	Nelson, Cass	Wolf, Morton
Fleck	Nelson, Morton	Mr. Speaker
Fraser	Nelson, Ramsey	

Those voting in the negative were:

Swanson

Absent and not voting:

Boulden	Johnson, Richland	Sandness
Braun, Stark	Moe	Saumur
Culver	Myers	Twichell
Dittmer	Nicholsen	Westby

So the bill passed and the title was agreed to.

Rep. Holm moved that the vote by which Senate Bill No. 167 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 335. A Bill for an Act to Transfer to the General Fund \$20,000 from the Balance on Hand July 1, 1941, in the "Auto Transportation Fund".

House Bill No. 301. A Bill for an Act Relating to the State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of All Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions Upon Which Renewal of Licenses Shall Be Issued and Requirements Prerequisite to the Granting of Such Renewal Licenses; Providing for Penalties and Suspension of License for Failure to Reregister; Providing for Reinstatement After Suspension.

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 523B3 of the 1925 Supplement to the Compiled

Laws of North Dakota for 1913, Providing for Chiropractic License Renewals; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 273. A Bill for an Act for the Licensing, Regulating and Inspecting of Rendering Plants or Establishments, and Providing Punishment for Violation Thereof; Declaring an Emergency.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 176 of the Session Laws of 1931, and as Amended by Chapter 146 of the Session Laws of 1933, Providing for a Lien for Repairs Made on Automobiles, Trucks, Engines, Threshing Machines, Combines, Tractors, Power-driven Farm Equipment and Well Machines. Repeal.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 139. A Bill for an Act Permitting and Authorizing Appeal from All Decisions of the Workmen's Compensation Bureau by Claimants, Irrespective of Whether or Not the Bureau Makes Any Award to Claimant, and Providing for Such Appeals from All Such Decisions of the Bureau for Six Years Last Past; Repealing Laws and Parts of Laws in Conflict Herewith, and Declaring an Emergency.

House Bill No. 291. A Bill for an Act Permitting Employers Subject to the Provisions of Chapter 162 of the 1919 Session Laws of the State of North Dakota, (North Dakota Workmen's Compensation Act) as the Same is Now Amended, at Their Option to Carry Private Insurance; Specifying the Terms and Conditions Under Which the Same May Be Done; Providing for Action of the Workmen's Compensation Bureau Upon All Claims; Permitting Appeals from Certain Decisions of the Workmen's Compensation Bureau; Providing for Payment of Awards and Judgments Against Employers; Requiring Certain Reports by Insuring Companies; Providing Additional Methods of Securing Payment of Obligations Arising in Favor of Insured Employees and Their Dependents; Providing for Partial Support of the North Dakota Workmen's Compensation Bureau by Insuring Companies; Requiring Certain Bonds and Reports to Be Filed by Insuring Companies, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber,

Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return Senate Bill 165 which the House has requested.

W. J. TROUT, Secretary.

Rep. Haugen moved that the House recess for a fifteen minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken, and announced the House would continue on the Fifth Order of Business.

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 18, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, Line 3, strike out "\$9,010.00" and insert in lieu thereof "\$12,660.00".

Line 11, strike out "\$2,160.00" and insert in lieu thereof "\$3,160.00".

Line 12, strike out "\$400.00" and insert in lieu thereof "\$600.00".

Line 14, strike out "\$100.00" and insert in lieu thereof "\$200.00".

Line 15, strike out "\$100.00" and insert in lieu thereof "\$150.00".

Line 17, strike out "\$800.00" and insert in lieu thereof "\$1,600.00".

Add the following after Line 18: "Emergency \$1,500.00". Change the total to "\$12,660.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Trydahl moved that the rules be suspended for the purpose of introducing a certain bill, which motion prevailed.

Rep. Crockett moved that the rules be suspended for the purpose of introducing another bill, which motion was lost on a standing vote.

Roll Call was demanded and granted.

ROLL CALL

The question being on the motion of Rep. Crockett that the rules be suspended for the purpose of introducing a bill, the roll was called and there were ayes, 57; nays, 45; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Erickson, Divide	Mollet
Allen	Erickson, Williams	Nelson, Morton
Anderson	Falconer	Nelson, Ramsey
Austad	Fraser	Ohnstad
Beede	Glas	Olson, Bowman
Belzer	Gress	Peterson, Bottineau
Benno	Haag	Rohde
Bingenheimer	Halvorson	Rygg
Bjella	Haugen	Schwartz
Bolmeier	Haugland	Semerad
Braun, McLean	Heckman	Smart
Braun, Stark	Ireland	Starck
Brusseau	Jennings	Swanson
Bubel	Juhola	Trydahl
Carlson	Larson	Tuff
Crockett	Levin	Welder
Devlin	Lillehaugen	Williams, Richland
Dittmer	McIntee	Wolf, McIntosh

Drovdal	McIntyre	Wolf, Morton
Those voting in the negative were:		
Arneson	Hogoboom	Nystrom
Arndt	Holm	Olson, Barnes
Bergesen	Johnson, Cass	Peterson, Ransom
Black	Kee	Sagehorn
Blair	Kindem	Sandness
Boulden	Langley	Saumur
Bymers	Lunde	Sellens
Coghlan	McInnes	Severson
Collette	Moe	Sharpe
Dalzell	Morland	Singleton
Fitzharris	Morrison	Stormon
Fuglestad	Nelson, Cass	Twichell
Gackle	Nelson, Sargent	Wambheim
Gainor	Nelson, Steele	Williams, Stutsman
Hofstrand	Nicholsen	Mr. Speaker
Absent and not voting:		
Culver	Johnson, Richland	Schmidt
Fitch	Myers	Shure
Fleck	Panko	Westby

So the motion was declared lost.

Rep. Trydahl moved that House Bill No. 340 be mimeographed instead of printed, which motion prevailed.

FIRST READING OF HOUSE BILL

The Committee on Appropriations, approved by Committee on Delayed Bills, introduced:

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15 of Chapter 247 of the Session Laws for the Year 1939 Relating to the Commitment of Veterans; Appointing the Veterans' Service Commissioner as Special Guardian; Authorizing the Transfer of Veterans to Federal Veterans' Administration Hospitals; Requiring the County Judge to Give Written Notices of the Commitment of Veterans and Declaring an Emergency.

Was read the first time and referred to the Comm. on State Affairs.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 315. A Bill for an Act to Amend and Re-enact Chapter 220 of the Session Laws of 1935, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or Any of Its Subdivisions, While Upon Public Expense Account; Providing for a Penalty for Violation Thereof, and Declaring an Emergency. Repeal.

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 135 of the Session Laws of 1935, Relating to the Election of Precinct Committeemen, and to Repeal Section 3 of Chapter 135 of the Session Laws of 1935.

House Bill No. 244. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of North Dakota

of 1913, as Amended by Chapter 226 of the 1937 Session Laws, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 245 of the Session Laws of North Dakota for the Year 1939, Relating to Bounty for Tree Planting.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 17; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Fitch	Nelson, Cass
Allen	Fraser	Nelson, Morton
Arndt	Fuglestad	Nelson, Steele
Austad	Gackle	Nystrom
Beede	Glas	Ohnstad
Belzer	Gress	Olson, Barnes
Benno	Haag	Olson, Bowman
Bergesen	Halvorson	Peterson, Bottineau
Bingenheimer	Haugen	Peterson, Ransom
Bjella	Haugland	Rygg
Black	Heckman	Sandness
Blair	Hofstrand	Saumur
Bolmeier	Hogoboom	Schwartz
Braun, McLean	Ireland	Sharpe
Braun, Stark	Jennings	Singleton
Brusseau	Juhola	Smart
Bubel	Kee	Starck
Bymers	Kindem	Stormon
Carlson	Langley	Trydahl
Collette	Larson	Tuff
Crockett	Levin	Twichell
Dalzell	Lillehaugen	Welder
Devlin	Lunde	Williams, Richland
Dittmer	McInnes	Williams, Stutsman
Drovdal	McIntee	Wolf, McIntosh
Erickson, Divide	McIntyre	Wolf, Morton
Erickson, Williams	Morland	Mr. Speaker
Falconer		

Those voting in the negative were:

Arneson	Johnson, Cass	Rohde
Boulden	Mollet	Sagehorn
Coghlan	Morrison	Sellens
Fitzharris	Nelson, Ramsey	Severson
Gainor	Nelson, Sargent	Wambheim
Holm	Nicholsen	

Absent and not voting:

Anderson	Moe	Semerad
Culver	Myers	Shure

Fleck	Panko	Swanson
Johnson, Richland	Schmidt	Westby

So the bill passed and the title was agreed to.

Rep. Blair moved that the vote by which Senate Bill No. 93 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 118. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 142 of the Session Laws of 1921, Chapter 222 of the Session Laws of 1925, and Chapter 286 of the Session Laws of 1935; Subsection "C" of Section 3 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 260 of the Session Laws of 1929 and Chapter 286 of the Session Laws of 1935; Paragraph "o" of Subsection "G" of Section 1 of Chapter 251 of the Session Laws of 1939; Section 15 of Chapter 162 of the Session Laws of 1919; Section 16 of Chapter 162 of the Session Laws of 1919; and Chapter 351 of the Session Laws of 1923, Being Section 396a29 of the 1925 Supplement.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 24; absent and not voting, 12.

Those voting in the affirmative were:

Allen	Fraser	Nelson, Steele
Arneson	Fuglestad	Nicholsen
Austad	Gackle	Nystrom
Beede	Gainor	Ohnstad
Belzer	Glas	Olson, Barnes
Benno	Gress	Olson, Bowman
Bergesen	Haag	Peterson, Bottineau
Bjella	Halvorson	Rohde
Black	Haugen	Rygg
Blair	Haugland	Sagehorn
Bolmeier	Heckman	Sandness
Boulden	Hofstrand	Schwartz
Braun, McLean	Hogoboom	Semerad
Bubel	Jennings	Sharpe
Bymers	Kindem	Singleton
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	McInnes	Trydahl
Dalzell	McIntee	Tuff
Dittmer	McIntyre	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Wolf, McIntosh
Falconer	Nelson, Cass	Wolf, Morton
Fitch	Nelson, Morton	Mr. Speaker

Those voting in the negative were:

Aker	Ireland	Nelson, Sargent
Arndt	Johnson, Cass	Peterson, Ransom
Bingenheimer	Kee	Saumur
Brusseau	Langley	Sellens
Crockett	Larson	Severson

Devlin	Lunde	Smart
Fitzharris	Moe	Swanson
Holm	Nelson, Ramsey	Williams, Stutsman

Absent and not voting:

Anderson	Johnson, Richland	Schmidt
Braun, Stark	Juhola	Shure
Culver	Myers	Twichell
Fleck	Panko	Westby

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which Senate Bill No. 118 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Counties in This State in Counties Where Tax Levies Upon Taxable Real and Personal Property Have Been Declared Null and Void and Vacated by Courts of Competent Jurisdiction to Meet and Make Proper Tax Levies Upon the Property So Involved for the Year or Years in Which Such Tax Levies Have Been Vacated; Providing for the Giving of Notice of Such Meeting to the Owners of Such Property or Their Successors in Interest; the Levying and Extension of Taxes Upon Such Property; Making Such Taxes a Lien Upon Such Property and Further Providing that All General Statutes Relating to Due and Delinquent Taxes and the Collection Thereof Shall Be Applicable to the Tax Levies Made Under the Provisions of This Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 15; absent and not voting, 13; excused, 1.

Those voting in the affirmative were:

Aker	Fitzharris	Morland
Allen	Fraser	Nelson, Cass
Arndt	Fuglestad	Nelson, Steele
Arneson	Gackle	Nicholsen
Austad	Gainor	Nystrom
Beede	Glas	Ohnstad
Belzer	Gress	Olson, Barnes
Benno	Haugen	Olson, Bowman
Bjella	Haugland	Peterson, Bottineau
Black	Heckman	Peterson, Ransom
Blair	Hofstrand	Rygg
Bolmeier	Hogoboom	Sagehorn
Boulden	Holm	Sandness
Braun, McLean	Ireland	Saumur
Braun, Stark	Jennings	Schwartz
Bubel	Johnson, Cass	Severson
Carlson	Kee	Sharpe
Coghlan	Kindem	Singleton
Collette	Langley	Smart
Crockett	Larson	Stormon
Dalzell	Levin	Trydahl
Devlin	Lillehaugen	Tuff
Dittmer	Lunde	Twichell

Drovdal	McInnes	Wambheim
Erickson, Divide	McIntee	Williams, Stutsman
Erickson, Williams	McIntyre	Wolf, Morton
Falconer	Moe	Mr. Speaker
Fitch		

Those voting in the negative were:

Brusseau	Morrison	Sellens
Bymers	Nelson, Morton	Starck
Haag	Nelson, Ramsey	Swanson
Halvorson	Nelson, Sargent	Welder
Mollet	Rohde	Wolf, McIntosh

Absent and not voting:

Anderson	Juhola	Semerad
Bingenheimer	Myers	Shure
Culver	Panko	Westby
Fleck	Schmidt	Williams, Richland
Johnson, Richland		

Excused:

Bergesen

So the bill passed and the title was agreed to.

Rep. Bolmeier moved that Rep. Bergesen be excused from voting, which motion prevailed.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Subsection (E) of Chapter 279 of the Session Laws of 1931, the Same Being an Amendment of Section 2166 C. L. 1913 as Amended by Section 3 of Chapter 241 of the Session Laws of 1929, Relating to Collection of Personal Property Taxes by County Sheriff, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 4; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Glas	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Peterson, Bottineau
Belzer	Halvorson	Peterson, Ransom
Benno	Haugen	Rygg
Bergesen	Haugland	Sagehorn
Bjella	Heckman	Sandness
Black	Hofstrand	Saumur
Blair	Hogoboom	Schwartz
Bolmeier	Holm	Sellens
Braun, McLean	Ireland	Semerad
Braun, Stark	Jennings	Severson
Brusseau	Johnson, Cass	Sharpe
Bubel	Kee	Singleton
Bymers	Kindem	Smart
Carlson	Langley	Starck
Coghlan	Larson	Stormon
Collette	Levin	Swanson
Crockett	Lunde	Tuff

Dalzell	McInnes	Twichell
Devlin	McIntee	Wambheim
Drovdal	McIntyre	Welder
Erickson, Divide	Moe	Williams, Richland
Falconer	Morland	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	

Those voting in the negative were:

Mollet	Nelson, Morton	Rohde
Morrison		

Absent and not voting:

Anderson	Erickson, Williams	Panko
Bingenheimer	Johnson, Richland	Schmidt
Boulden	Juhola	Shure
Culver	Lillehaugen	Trydahl
Dittmer	Myers	Westby

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 111. A Bill for an Act Appropriating the Sum of \$16,291.58 out of the Special Bridge Fund of the State to Walsh County, North Dakota, and the State Highway Fund, and Apportioning Such 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, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Glas	Nystrom
Allen	Gress	Ohnstad
Arneson	Haag	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Austad	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim

Falconer	Morrison	Welder
Fitch	Nelson, Cass	Williams, Richland
Fitzharris	Nelson, Morton	Williams, Stutsman
Fleck	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Gackle	Nelson, Steele	Mr. Speaker
Gainor	Nicholsen	

Absent and not voting:

Anderson	Erickson, Williams	Myers
Beede	Fuglestad	Panko
Boulden	Johnson, Richland	Shure
Bubel	Lillehaugen	Westby
Culver		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Collette moved that the vote by which Senate Bill No. 111 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Trydahl moved that the House reconsider its action taken on Senate Bill No. 149, which motion prevailed.

Rep. Trydahl moved that Senate Bill No. 149 be placed at the foot of the calendar, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 326. A Bill for an Act to Amend and Re-enact Sections 10770 and 10396 of the Compiled Laws of North Dakota for 1913 Relating to Trial by Jury and Waiver of Trial by Jury in Criminal Cases.

House Bill No. 99. A Bill for an Act to Permit Not to Exceed Two Hours Per School Week of Religious Instruction Outside of the Public Schools by a Duly Established and Incorporated Religious Body, of Children Attending Elementary and Secondary Public Schools in the State of North Dakota; Excusing Pupils for Such Purposes When Requested by Parent, Guardian, or Other Person Having Control of the Pupil. Repeal.

House Bill No. 207. A Bill for an Act Providing for the Refunding of the Real Estate Bonds of the State of North Dakota, the Issuance of Refunding Bonds by the Industrial Commission, Prescribing the Terms and Conditions Hereof, Providing for Their Sale, Exchange and Delivery, Establishing the "Refunding Bond Fund" and the "Refunding Bond Interest Fund," Providing for Annual Tax Levies, Providing for the Retirement and Payment of North Dakota's Outstanding Real Estate Bonds, Chapter 154 of the Session Laws of 1919 (Sections 2290b1 to 2290b16 Inclusive, 1925 Supplement to the 1913 Compiled Laws), Chapter 292 Session Laws of 1923 (Sections 2290c1 to 2290c15, Inclusive, 1925 Supplement to the Compiled Laws), Chapter 182, Session Laws of 1929, Chapters 101 and 102 Session Laws of 1931, Chapter 90, Session Laws of 1933, and Amendments to the Same, Transferring Assets and Funds Securing North Dakota Bonds for the Use of Refunding Bonds and Interest Thereon; Repealing All Acts or Parts of Acts Inconsistent

With the Provisions of This Enactment; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 213. A Bill for an Act to Amend and Re-enact §§ 5 and 8 of Chapter 165 of the Session Laws of 1939, Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right, to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; and Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

House Bill No. 199. A Bill for an Act to Provide Punishment for the Taking and Operating of an Automobile or Other Motor Vehicle, or Causing the Same to Be Taken and Operated Without the Consent of the Owner.

House Bill No. 116. A Bill for an Act Authorizing the Seizure and Confiscation of Vehicles or Other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property Which Is the Subject Matter of Any Felony; Providing for a Proceeding to Release Such Property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds Arising from Sale; Declaring an Emergency.

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 213 of the Session Laws for 1939; Repeal.

House Bill No. 136. A Bill for an Act to Repeal Subdivision 1 of Section 3 of Chapter 240 of the Session Laws of the State of North Dakota for the Year 1931.

House Bill No. 184. A Bill for an Act Authorizing the Board of University and School Lands to Transfer and Convey Certain Acreage of State School Lands to the Game and Fish Department in Exchange for Other Land, to Be Used and Maintained for Wildlife-Restoration Projects, and Declaring an Emergency.

House Bill No. 245. A Bill for an Act to Amend and Re-enact Sections 26 and 53 and Sub-division (2) of Section 20 of Chapter 148, Laws 1931, Providing for Permit Fee and Providing Penalties for the Illegal Hunting of Big Game.

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 1456 of the Supplement of 1925 as Amended

by Chapter 202, Laws 1929, Relative to Maintenance of County Agricultural and Training Schools and the Tuition to Be Charged by Them. Repeal.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Rep. Erickson of Divide moved that action on the remainder of the bills on the calendar be deferred until tomorrow, which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 4, 1941

To the House of Representatives of the
State of North Dakota:

This is to notify you that I have today approved House Bills Nos.:

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and Dispensing with Licenses Relative to Foxes when Declared Predatory.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the Workmen's Compensation Act.

House Bill No. 170. A Bill for an Act Providing for the Establishment of License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity.

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section

3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery stock.

And the same have been filed with the Secretary of State.
JOHN MOSES, Governor

GENERAL ORDERS

Rep. Bergesen moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Bergesen to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 145.

In the original bill on line 17, after the word "State" insert the following: "and local."

On line 67, Section 4, strike out everything after "SECTION 4." and insert in lieu thereof the following: "That the tax imposed herein shall be levied for the purpose of providing revenue for the payment of interest due or to accrue upon outstanding North Dakota Real Estate Series Bonds, that the State Treasurer shall collect the tax levied pursuant to the provisions of this act and deposit the same monthly to the credit of, 'Real Estate Bond Interest Payment Fund,' established by Chapter 128 of the Session Laws of 1929 and the State Board of Equalization shall consider the revenue derived from the administration of this act in determining, the necessity and amount of any tax to be levied in the manner provided by law."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following amendment to the Standing Committee amendments:

Strike out the Standing Committee amendment applying to Section 4 and insert in lieu thereof the following new Section 4:

"The taxes herein provided for shall be credited to the general fund of the state for use in defraying the expenses of the state government in that amount determined by applying the state mileage rate for all purposes to the taxable valuation herein provided for. The State Treasurer shall, on or before the 1st of November of each year, distribute the

balance of said taxes to all the counties in the state in that proportion that the total taxable valuation in each county bears to the total taxable valuation in the state, which amount shall be credited to the general fund of the various counties, provided, however, that the statutory limitations as to county mill levy shall not apply to the taxes herein provided for."

And recommend that action be deferred one legislative day.

Senate Bill No. 188.

Page 2, Section 9, Line 20 of printed bill.

Strike out lines 20-35, inclusive, and insert the following:

For the purpose of reimbursing the State for the expenses of carrying out the provisions of this act, the State Treasurer is hereby authorized and directed to credit to the General Fund of the State on the 1st. day of July of each year, the sum of 19,637.50 dollars from the monies received from the sale of such stamps. The remainder thereof shall be placed in three special funds to be known respectively as The Institutional Support Fund, Insane; The Institutional Support Fund, Grafton State School; The Institutional Support Fund, Tubercular; said funds to be established in the offices of the State Treasurer and State Auditor as special revolving funds in the manner herein provided and expenditures therefrom to be made by State Auditor's warrant by similar authority and in the same manner as expenditures from other institutional funds.

The distribution of the funds from the sale of said stamps, among the various counties, shall be in proportion to the total amount of Institutional Care charged against each county for the care and treatment of patients in said three institutions during the preceding quarter year. The allocation of said funds to the three institutions shall be made and determined by the Board of Administration.

On September 1, December 1, March 1, and June 1, each year after the effective date of this act, the State Treasurer shall certify to the Board of Administration the amount available on such date for distribution to the Institutional Support Funds and deliver a copy of such certificate to the State Auditor. The Board of Administration shall on or before September 30, December 31, March 31, and June 30, of each year certify to the State Treasurer, State Auditor, and to each of said three Institutions the amount to be placed to the credit of the fund for the care of Insane, Feeble-minded, and Tubercular respectively, in proportion to the amount certified as due from the counties to each Institution for the said preceding quarter.

The amount certified to each institution by the Board of Administration shall be credited by each institution to the several counties in the state in proportion to the number of patients each county has in said institution.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 161.

In lines 28, 29 and 30 strike out the following words "Pro-

vided, however, that a teacher must have taught at least nine months in any such state institution."

In line 49, strike out "25" and insert in lieu thereof "50."

In line "56" strike out "15" and insert in lieu thereof "25."

In line 103 strike out everything after the word "time" and all of the balance of the section.

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the further following amendment:

On page 3, line 35, after the word "time," insert the words "prior to the first day of July, 1943".

And when so amended recommend the same do pass.

Senate Concurrent Resolution "G".

And recommend the same for adoption.

Senate Bill No. 206.

In Section 2 (a) at the end of line 15, strike out the words "In lieu" and strike out all of lines 16, 17 and 18.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 339.

And recommend the adoption of the following amendment:

After the word "service" in Section 3 strike out the period and insert the following: "provided further that no mileage on the present primary state highway system shall be placed on feeder road system without the consent of the Board of County Commissioners of the county in which the road lies."

And when so amended recommend the same do pass.

Senate Bill No. 78.

In the original bill, in the title on line one after the word "of" insert "Section 1 of".

On line 1 after the word "of" insert "Section 1 of".

On line 37 strike out the words "for each day that the filing of such report is delayed" and insert in lieu thereof "failure to file such report".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 78.

And recommend the following amendments:

In the original bill on line 2 of the title after the word "of" insert the following "North Dakota for".

In Section 1, line 1, after the parenthesis insert the following: "Section 3352 of the Compiled Laws of North Dakota for 1913 is hereby amended and Re-enacted to read as follows: Section 3352".

On line 15, strike out the word "four" and insert in lieu thereof the word "five".

And recommend that action be deferred one legislative day.

And recommend the adoption of the Standing Committee amendments and the further amendments of the Committee of the Whole.

And when so amended recommend the same do pass.

A. R. BERGÉSEN,
Chm., Committee of the Whole.

Rep. Fitch moved the adoption of the report of the Committee of the Whole, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 28 and the President has appointed as a conference committee to act with a like committee from the House, Senators: Watt, Nelson of McKenzie and Wog.

W. J. TROUT, Secretary.

Rep. Fitch moved that the Speaker appoint a conference committee to act with a like committee from the Senate on Senate Bill No. 38, which motion prevailed and the Speaker appointed on that committee Reps. Johnson of Cass, McIntyre and Carlson.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, and to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to Appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division

of Highway Safety and Police Patrol, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Rep. Hofstrand moved that the House reconsider its action taken on Senate Bill No. 193, which motion prevailed.

Rep. Bergesen moved that the House request the Senate for the return of Senate Bill No. 193, which motion prevailed.

Rep. Swanson moved that the House do now recess until 12:30 P. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTY-SEVENTH DAY AFTER RECESS AND
FIFTY-EIGHTH DAY

Bismarck, March 5, 1941.

The House re-assembled at 12:30 P. M., pursuant to recess, Speaker Symington presiding.

The House continued on the Eighth Order of Business.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 116. A Bill for an Act Authorizing the Seizure and Confiscation of Vehicles or Other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property Which Is the Subject Matter of Any Felony; Providing for a Proceeding to Release Such Property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds Arising from Sale; Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 213 of the Session Laws for 1939; Repeal.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 136. A Bill for an Act to Repeal Subdivision 1 of Section 3 of Chapter 240 of the Session Laws of the State of North Dakota for the Year 1931.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 184. A Bill for an Act Authorizing the Board of University and School Lands to Transfer and Convey Certain Acreage of State School Lands to the Game and Fish Department in Exchange for Other Land, to Be Used and Maintained for Wildlife-Restoration Projects, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 199. A Bill for an Act to Provide Punishment for the Taking and Operating of an Automobile or Other Motor Vehicle, or Causing the Same to Be Taken and Operated Without the Consent of the Owner.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 230. A Bill for an Act to Amend and Re-enact Chapter 120 of the Session Laws of 1933 as Amended by Chapter 145 of the Session Laws of 1935 Relating to the Disposition of Money Collected by the Game and Fish Department; Providing for the Conservation of Water and the Construction of Dams Within the State, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 213. A Bill for an Act to Amend and Re-enact §§ 5 and 8 of Chapter 165 of the Session Laws of 1939, Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right, to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; and Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 245. A Bill for an Act to Amend and Re-enact Sections 26 and 53 and Sub-division (2) of Section

20 of Chapter 148, Laws 1931, Providing for Permit Fee and Providing Penalties for the Illegal Hunting of Big Game.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 1456 of the Supplement of 1925 as Amended by Chapter 202, Laws 1929, Relative to Maintenance of County Agricultural and Training Schools and the Tuition to Be Charged by Them. Repeal.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 176 of the Session Laws of 1931, and as Amended by Chapter 146 of the Session Laws of 1933, Providing for a Lien for Repairs Made on Automobiles, Trucks, Engines, Threshing Machines, Combines, Tractors, Power-driven Farm Equipment and Well Machines. Repeal.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Chiropractic License Renewals; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 273. A Bill for an Act for the Licensing, Regulating and Inspecting of Rendering Plants or Establishments, and Providing Punishment for Violation Thereof; Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 301. A Bill for an Act Relating to the State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of All Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions Upon Which Renewal of Licenses Shall Be Issued and Requirements Prerequisite to the Granting of Such Renewal Licenses; Providing for Penalties and Suspension of License for Failure to Reregister; Providing for Reinstatement After Suspension.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 335. A Bill for an Act to Transfer to the General Fund \$20,000 from the Balance on Hand July 1, 1941, in the "Auto Transportation Fund".

And the Speaker signed the same in the presence of the House.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 4, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "Q". A Concurrent Resolution Requesting the Governor of the State of North Dakota to Issue No Proclamation of Open Season on Upland Game Birds During 1941 and 1942 Permitting the Taking of More Than Five Upland Game Birds in the Aggregate in Any One Day.

Which the Senate has adopted.

W. J. TROUT, Secretary.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

House Bill No. 339

And find the same correctly Engrossed.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 20

House Bill No. 116

House Bill No. 135

House Bill No. 136

House Bill No. 184

House Bill No. 199

House Bill No. 213

House Bill No. 245

House Bill No. 255

House Bill No. 222

House Bill No. 261

House Bill No. 273

House Bill No. 301

House Bill No. 235

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 65, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Starck moved that the vote by which Senate Bill No. 65 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 196, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

Rep. Bubel moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that the vote by which Senate Bill No. 196 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means to whom was referred Senate Bill No. 144, have had the same under consideration and recommend that the same be indefinitely postponed.

K. A. FITCH, Chairman.

Rep. Bubel moved that the report be adopted.

Rep. Morland moved a substitute motion that Senate Bill No. 144 be placed on the calendar, which motion was lost.

The question being on the motion of Rep. Bubel that Senate Bill No. 144 be indefinitely postponed, the motion prevailed.

Rep. Benno moved that the vote by which Senate Bill No. 144 was definitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred Senate Bill No. 158, have had the same under consideration and recommend that the same be indefinitely postponed.

REP. K. A. FITCH, Chairman.

Rep. Kindem moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which Senate Bill No. 158 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred Senate Bill No. 207, have had the same under consideration and recommend that the same be returned to the House without Recommendation.

REP. K. A. FITCH, Chairman.

Rep. Kindem moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bolmeier moved that Senate Bill No. 207 be placed on the calendar.

Rep. Wolf of McIntosh moved a substitute motion that Senate Bill No. 207 be indefinitely postponed, which motion prevailed.

Rep. Juhola moved that the vote by which Senate Bill No. 207 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on Ways and Means, to whom was referred Senate Bill No. 172, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill," and insert in lieu thereof the following:

For an Act defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise below actual cost for the Purpose or having the Effect of injuring competitors or destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the provisions thereof.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. This Act shall be known and designated as the "North Dakota Unfair Trade Practices Act."

Section 2. (1) When used in this act, the term "cost" shall mean the actual invoice cost of the merchandise or the replacement cost of the merchandise whichever is lower; less all trade discounts, advertising allowances, including customary discounts for cash, to which shall be added (a) transportation including cartage cost, not otherwise included in the invoice cost or the replacement cost of the merchandise; provided, that where a manufacturer publishes a list price, proof of such list price, less all discount, shall be prima facie evidence of "cost."

(2) When used in this Act the term "replacement cost" shall mean the cost per unit at which the merchandise sold or offered for sale could have been bought by the seller at any time prior to the date of sale or the date upon which it is offered for sale by the seller.

(3) When one or more items are advertised, offered for sale, or sold with one or more other items at a combined price, or are advertised, offered as a gift, or given with the sale of one or more items, each and all of said items shall, for the purpose of this Act, be deemed to be advertised, offered for sale, or sold, and the price of each item named shall be governed by the provisions of paragraph (1) or (2) of Section 2, respectively.

(4) The terms "sell at retail," "sales at retail," and "retail sale" shall mean and include any transfer for a valuable consideration, made in the ordinary course of trade or in the usual prosecution of the seller's business, of title to tangible personal property to the purchase for consumption or use other than resale or further processing or manufacturing, provided, however, that sales to contractors or subcontractors engaged in any type of building operation or the repair of buildings or other improvements upon real estate shall be deemed sales for consumption and not for further processing or manufacturing. The terms shall include any transfer of such property where title is retained by the seller as security for the payment of the purchase price.

(5) The terms "sell at wholesale," "sales at wholesale,"

and "wholesale sales" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or the usual conduct of the seller's business, of title to tangible personal property to the purchase for purposes for resale or further processing or manufacturing, provided, however, that sales to contractors engaged in any type of building operation or the repair of buildings or other improvements upon real estate regardless of further processing or manufacturing of the material sold, shall be deemed retail sales and not wholesale sales. The above terms shall include any transfer of such property where title is retained by the seller as security for the payment of the purchase price.

(6) The term "retailers" shall mean and include every person, partnership, corporation or association engaged in the business of making sales at retail within this state provided that, in the case of a person, partnership, corporation or association engaged in the business of making sales at retail and sales at wholesale, such terms shall be applied only to the retail portion of such business.

(7) The term "wholesaler" shall mean and include every person, partnership, corporation or association engaged in the business of making sales at wholesale within the state, provided that, in the case of a person, partnership, corporation or association engaged in the business of making both sales at wholesale and sales at retail, such terms shall be applied only to the wholesale portion of such business.

Section 3. It is hereby declared that any advertising, offer to sell, or sale of any merchandise, either by retailers or wholesalers, at less than cost as defined in this Act, with the intent, or effect of inducing the purchase of other merchandise or of unfairly diverting trade from a competitor or otherwise injuring a competitor, impair and prevent fair competition, injure public welfare, and are unfair competition and contrary to public policy and the policy of this Act, where the result of such advertising, offer or sale is to tend to deceive any purchaser or prospective purchaser, or to substantially lessen competition, or to unreasonably restrain trade, or to tend to create a monopoly in any line of commerce. The inhibition against sales below cost as defined herein, shall embrace any scheme of special rebate, collateral contract or any device of any nature whereby such result is, in substance or in fact, effected in violation of the spirit and intent of this Act.

Section 4. Any retailer or wholesaler who shall advertise, offer to sell, or sell any article of merchandise at less than cost to such retailer or wholesaler as defined in this Act, or who gives, offers to give, or advertises the intent to give away any article of merchandise, with the intent, or with the effect of injuring competitors and destroying competition shall be guilty of a misdemeanor. Proof of any such advertising, offer to sell or to give away, or sale or gift of any article of merchandise by any retailer or wholesaler at less than cost as defined in this Act, shall be prima facie evidence of a sale below cost.

Section 5. In addition to the penalties provided, the Courts of this State are invested with the jurisdiction to prevent and restrain violations of this Act by injunctive proceedings, and it shall be the duty of the Attorney-General and the sev-

eral State's Attorneys to institute suits in equity in behalf of the State, to prevent and restrain violations hereof. Any person damaged, or who is threatened with loss or injury, by reason of a violation of this Act, shall be entitled to sue for and have injunctive relief in the District Court against any damage or threatened loss or injury by reason of a violation hereof.

Section 6. The provisions of this Act shall not apply to sales at retail or sales at wholesale; (a) where merchandise is sold in bona fide clearance sales, if advertised, marked and sold as such; (b) where perishable merchandise must be sold promptly in order to forestall loss; (c) where merchandise is imperfect or damaged, or is being discontinued and is advertised, marked and sold as such; (d) where merchandise is sold upon the final liquidation of any business; (e) where merchandise is sold for charitable purposes or to relief agencies; (f) where merchandise is sold on contract to departments of the government or government institutions; (g) where the price of merchandise is made in good faith to meet legal competition; (h) where merchandise is sold by any officer acting under the order or direction of any court; provided, however, that any retailer or wholesaler claiming the benefits of any of the exemptions herein above provided, shall have the burden of proof of facts entitling such retailer or wholesaler to any of the benefits of said exemptions.

Section 7. Any party of record to any civil action or proceeding instituted or brought pursuant to the provisions of this Act may be required to testify in such proceedings and to reproduce books, papers, tariffs, contracts, agreements and documents before the Court in such proceedings, providing, however, that no person compelled under the provisions of this section to testify or produce evidence tending to incriminate him shall be prosecuted for any crime which such testimony or evidence tends to prove or to which the same relates. This section shall not exempt any person from prosecution for perjury.

Section 8. If any section, sentence, clause or provision of this Act shall, for any reason, be held invalid or unconstitutional, the validity of the remaining parts hereof shall not be affected thereby.

REP. K. A. FITCH, Chairman.

Rep. Sellens moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Ways and Means to whom was referred House Bill No. 338, have had the same under consideration and recommend that the same do pass.

K. A. FITCH, Chairman.

Rep. Fitch moved that House Bill No. 338 be placed in General Orders, which motion prevailed.

Mr. Speaker: Your Committee on Game and Fish, to whom was referred Senate Bill No. 129, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

Rep. Bymers moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish to whom

was referred Senate Bill No. 90, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Game and Fish, to whom was referred Senate Bill No. 91, have had the same under consideration and recommend that the same do pass.

A. W. BENNO, Chairman.

Rep. Starck moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 148, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Aker moved that the vote by which Senate Bill No. 148 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Speaker: Your Committee on State Affairs to whom was referred House Bill No. 340, have had the same under consideration and recommend that the same do pass.

L. L. TWICHELL, Chairman.

Rep. Falconer moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 20.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 5, 1941.

Mr. President: The House requests the return of Senate Bill No. 193 and Senate Bill No. 149.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to inform you that the House has appointed as a conference committee to act with a like committee from the Senate, Representatives: Fitch, McIntyre and Carlson, to act with the committee appointed by the Senate on Senate Bill 28.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to transmit herewith the following resolution which the House has adopted.

House Concurrent Resolution "U". A Concurrent Resolu-

tion Memorializing the Congress of the United States to Maintain a Military Post at Fort Lincoln.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to return herewith the following bills which the House has passed unchanged.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota: Providing for Reports and Deductions.

Senate Bill No. 26. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

Senate Bill No. 37. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 276 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 97 of the Laws of North Dakota for the Year 1919 Relating to the Contingent Fund at State Institutions.

Senate Bill No. 204. A Bill for an Act to Make an Appropriation to Pay Expenses Resulting from the Death of Honorable Max Rabinovich, Member of the State Board of Pardons, While Away from His Home in the Performance of His Official Duties.

Senate Bill No. 186. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between April 1, 1941 and June 30, 1943; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 166. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

Senate Bill No. 111. A Bill for an Act Appropriating the Sum of \$16,291.58 out of the Special Bridge Fund of the State to Walsh County, North Dakota, and the State Highway Fund, and Apportioning Such Appropriation and Declaring an Emergency.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 198. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Real Estate Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Real Estate Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act, and Declaring an Emergency.

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as Amended by Act Approved May 24, 1934, and Acts Amendatory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 108. A Bill for an Act to Prescribe Uniform Rules of Practice for Administrative Agencies; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Senate Bill No. 167. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil Basis and Providing for the Distribution of an Emergency Fund and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Reports; Repealing Chapter 209 of the Session Laws of 1939 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 31. A Bill for an Act Making an Appropriation to the Code Revision Commission.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 245 of the Session Laws of North Dakota for the Year 1939, Relating to Bounty for Tree Planting.

Senate Bill No. 118. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 142 of the Session Laws of 1921, Chapter 222 of the Session Laws of 1925, and Chapter 286 of the Session Laws of 1935; Subsection "C" of Section 3 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 260 of the Session Laws of 1929 and Chapter 286 of the Session Laws of 1935; Paragraph "o" of Subsection "G" of Section 1 of Chapter 251 of the Session Laws of 1939; Section 15 of Chapter 162 of the Session Laws of 1919; Section 16 of Chapter 162 of the Session Laws of 1919; and Chapter 351 of the Session Laws of 1923, Being Section 396a29 of the 1925 Supplement.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Subsection (E) of Chapter 279 of the Session Laws of 1931, the Same Being an Amendment of Section 2166 C. L. 1913 as Amended by Section 3 of Chapter 241 of the Session Laws of 1929, Relating to Collection of Personal Property Taxes by County Sheriff, and Declaring an Emergency.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Counties in This State in Counties Where Tax Levies Upon Taxable Real and Personal Property Have Been Declared Null and Void and Vacated by Courts of Competent Jurisdiction to Meet and Make Proper Tax Levies Upon the Property So Involved for the Year or Years in Which Such Tax Levies Have Been Vacated; Providing for the Giving of Notice of Such Meeting to the Owners of Such Property or Their Successors in Interest; the Levying and Extension of Taxes Upon Such Property; Making Such Taxes a Lien Upon Such Property and Further Providing that All General Statutes Relating to Due and Delinquent Taxes and the Collection Thereof Shall Be Applicable to the Tax Levies Made Under the Provisions of This Act.

Which the House has amended.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

House Bill No. 116. A Bill for an Act Authorizing the Seizure and Confiscation of Vehicles or Other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property Which Is the Subject Matter of Any Felony; Providing for a Proceeding to Release Such Property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds Arising from Sale; Declaring an Emergency.

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 213 of the Session Laws for 1939; Repeal.

House Bill No. 136. A Bill for an Act to Repeal Subdivision 1 of Section 3 of Chapter 240 of the Session Laws of the State of North Dakota for the Year 1931.

House Bill No. 184. A Bill for an Act Authorizing the Board of University and School Lands to Transfer and Convey Certain Acreage of State School Lands to the Game and Fish Department in Exchange for Other Land, to Be Used and Maintained for Wildlife-Restoration Projects, and Declaring an Emergency.

House Bill No. 199. A Bill for an Act to Provide Punishment for the Taking and Operating of an Automobile or Other Motor Vehicle, or Causing the Same to Be Taken and Operated Without the Consent of the Owner.

House Bill No. 213. A Bill for an Act to Amend and Re-enact §§ 5 and 8 of Chapter 165 of the Session Laws of 1939, Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right, to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; and Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

House Bill No. 245. A Bill for an Act to Amend and Re-enact Sections 26 and 53 and Sub-division (2) of Section 20 of Chapter 148, Laws 1931, Providing for Permit Fee and Providing Penalties for the Illegal Hunting of Big Game.

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 1456 of the Supplement of 1925 as Amended by Chapter 202, Laws 1929, Relative to Maintenance of County Agricultural and Training Schools and the Tuition to Be Charged by Them. Repeal.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 176 of the Session Laws of 1931, and as Amended by Chapter 146 of the Session Laws of 1933, Providing for a Lien for Repairs Made on Automobiles, Trucks, Engines, Threshing Machines, Combines, Tractors, Power-driven Farm Equipment and Well Machines. Repeal.

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Chiropractic License Renewals; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 273. A Bill for an Act for the Licensing, Regulating and Inspecting of Rendering Plants or Establishments, and Providing Punishment for Violation Thereof; Declaring an Emergency.

House Bill No. 301. A Bill for an Act Relating to the

State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of All Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions Upon Which Renewal of Licenses Shall Be Issued and Requirements Prerequisite to the Granting of Such Renewal Licenses; Providing for Penalties and Suspension of License for Failure to Reregister; Providing for Reinstatement After Suspension.

House Bill No. 335. A Bill for an Act to Transfer to the General Fund \$20,000 from the Balance on July 1, 1941, Into the "Auto Transportation Fund".

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing 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, 54; nays, 46; absent and not voting, 11.

Those voting in the affirmative were:

Allen	Fitch	Nelson, Sargent
Anderson	Fitzharris	Nelson, Steele
Arneson	Fleck	Nicholsen
Austad	Fuglestad	Ohnstad
Belzer	Gackle	Olson, Barnes
Benno	Gainor	Peterson, Ransom
Bergesen	Gress	Rohde
Black	Haugen	Rygg
Blair	Haugland	Sagehorn
Bolmeier	Holm	Sandness
Boulden	Ireland	Saumur
Coghlan	Johnson, Cass	Semerad
Collette	Johnson, Richland	Severson
Crockett	Kee	Shure
Culver	Langley	Swanson
Erickson, Divide	Larson	Westby
Erickson, Williams	McIntyre	Williams, Stutsman
Falconer	Morrison	Mr. Speaker

Those voting in the negative were:

Aker	Heckman	Nelson, Ramsey
Arndt	Hofstrand	Nystrom
Beede	Hogoboom	Olson, Bowman
Bingenheimer	Jennings	Panko
Bjella	Juhola	Schmidt
Braun, McLean	Kindem	Schwartz

Bubel	Levin	Sharpe
Bymers	Lillehaugen	Singleton
Carlson	Lunde	Starck
Dalzell	McIntee	Twichell
Devlin	Moe	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Williams, Richland
Fraser	Nelson, Cass	Wolf, McIntosh
Haag	Nelson, Morton	Wolf, Morton
Halvorson		
Absent and not voting:		
Braun, Stark	Myers	Stormon
Brusseau	Peterson, Bottineau	Trydahl
Glas	Sellens	Tuff
McInnes	Smart	

So the bill was declared lost.

Rep. Aker voted "no" for the purpose of reconsideration.
Senate Bill No. 152 was read the second time.

Rep. Williams of Richland moved that Senate Bill No. 152 be indefinitely postponed.

Rep. Crockett moved a substitute motion that Senate Bill No. 152 remain on the calendar for passage, which motion prevailed.

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said 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, 56; nays, 45; absent and not voting, 10.

Those voting in the affirmative were:

Anderson	Fitch	Nelson, Ramsey
Arneson	Fitzharris	Ohnstad
Arndt	Fleck	Olson, Barnes
Belzer	Gackle	Peterson, Bottineau
Benno	Gainor	Peterson, Ransom
Bergesen	Halvorson	Rohde
Black	Hofstrand	Rygg
Bolmeier	Johnson, Cass	Sagehorn
Boulden	Juhola	Sandness
Braun, McLean	Kee	Saumur
Bubel	Kindem	Schmidt
Bymers	Langley	Semerad
Carlson	Larson	Severson
Coghlan	Levin	Smart
Culver	Lunde	Starck
Dalzell	Mollet	Stormon
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, Morton
Falconer	Nelson, Morton	

Those voting in the negative were:

Aker	Haugen	Nicholsen
Allen	Haugland	Nystrom
Austad	Heckman	Olson, Bowman
Beede	Hogoboom	Panko
Bingenheimer	Holm	Schwartz
Bjella	Ireland	Sharpe
Blair	Jennings	Shure
Collette	Johnson, Richland	Singleton
Crockett	Lillehaugen	Swanson
Devlin	McIntee	Twichell
Drovdal	McIntyre	Wambheim
Fraser	Moe	Welder
Fuglestad	Morland	Williams, Richland
Gress	Nelson, Sargent	Wolf, McIntosh
Haag	Nelson, Steele	Mr. Speaker

Absent and not voting:

Braun, Stark	McInnes	Trydahl
Brusseau	Myers	Tuff
Dittmer	Sellens	Westby
Glas		

So the bill was declared lost.

Rep. Crockett changed his vote from "aye" to "no" for the purpose of reconsideration.

Explanation of vote:

Rep. Williams of Richland: When I came up here the first day of session we all held up our hands, and before God and man swore to protect the Constitution of the State of North Dakota, and I still feel the same way about it. I vote "no".

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Sections 92 and 93 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Printing and Distribution of the Legislative Manual or North Dakota Blue Book.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 15; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fraser	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gress	Ohnstad
Arneson	Halvorson	Olson, Barnes
Arndt	Haugen	Olson, Bowman
Austad	Haugland	Panko
Belzer	Heckman	Peterson, Bottineau
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rohde
Bjella	Holm	Rygg
Blair	Ireland	Sagehorn
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Saumur
Braun, McLean	Kee	Schmidt
Braun, Stark	Kindem	Schwartz
Brusseau	Langley	Severson

Bymers	Larson	Sharpe
Carlson	Levin	Shure
Coghlan	Lillehaugen	Singleton
Collette	Lurde	Smart
Culver	McInnes	Starck
Dalzell	McIntee	Stormon
Devlin	Mollet	Swanson
Drovdal	Morland	Twichell
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck		

Those voting in the negative were:

Beede	Fuglestad	McIntyre
Bingenheimer	Gainor	Nelson, Sargent
Black	Haag	Semerad
Bubel	Johnson, Richland	Welder
Erickson, Divide	Juhola	Wolf, McIntosh

Absent and not voting:

Crockett	Myers	Tuff
Dittmer	Nelson, Steele	Wambheim
Glas	Sellens	Westby
Moe	Trydahl	

So the bill passed and the title was agreed to.

Rep. Smart moved that the vote by which Senate Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 70; nays, 36; absent and not voting, 5.

Those voting in the affirmative were:

Allen	Drovdal	Mollet
Anderson	Erickson, Divide	Nelson, Cass
Arneson	Erickson, Williams	Nelson, Ramsey
Arndt	Falconer	Ohnstad
Austad	Fitch	Olson, Barnes
Beede	Fitzharris	Peterson, Ransom
Belzer	Fleck	Rohde
Benno	Gackle	Rygg
Bergesen	Gainor	Saumur
Bingenheimer	Gress	Severson
Bjella	Haag	Shure
Black	Haugland	Singleton
Blair	Heckman	Smart
Bolmeier	Holm	Stormon
Boulden	Ireland	Swanson
Braun, McLean	Johnson, Cass	Trydahl
Braun, Stark	Johnson, Richland	Twichell

Bubel	Juhola	Wambheim
Bymers	Kee	Welder
Carlson	Langley	Westby
Coghlan	Lunde	Williams, Stutsman
Crockett	McInnes	Wolf, McIntosh
Culver	Moe	Mr. Speaker
Dalzell		

Those voting in the negative were:

Aker	Larson	Olson, Bowman
Brusseau	Levin	Panko
Collette	Lillehaugen	Peterson, Bottineau
Devlin	McIntee	Sagehorn
Fraser	McIntyre	Sandness
Fuglestad	Morland	Schmidt
Halvorson	Morrison	Schwartz
Haugen	Nelson, Morton	Semerad
Hofstrand	Nelson, Sargent	Sharpe
Hogoboom	Nelson, Steele	Starck
Jennings	Nicholsen	Williams, Richland
Kindem	Nystrom	Wolf, Morton

Absent and not voting:

Dittmer	Myers	Tuff
Glas	Sellens	

So the bill passed and the title was agreed to.

Rep. Shure moved that the vote by which Senate Bill No. 165 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Allen	Fraser	Nelson, Sargent
Anderson	Fuglestad	Nelson, Steele
Arneson	Gackle	Nicholsen
Arndt	Gainor	Nystrom
Austad	Gress	Ohnstad
Beede	Haag	Olson, Barnes
Belzer	Haugen	Olson, Bowman
Benno	Haugland	Panko
Bergesen	Heckman	Peterson, Bottineau
Bingenheimer	Hofstrand	Peterson, Ransom
Bjella	Hogoboom	Rohde
Black	Holm	Rygg
Blair	Ireland	Sagehorn
Bolmeier	Jennings	Sandness
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Bubel	Kee	Severson
Bymers	Kindem	Sharpe

Carlson	Langley	Shure
Coghlan	Larson	Singleton
Collette	Levin	Smart
Crockett	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Trydahl
Devlin	McIntee	Twichell
Drovdal	McIntyre	Wambheim
Erickson, Divide	Moe	Welder
Erickson, Williams	Mollet	Westby
Falconer	Morland	Williams, Stutsman
Fitch	Morrison	Wolf, McIntosh
Fitzharris	Nelson, Cass	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker

Those voting in the negative were:

Aker	Nelson, Morton	Starck
Brusseau	Schmidt	Williams, Richland
Halvorson		

Absent and not voting:

Dittmer	Myers	Tuff
Glas	Saumur	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Swanson moved that the vote by which Senate Bill No. 149 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 189, have had the same under consideration and recommend that the same be indefinitely postponed.

TARGIE TRYDAHL, Chairman.

Rep. Schmidt moved that the report be adopted.

Rep. Anderson moved a substitute motion that Senate Bill No. 189 be placed on the calendar.

Rep. Beede moved that action on Senate Bill No. 189 be deferred one legislative day, which motion prevailed.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 27, have had the same under consideration and recommend that the same be amended as follows:

Referring to the Engrossed Bill, in Line 3, strike out "\$229,806.00" and insert in lieu thereof "\$229,006.00".

Line 9a, strike out "\$5,600.00" and insert in lieu thereof "\$4,800.00".

Line 10, after the word (person) strike out the comma and the word "Clerks" and insert "\$3,360.00".

Line 10a, after the "Typists" insert "and Clerks", and strike out the figures "\$16,800.00" and insert in lieu thereof "\$13,440.00".

Line 26, strike out "\$229,806.00" and insert in lieu thereof "\$229,006.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Schmidt moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 35, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Carlson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 33, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Collette moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 34, have had the same under consideration and recommend that the same be amended as follows:

Referring to the amended bill, (amendments—Senate Journal p. 496), Line 13, strike out the figures "\$8,000.00" and insert in lieu there "\$9,600.00".

Line 20, strike out "\$9,000.00" and insert in lieu thereof "\$9,600.00".

Line 33, strike out "\$134,000.00", and insert in lieu thereof "\$132,200.00".

The total remains the same.

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Q". A Concurrent Resolution Petitioning Congress to Enact the Capper Bill Establishing a Division of Cooperatives in the United States Department of Agriculture.

House Bill No. 212. A Bill for an Act to Provide for Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal.

House Bill No. 166. A Bill for an Act to Amend and Re-enact Sections 8247a1, 8247a2, 8247a3, 8247a4, 8247a5, 8247a10, 8247a16, 8247a17, 8247a47, 8247a57 and 8247a60 of the Supplement to the Compiled Laws of 1925 as Amended and Re-enacted by Sections 1, 2, 3, 5, 6, 11, 21, 22, 30, 35, and 37 of Chapter 253 of the Session Laws of North Dakota for 1939 Relating to Irrigation Districts, Their Functions, Powers and Duties.

House Bill No. 141. A Bill for an Act Amending and Re-enacting Sections 578b1, 578b3, 578b4, 578b5, 578b7 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; To Amend and Re-enact Chapter 139 of the Session Laws of North Dakota for 1937; Providing for a State Board of Electricians, Prescribing Their Duties; Providing for

Classification and Licensing of Electric Workers; Prescribing Fees for the Examination and License; Providing for Inspection and Regulation of Electric Work; Providing for Allocation of Fees; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers, and Wrappers, Papers Used for the Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

House Bill No. 140. A Bill for an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 336. A Bill for an Act Making an Appro-

priation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral Expenses of Representative Edward Rieker of Kidder County; and Declaring an Emergency.

House Bill No. 330. A Bill for an Act to Amend Section 189b29 of Chapter 137, Session Laws of 1933 Providing for the Abatement of Hail Indemnity Tax; Correction of Records and Reduction from the Surplus; Declaring an Emergency.

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

House Bill No. 319. A Bill for an Act to Amend and Re-enact Chapter 247 of the Session Laws of 1931, Providing for the Payment of Per Capita School Tax; Repealing Acts in Conflict and Declaring an Emergency.

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

House Bill No. 294. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders for Livestock Owners in Such Townships, Fixing Penalty for Violation.

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

House Bill No. 179. A Bill for an Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects

and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 208. A Bill for an Act Authorizing Counties to Maintain Actions in Adverse Claims to Quiet Title to Lands Acquired Through Tax Deeds; Providing for the Joinder of the Causes of Action and Parties Defendant; Providing for Separate Trials and Judgments; Authorizing Judgments by Default and Prescribing the Procedure Applicable to the Service of Process and Trial of Such Actions.

Senate Bill No. 179. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Cooperatives and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Their Personal Property; Providing for the Collection of Such Tax and Appropriating the Proceeds; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 127. A Bill for an Act to Amend and Re-enact Section 22 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, as Amended by Chapter 95 of the Session Laws of North Dakota for the Year 1937, Relating to the Responsibility of Shareholders of State Bank Stock.

Senate Bill No. 102. A Bill for an Act Relating to the Appointment, Powers and Duties of the State Engineer, to Amend and Re-enact Section 8239 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 224 of the Session Laws of 1929, and to Repeal Section 8240 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 2 of Chapter 224 of the Session Laws of 1929.

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Chapter 246 of the Session Laws of 1931, Relating to the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for Supervision Thereof and for Maintenance of Instruction by Tuition Fees.

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4 and Section 10 of Chapter 235 of the Session Laws of 1929 Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes; Providing for Exceptions to Such

Levies; Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 714a7 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1939 Relating to Pledging Securities for Public Deposits.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Rep. Nelson of Cass moved that the absent members be excused, which motion prevailed.

Rep. Twitchell moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTY-EIGHTH DAY

Bismarck, March 5, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Dan J. Rueb, Bismarck.

Roll Call disclosed all members present except Reps. Glas and Myers.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Seventh day and recommends that the same be corrected as follows:

On page 1079, line 13 from the top of the page strike out the figure "145" and insert in lieu thereof the figure "45".

On page 1091, line 11 from the top of the page, correct the spelling of the word "adopted".

On page 1093, line 16 from the bottom of the page after the word "adopted" add the following: "which motion prevailed and the report was adopted."

On page 1115, in the roll call totals add, "excused, 1."

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Blair, under the Seventh Order of Business, moved that action on Senate Bill No. 159 be made a Special Order of Business after 2:00 P. M., tomorrow, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 339. A Bill for an Act to amend and reenact Section 3, Chapter 152, Session Laws of 1939, State of North Dakota, Providing for the designation of a State feeder highway system, and for the division of the cost of improving same, and for maintenance, 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, 90; nays, 8; absent and not voting, 13.

Those voting in the affirmative were:

Allen	Fraser	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Ireland	Saumur
Black	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Boulden	Juhola	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Shure
Bymers	Levin	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Starck
Collette	McIntee	Stormon
Crockett	Mollet	Swanson
Culver	Morland	Trydahl
Dalzell	Morrison	Twichell
Devlin	Nelson, Cass	Wambheim
Drovdal	Nelson, Morton	Westby
Erickson, Williams	Nelson, Ramsey	Williams, Stutsman
Falconer	Nelson, Sargent	Wolf, Morton
Fitch	Nelson, Steele	Mr. Speaker

Those voting in the negative were:

Fitzharris	Lillehaugen	Welder
Fuglestad	McIntyre	Wolf, McIntosh
Heckman	Nicholsen	

Absent and not voting:

Aker	Gackle	Myers
Blair	Glas	Sandness
Dittmer	Johnson, Richland	Tuff
Erickson, Divide	Moe	Williams, Richland
Fleck		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF SENATE BILLS

Rep. Bergesen moved that action on Senate Bill No. 188 be deferred until tomorrow, which motion prevailed.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 104; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Arneson	Gainor	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Barnes
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bingenheimer	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levin	Smart
Collette	Lillehaugen	Starck
Crockett	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Drovdal	Moe	Welder
Erickson, Divide	Mollet	Westby
Erickson, Williams	Morland	Williams, Richland
Falconer	Morrison	Williams, Stutsman
Fitch	Nelson, Cass	Wolf, McIntosh
Fitzharris	Nelson, Morton	Wolf, Morton
Fleck	Nelson, Ramsey	Mr. Speaker
Fraser	Nelson, Sargent	

Those voting in the negative were:

Schmidt Stormon

Absent and not voting:

Anderson	Glas	Tuff
Dittmer	Myers	

So the bill passed and the title was agreed to.

Rep. Langley moved that the vote by which Senate Bill No. 161 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "G." A Concurrent Resolution Memorializing Congress to Pass Legislation to Enable the Federal Government to Increase the Loan Value on Grains and Farm Products at Least 25%.

Was read the second time.

Rep. Rohde moved that the House adopt Senate Concurrent Resolution "G", which motion prevailed and the Resolution was declared adopted.

Rep. Blair requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Blair

moved that the House reconsider its action taken on Senate Bill No. 159, which motion prevailed.

Rep. Blair moved that action on Senate Bill No. 159 be made a Special Order of Business at 10:00 A. M., tomorrow, March 6th, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 206 was read the second time.

Rep. Haugen moved that Senate Bill No. 206 be indefinitely postponed, on which motion there was a tie vote.

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 55; nays, 54; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fleck	Olson, Barnes
Allen	Fuglestad	Panko
Arneson	Gackle	Peterson, Ransom
Arndt	Gainor	Rygg
Austad	Haugland	Sandness
Beede	Holm	Sellens
Belzer	Ireland	Severson
Benno	Johnson, Cass	Sharpe
Bergesen	Johnson, Richland	Shure
Bjella	Juhola	Singleton
Black	Kee	Smart
Blair	Langley	Swanson
Boulden	McInnes	Trydahl
Coghlan	Morland	Twichell
Collette	Nelson, Ramsey	Wambheim
Crockett	Nelson, Steele	Westby
Dalzell	Nicholsen	Williams, Richland
Devlin	Nystrom	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Anderson	Haag	Nelson, Morton
Bingenheimer	Halvorson	Nelson, Sargent
Bolmeier	Haugen	Ohnstad
Braun, McLean	Heckman	Olson, Bowman
Braun, Stark	Hofstrand	Peterson, Bottineau
Brusseau	Hogoboom	Rohde
Bubel	Jennings	Sagehorn
Bymers	Kindem	Saumur
Carlson	Larson	Schmidt
Culver	Levin	Schwartz
Dittmer	Lillehaugen	Semerad
Drovdal	Lunde	Starck
Erickson, Divide	McIntee	Stormon
Erickson, Williams	McIntyre	Tuff
Falconer	Moe	Welder
Fitch	Mollet	Williams, Stutsman

Fraser	Morrison	Wolf, McIntosh
Gress	Nelson, Cass	Wolf, Morton

Absent and not voting:

Glas	Myers
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So the bill was declared lost.

Rep. Rohde moved that the vote by which Senate Bill No. 206 was lost be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 3352 of the Compiled Laws of 1913, to Authorize the Registration of Warrants Issued by Taxing Districts Not Paid for Want of Funds; Limiting the Rate of Interest of Registered Warrants; Requiring Notice for Presentation for Payment Thereof; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

Aker	Fitzharris	Ohnstad
Allen	Fleck	Olson, Barnes
Anderson	Fraser	Olson, Bowman
Arndt	Gackle	Panko
Arneson	Gainor	Peterson, Bottineau
Austad	Gress	Peterson, Ransom
Beede	Haag	Rohde
Belzer	Halvorson	Rygg
Benno	Haugen	Sagehorn
Bergesen	Haugland	Sandness
Bjella	Heckman	Saumur
Black	Hofstrand	Schmidt
Blair	Hogoboom	Schwartz
Bolmeier	Holm	Sellens
Boulden	Ireland	Semerad
Braun, McLean	Jennings	Severson
Braun, Stark	Juhola	Sharpe
Brusseau	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Starck
Carlson	Larson	Stormon
Coghlan	Levin	Swanson
Collette	Lillehaugen	Trydahl
Crockett	McIntee	Tuff
Culver	McIntyre	Wambheim
Dalzell	Mollet	Welder
Devlin	Morland	Westby
Dittmer	Morrison	Williams, Richland
Drowdal	Nelson, Cass	Williams, Stutsman
Erickson, Divide	Nelson, Morton	Wolf, McIntosh
Erickson, Williams	Nicholsen	Wolf, Morton
Falconer	Nystrom	Mr. Speaker
Fitch		

Those voting in the negative were:

Bingenheimer	Lunde	Nelson, Ramsey
Fuglestad	Moe	Nelson, Sargent

Absent and not voting:

Glas	McInnes	Smart
Johnson, Cass	Myers	Twichell
Johnson, Richland	Nelson, Steele	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Sagehorn moved that the vote by which Senate Bill No. 78 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Crockett moved that the House reconsider its action taken on Senate Bill No. 152, which motion prevailed.

Rep. Crockett moved that Senate Bill No. 152 be placed on Second Reading and Final Passage at this time, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said 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, 66; nays, 41; absent and not voting, 4.

Those voting in the affirmative were:

Anderson	Gackle	Ohnstad
Arneson	Gainor	Olson, Barnes
Arndt	Gress	Panko
Belzer	Haag	Peterson, Ransom
Benno	Halvorson	Rohde
Bergesen	Hofstrand	Rygg
Black	Holm	Sagehorn
Bolmeier	Juhola	Saumur
Boulder	Kee	Schmidt
Braun, Stark	Kindem	Sellens
Bymers	Langley	Semerad
Carlson	Larson	Severson
Coghlan	Levin	Sharpe
Collette	Lunde	Smart
Crockett	McInnes	Starck
Culver	Mollet	Stormon
Dalzell	Morrison	Swanson
Erickson, Divide	Nelson, Cass	Trydahl
Falconer	Nelson, Morton	Westby
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nicholsen	Wolf, Morton
Fleck	Nystrom	Mr. Speaker

Those voting in the negative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Olson, Bowman

Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Sandness
Bingenheimer	Heckman	Schwartz
Bjella	Hogoboom	Shure
Blair	Ireland	Singleton
Braun, McLean	Jennings	Tuff
Brusseau	Lillehaugen	Twichell
Bubel	McIntee	Wambheim
Devlin	McIntyre	Welder
Dittmer	Moe	Williams, Richland
Drovdal	Morland	Wolf, McIntosh
Erickson, Williams	Nelson, Sargent	

Absent and not voting:

Glas	Johnson, Richland	Myers
Johnson, Cass		

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which Senate Bill No. 152 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 148, Laws of 1931, Relative to Trespassing While Hunting.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 86; nays, 16; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Gress	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Richland	Sellens
Boulden	Juhola	Semerad
Braun, Stark	Kee	Sharpe
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Trydahl
Devlin	McIntee	Tuff
Drovdal	McIntyre	Westby
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Fleck	Nelson, Steele	

Those voting in the negative were:

Arndt	Haag	Nicholsen
Bingenheimer	Hogboom	Peterson, Bottineau
Braun, McLean	Levin	Shure
Brusseau	Moe	Twichell
Bubel	Morrison	Welder
Fuglestad		

Absent and not voting:

Crockett	Johnson, Cass	Saumur
Dittmer	Myers	Severson
Glas	Nelson, Sargent	Wambheim

So the bill passed and the title was agreed to.

Rep. Mollet moved that the vote by which Senate Bill No. 129 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

Senate Bill No. 149.

Senate Bill No. 193.

Which the House has requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of:

Senate Concurrent Resolution "Q" and

House Bill No. 127.

W. J. TROUT, Secretary.

Rep. Stormon requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Stormon moved that the House accede to the request of the Senate for the return of House Bill No. 127, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to return:

House Bill No. 127.

Which the Senate has requested.

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 90. A Bill for an Act to Appropriate Seven Thousand, Five Hundred (\$7,500.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Co-operation with the United States in the Control of Such Predatory Animals; and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts

or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 15; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gress	Ohnstad
Allen	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arneson	Haugland	Panko
Arndt	Hofstrand	Peterson, Ransom
Austad	Hogoboom	Rygg
Beede	Holm	Sagehorn
Belzer	Ireland	Sandness
Benno	Jennings	Saumur
Bergesen	Johnson, Richland	Schmidt
Bingenheimer	Juhola	Sellens
Bjella	Kee	Semerad
Black	Kindem	Severson
Blair	Langley	Sharpe
Boulden	Larson	Shure
Braun, McLean	Levin	Singleton
Bymers	Lillehaugen	Smart
Coghlan	Lunde	Starck
Collette	McInnes	Stormon
Dalzell	McIntee	Swanson
Drovdal	McIntyre	Trydahl
Erickson, Divide	Morland	Twichell
Erickson, Williams	Morrison	Wambheim
Falconer	Nelson, Cass	Westby
Fitch	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fuglestad	Nelson, Steele	Wolf, McIntosh
Gackle	Nicholsen	Wolf, Morton
Gainor	Nystrom	Mr. Speaker

Those voting in the negative were:

Braun, Stark	Fraser	Peterson, Bottineau
Brusseau	Haag	Rohde
Bubel	Heckman	Schwartz
Culver	Moe	Tuff
Devlin	Mollet	Welder

Absent and not voting:

Bolmeier	Dittmer	Johnson, Cass
Carlson	Fleck	Myers
Crockett	Glas	Nelson, Sargent

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Haugen moved that the vote by which Senate Bill No. 90 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, Relating to Wolf and Coyote Bounty 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, 66; nays, 36; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen	Gainor	Olson, Bowman
Anderson	Haugen	Peterson, Ransom
Arneson	Haugland	Rygg
Austad	Heckman	Sagehorn
Belzer	Hofstrand	Sandness
Benno	Holm	Saumur
Bergesen	Ireland	Schmidt
Bingenheimer	Jennings	Sellens
Bjella	Johnson, Richland	Sharpe
Black	Juhola	Shure
Braun, McLean	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Swanson
Collette	Lillehaugen	Trydahl
Crockett	McInnes	Twichell
Dalzell	McIntee	Wambheim
Drovdal	McIntyre	Westby
Falconer	Nelson, Sargent	Williams, Stutsman
Fitch	Nicholsen	Wolf, Morton
Fitzharris	Nystrom	Mr. Speaker

Those voting in the negative were:

Arndt	Fuglestad	Nelson, Morton
Beede	Gress	Nelson, Ramsey
Blair	Haag	Ohnstad
Bolmeier	Halvorson	Panko
Boulden	Hogoboom	Peterson, Bottineau
Braun, Stark	Kee	Rohde
Brusseau	Lunde	Schwartz
Bubel	Moe	Semerad
Culver	Mollet	Stormon
Devlin	Morland	Welder
Erickson, Divide	Morrison	Williams, Richland
Fraser	Nelson, Cass	Wolf, McIntosh

Absent and not voting:

Dittmer	Glas	Nelson, Steele
Erickson, Williams	Johnson, Cass	Severson
Fleck	Myers	Tuff

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Swanson 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 was lost.

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 96; nays, 2; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fraser	Ohnstad
Allen	Fuglestad	Olson, Barnes
Anderson	Gackle	Olson, Bowman
Arneson	Gainor	Panko
Arndt	Gress	Peterson, Bottineau
Austad	Haag	Peterson, Ransom
Beede	Halvorson	Rohde
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bergesen	Hofstrand	Sandness
Bingenheimer	Hogoboom	Saumur
Bjella	Holm	Schmidt
Black	Ireland	Schwartz
Blair	Jennings	Sellens
Bolmeier	Kee	Semerad
Boulden	Kindem	Severson
Braun, McLean	Langley	Sharpe
Braun, Stark	Larson	Shure
Bubel	Levin	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Collette	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Mollet	Twichell
Devlin	Morland	Wambheim
Drovdal	Morrison	Welder
Erickson, Divide	Nelson, Morton	Williams, Richland
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitch	Nelson, Sargent	Wolf, McIntosh
Fitzharris	Nicholsen	Wolf, Morton
Fleck	Nystrom	Mr. Speaker

Those voting in the negative were:

Crockett Nelson, Cass

Absent and not voting:

Brusseau	Johnson, Cass	Myers
Dittmer	Johnson, Richland	Nelson, Steele
Erickson, Williams	Juhola	Tuff
Glas	Moe	Westby
Heckman		

So the bill passed and the title was agreed to.

Rep. Rhode moved that the vote by which Senate Bill No. 35 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 117, and the President has appointed as a conference committee to act with a like committee from the House, Senators Drew, Brunsdale, Stucke.

W. J. TROUT, Secretary.

Rep. Sellens moved that the Speaker appoint a conference committee to act with a like committee from the Senate on Senate Bill No. 117, which motion prevailed and the Speaker appointed on that committee Reps. Falconer, Fitch and Johnson of Richland.

The Chief Clerk read House Concurrent Resolution "V" as follows:

HOUSE CONCURRENT RESOLUTION "V"

Introduced by Joint Committee on Employment

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

1 That W. J. Trout, Secretary of the Senate, and C. R.
 2 Verry, Chief Clerk of the House, are hereby authorized,
 3 empowered and employed to compare and index the
 3a Journal of
 4 the Twenty-Seventh Legislative Assembly, and to
 4a complete the
 5 Senate and House Journals and mail out to the members
 5a the
 6 temporary Journals of the last days of the Session, which
 6a have
 7 not been delivered to members before the close thereof;
 7a and
 8 the said W. J. Trout, Secretary of the Senate, and C. R.
 8a Verry,
 9 Chief Clerk of the House, are hereby directed and re-
 9a quired at
 10 their own cost and expense to arrange for and procure
 10a sufficient
 11 assistance to insure that the said work shall be com-
 11a pleted with-
 12 in thirty days after the adjournment of the session.
 13 BE IT FURTHER RESOLVED, That for the services
 13a of the said
 14 W. J. Trout, Secretary of the Senate, and C. R. Verry,
 14a Chief
 15 Clerk of the House, as above set forth, be retained at
 15a their
 16 present salary, and the assistants, to be one from the
 16a House
 17 and one from the Senate, at the salary paid to each such
 18 assistant, all to be paid as other legislative expense, and
 19 paid when the respective claims are verified by the affi-
 19a davits
 20 of the said W. J. Trout and C. R. Verry, showing com-
 21 pletion of such work.
 22 BE IT FURTHER RESOLVED, That the necessary
 22a postage
 23 for mailing out the copies of temporary Journals as
 23a aforesaid
 24 be furnished to the Secretary of the Senate and the said
 24a Chief
 25 Clerk of the House as part of the Legislative expenses of
 26 this session.

ROLL CALL

The question being on the adoption of House Concurrent

Resolution "V", the roll was called and there were ayes, 94; nays, 2; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Halvorson	Nystrom
Allen	Haugen	Ohnstad
Arneson	Haugland	Olson, Barnes
Arndt	Heckman	Olson, Bowman
Austad	Hofstrand	Panko
Benno	Hogoboom	Peterson, Bottineau
Bingenheimer	Holm	Peterson, Ransom
Bjella	Ireland	Rohde
Black	Jennings	Rygg
Blair	Johnson, Cass	Sagehorn
Bolmeier	Juhola	Saumur
Boulden	Kee	Schmidt
Braun, McLean	Kindem	Schwartz
Bymers	Langley	Sellens
Carlson	Larson	Severson
Coghlan	Levin	Sharpe
Collette	Lillehaugen	Shure
Crockett	Lunde	Singleton
Culver	McInnes	Smart
Dalzell	McIntee	Starck
Devlin	McIntyre	Stormon
Drovdal	Moe	Swanson
Erickson, Divide	Mollet	Trydahl
Erickson, Williams	Morland	Twichell
Falconer	Morrison	Wambheim
Fitch	Nelson, Cass	Welder
Fitzharris	Nelson, Morton	Westby
Fleck	Nelson, Ramsey	Williams, Stutsman
Fraser	Nelson, Sargent	Wolf, McIntosh
Gackle	Nelson, Steele	Wolf, Morton
Gainor	Nicholsen	Mr. Speaker
Haag		

Those voting in the negative were:

Beede Tuff

Absent and not voting:

Anderson	Bubel	Johnson, Richland
Belzer	Dittmer	Myers
Bergesen	Fuglestad	Sandness
Braun, Stark	Glas	Semerad
Brusseau	Gress	Williams, Richland

So the Resolution was declared adopted.

House Concurrent Resolution "W" was read by the Chief Clerk as follows:

HOUSE CONCURRENT RESOLUTION "W"

Introduced by Joint Committee on Employment

WHEREAS, A complete record of action upon and disposal of all bills introduced in the House and Senate during this Session, should be made available to House and Senate members as quickly as possible; such record to show what bill have been indefinitely postponed, withdrawn or passed, with notation of Journal date and page of amendments thereto:

1 NOW THEREFORE, BE IT RESOLVED BY THE
1a HOUSE OF

2 REPRESENTATIVES, THE SENATE CONCURRING:

- 2a That such compilation
 3 be at once prepared in a pamphlet similar in size to the
 3a House
 4 and Senate Journals; that Marie Garske be employed for
 4a the
 5 House and Ruth Smith be employed for the Senate; they
 5a working
 6 together to prepare such compilation immediately. A
 6a copy of
 7 the same to be mailed as speedily as possible by the
 7a House
 8 and Senate mailing force to each member of the House
 8a and
 9 Senate, at the home address thereof.
 10 That the said Marie Garske and Ruth Smith be and
 10a they
 11 are hereby respectively retained on this work for the
 11a House
 12 and for the Senate for the period of three days after the
 13 adjournment of this Legislative Assembly, at their
 13a present
 14 pay; such compensation with the printing expense of such
 15 pamphlet and of mailing the same to be charged and
 15a paid as
 16 legislative expense.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "W", the roll was called and there were ayes, 88; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Arneson	Gainor	Nystrom
Arndt	Gress	Ohnstad
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Benno	Haugen	Peterson, Bottineau
Bingenheimer	Haugland	Peterson, Ransom
Black	Heckman	Rygg
Blair	Hofstrand	Sagehorn
Bolmeier	Hogoboom	Saumur
Braun, McLean	Holm	Schmidt
Braun, Stark	Ireland	Schwartz
Bymers	Jennings	Sellens
Carlson	Johnson, Richland	Severson
Ceehlan	Juhola	Sharpe
Collette	Kindem	Shure
Crockett	Langley	Smart
Culver	Larson	Starck
Dalzell	Lillehaugen	Stormon
Devlin	Lunde	Swanson
Dittmer	McInnes	Trydahl
Drovdal	McIntee	Tuff
Erickson, Divide	McIntyre	Wambheim
Erickson, Williams	Mollet	Westby
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh

Fitzharris
Fleck
Fraser

Nelson, Ramsey
Nelson, Sargent

Wolf, Morton
Mr. Speaker

Absent and not voting:

Anderson
Belzer
Bergesen
Bjella
Boulden
Brusseau
Bubel
Glas

Johnson, Cass
Kee
Levin
Moe
Morland
Morrison
Myers
Olson, Barnes

Rohde
Sandness
Semerad
Singleton
Twichell
Welder
Williams, Richland

So the resolution was declared adopted.

The Chief clerk read House Concurrent Resolution "X" as follows:

HOUSE CONCURRENT RESOLUTION "X"

Introduced by Joint Committee on Employment.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

- 1 That Miles Nelson and Maynard Kitzman, mailing
- 1a clerks of
- 2 the House, and S. B. Salverson and Dwight Kamrath,
- 2a mailing
- 3 clerks of the Senate, of the Twenty-seventh Legislative
- 3a Assembly,
- 4 be retained for five days after the close of this session to
- 5 complete sending Senate and House Journals of the last
- 5a days of
- 6 the session; I. C. Auerbach, proofreader of the House
- 6a and
- 7 John Bergheim, proofreader in the Senate, be retained
- 7a for two
- 8 days after the close of the session to finish proofreading
- 8a the
- 9 Journals of the House and Senate for the last day of this
- 10 Twenty-seventh Legislative Assembly; and that Arnold
- 10a Holden and
- 11 Richard Benoit, pages of the House and Clarence
- 11a Anderson and
- 12 John Koehn, pages of the Senate, be retained for two
- 12a days after
- 13 the close of the Session for the purpose of wrapping and
- 14 either mailing or expressing to the members of the
- 14a Senate and
- 15 House, bill books, Journals, reports and files; and that
- 16 Earl McInnis, postmaster of the House and Nels Johnson,
- 16a post-
- 17 master of the Senate be retained for two days after the
- 17a close
- 18 of the Session for the purpose of disposing of any mail
- 18a coming
- 19 in after the close of the session.
- 1 BE IT FURTHER RESOLVED, That each of the
- 1a above named
- 2 employees, to-wit: Miles Nelson, Maynard Kitzman, S. B.
- 2a Salver-

3 son and Dwight Kamrath, as mailing clerks, be paid for
 3a said
 4 additional five days the sum of \$4.50 per day; and I. C.
 5 Auerbach and John Bergheim, proofreaders be paid the
 5a sum of
 6 \$5.00 per day for two days, that Arnold Holden, Richard
 6a Benoit,
 7 Clarence Anderson and John Koehn, as pages, be paid
 7a the sum of
 8 \$4.50 per day for said additional two days; that Earl
 8a McInnis,
 9 and Nels Johnson, postmasters, be paid the sum of \$4.50
 9a per day
 10 for two days; all the above to be paid as other legislative
 11 expense and paid when the respective claims are verified
 11a by
 12 the affidavits of said parties herein named, at the
 12a comple-
 13 tion of such work.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "X", the roll was called and there were ayes, 89; nays, 0; absent and not voting, 22.

Those voting in the affirmative were:

Aker	Fuglestad	Ohnstad
Allen	Gackle	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Ransom
Beede	Haugen	Rohde
Benno	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hofstrand	Saumur
Blair	Hogoboom	Schmidt
Bolmeier	Holm	Schwartz
Boulden	Ireland	Sellens
Braun, McLean	Jennings	Severson
Braun, Stark	Johnson, Richland	Sharpe
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Nelson, Cass	Welder
Erickson, Williams	Nelson, Morton	Westby
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitch	Nelson, Sargent	Wolf, McIntosh
Fitzharris	Nelson, Steele	Wolf, Morton
Fleck	Nicholsen	Mr. Speaker
Fraser	Nystrom	
Absent and not voting:		
Anderson	Glas	Morrison
Belzer	Johnson, Cass	Myers
Bergesen	Juhola	Peterson, Bottineau

Bingenheimer	Kee	Sandness
Brusseau	Levin	Semerad
Crockett	Moe	Smart
Dittmer	Mollet	Williams, Richland
Gainor		

So the Resolution was declared adopted.

House Concurrent Resolution "Y" was read by the Chief Clerk as follows:

HOUSE CONCURRENT RESOLUTION "Y"

Introduced by Committee on Employment

WHEREAS, there is not sufficient monies in the Mileage and Per Diem of Officers and Employees Fund as appropriated by the 26th Legislative Assembly, and

WHEREAS, there will be a balance of credit in the Mileage and Per Diem Members Fund, in the Printing Fund, and the Miscellaneous Fund,

NOW, THEREFORE BE IT resolved, that the State Auditor is herewith instructed to transfer from the Mileage and Per Diem of Members Fund the sum of \$2000.00; from the Printing Fund the sum of \$5000.00, and from the Miscellaneous Fund the sum of \$1000.00, over to the Mileage and Per Diem Fund Officers and Employees, making a total transfer of \$8000.00.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "Y", the roll was called and there were ayes, 84; nays, 0; absent and not voting, 27.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Arneson	Gackle	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Peterson, Ransom
Beede	Halvorson	Rohde
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bergesen	Heckman	Saumur
Bingenheimer	Hogoboom	Schmidt
Bjella	Holm	Schwartz
Black	Ireland	Sellens
Blair	Jennings	Severson
Bolmeier	Johnson, Richland	Shure
Braun, McLean	Kee	Singleton
Braun, Stark	Langley	Starck
Bubel	Larson	Stormon
Bymers	Lunde	Swanson
Carlson	McInnes	Trydahl
Coghlan	McIntee	Tuff
Culver	McIntyre	Wambheim
Dalzell	Mollet	Welder
Devlin	Morland	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fitzharris	Nelson, Steele	Mr. Speaker

Absent and not voting:

Anderson	Glas	Nelson, Ramsey
Boulden	Hofstrand	Nicholsen
Brusseau	Johnson, Cass	Panko
Collette	Juhola	Peterson, Bottineau
Crockett	Kindem	Sandness
Dittmer	Levin	Semerad
Erickson, Williams	Lillehaugen	Sharpe
Fleck	Moe	Smart
Gainor	Myers	Twichell

So the Resolution was declared adopted.

Rep. Haugen moved that the House recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken and announced the House would continue business on Standing Committee Reports.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 30, have had the same under consideration and recommend that the same be amended as follows:

In Line 3, strike out the figures "\$2,000.00", and insert in lieu thereof "\$3,000.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 195, have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the re-engrossed bill at the end of line 14, strike out the word "1st" and insert in lieu thereof the word "10th".

In Section 5, line 6, after the word "the" strike out the word "first" and insert in lieu thereof the word "tenth".

In the same line after the word "year" strike the "semi-colon" and insert in lieu thereof a "period". Strike the remainder of Section 5 beginning with the word "provided" in line 6.

In Section 24 at the end of line 3 after the figures "2141a" insert the figure "1" so that the figures will read 2141a1".

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

Rep. Dalzell moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

Referring to the engrossed bill, in line 10, strike out the figures "\$760,332.00" and insert in lieu thereof "\$750,487.00".

Line 11, strike out "389,926.00" and insert in lieu thereof "381,856.00".

Line 12, strike out "129,010.52" and insert in lieu thereof "102,510.52".

Line 15, strike out "106,076.00" and insert in lieu thereof "104,680.00".

Line 17, strike out "177,190.00" and insert in lieu thereof "175,093.00".

Line 18, strike out "139,685.00" and insert in lieu thereof "137,665.00".

Line 19, strike out "229,211.95" and insert in lieu thereof "226,062.95".

Line 20, strike out "241,416.18" and insert in lieu thereof "238,062.18".

Line 26, strike out "301,870.00" and insert in lieu thereof "319,870.00".

Line 27, strike out "498,400.00" and insert in lieu thereof "511,900.00".

Line 28, strike out "17,500.00" and insert in lieu thereof "19,000.00".

Line 30, strike out "115,000.00" and insert in lieu thereof "95,000.00".

Line 33, strike out "108,000.00" and insert in lieu thereof "105,000.00".

Line 34, strike out "125,550.00" and insert in lieu thereof "121,500.00".

Strike out all of Section 2 and insert in lieu thereof the following:

"Section 2. There is hereby appropriated out of any money in the State Treasury in The Retail Sales Tax Fund to be used and disbursed pursuant to the State Equalization Fund Law, as follows: for

High School Correspondence Course\$100,000.00".

Line 58 of the engrossed bill strike out the figures "\$226,760.00" and insert in lieu thereof "\$222,760.00".

Line 60, strike out the figures "124,122.00" and insert in lieu thereof "\$121,122.00".

Line 62, strike out the figures "74,130.00" and insert in lieu thereof "72,130.00".

Line 65, strike out the figures "22,470.00" and insert in lieu thereof "21,625.00".

Line 69, strike out the figures "671,596.00" and insert in lieu thereof "661,751.00".

Line 74, strike out the figures "984,547.00" and insert in lieu thereof "974,702.00".

Line 82, strike out the figures "5,000.00" and insert in lieu thereof "2,500.00".

After line 82 insert a line 82a to read as follows:

"82a 10. School of Mines—Survey of Cement materials, 2,500.00".

Line 83, strike out the figures "760,332.00" and insert in lieu thereof "750,437.00".

Line 99, strike out the figures "2,000.00" and insert in lieu thereof "1,000.00".

Line 103, strike out the figures "515,848.00" and insert in lieu thereof "514,848.00".

Line 106, strike out the figures "5,200.00" and insert in lieu thereof "4,200.00".

Line 107, strike out the figures "203,378.00" and insert in lieu thereof "197,308.00".

Line 108, strike out the figures "807,026.00" and insert in lieu thereof "798,956.00".

Line 113, strike out the figures "295,126.00" and insert in lieu thereof "287,056.00".

Line 117, strike out the figures "389,926.00" and insert in lieu there "381,856.00".

Line 124, strike out the figures "99,510.52" and insert in lieu thereof "102,510.52".

Line 133, strike out the figures "129,010.52" and insert in lieu thereof "132,010.52".

Line 171, strike out the figures "75,644.08" and insert in lieu thereof "75,160.08".

Line 173, strike out the figures "15,442.50" and insert in lieu thereof "15,342.50".

Line 172, strike out the figures "4,188.00" and insert in lieu thereof "3,900.00".

Line 175, strike out the figures "35,469.00" and insert in lieu thereof "34,945.00".

Line 182, strike out the figures "89,673.58" and insert in lieu thereof "88,277.58".

Line 186, strike out the figures "106,076.00" and insert in lieu thereof "104,680.00".

Line 211, strike out the figures "117,914.00" and insert in lieu thereof "116,947.00".

Line 212, strike out the figures "5,292.00" and insert in lieu thereof "4,482.00".

Line 213, strike out the figures "23,854.00" and insert in lieu thereof "23,734.00".

Line 214, strike out the figures "2,200.00" and insert in lieu thereof "2,000.00".

Line 217, strike out the figures "209,760.00" and insert in lieu thereof "207,663.00".

Line 221, strike out the figures "161,260.00" and insert in lieu thereof "159,163.00".

Line 225, strike out the figures "177,190.00" and insert in lieu thereof "175,093.00".

Line 227, strike out the figures "110,668.00" and insert in lieu thereof "110,168.00".

Line 228, strike out the figures "9,618.00" and insert in lieu thereof "9,318.00".

Line 229, strike out the figures "21,955.00" and insert in lieu thereof "21,655.00".

Line 230, strike out the figures "2,524.00" and insert in lieu thereof "2,304.00".

Line 231, strike out the figures "50,745.00" and insert in lieu thereof "50,045.00".

Line 233, strike out the figures "202,010.00" and insert in lieu thereof "199,990.00".

Line 238, strike out the figures "125,510.00" and insert in lieu thereof "123,490.00".

Line 241, strike out the figures "139,685.00" and insert in lieu thereof "137,665.00".

Line 243, strike out the figures "192,375.00" and insert in lieu thereof "189,021.00".

Line 249, strike out the figures "335,475.00" and insert in lieu thereof "332,121.00".

Line 253, strike out the figures "213,975.00" and insert in lieu thereof "210,621.00".

Line 257, strike out the figures "241,416.18" and insert in lieu thereof "238,061.18".

Line 259, strike out the figures "191,155.20" and insert in lieu thereof "188,655.20".

Line 260, strike out the figures "10,375.59" and insert in lieu thereof "10,226.59".

Line 263, strike out the figures "66,213.70" and insert in lieu thereof "65,713.70".

Line 265, strike out the figures "313,961.95" and insert in lieu thereof "311,812.95".

Line 267, strike out the figures "208,961.95" and insert in lieu thereof "206,812.95".

Line 271, strike out the figures "228,211.95" and insert in lieu thereof "226,062.95".

Lines 303 to 316 inclusive, strike out the whole thereof and insert the following:

"304 Salaries	63,786.76
305 Postage	9,567.50
306 Office Supplies	1,606.95
307 Furniture and fixtures	1,735.72
308 Printing	2,794.36
309 Miscellaneous	514.98
310 Travel Expense	2,147.05
311 Student Supplies	3,392.89
312 Education Aids	950.00
313 Lessons	6,703.49
314 Contingencies	800.00
315 Rent	6,000.00
316 TOTAL	\$100,000.00"

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Kee moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: A majority of your committee on Appropriations to whom was referred Senate Bill No. 3, have had the same under consideration and recommend that the same be amended as follows:

In Line 3, of the engrossed bill, strike out "\$20,000.00", and insert in lieu thereof "\$30,000.00".

WILFRED COLLETTE
 E. D. CULVER
 J. H. HECKMAN
 RICHARD E. WOLF
 F. T. SCHMIDT
 ED McINTEE
 L. K. MORLAND
 MORRIS LARSON
 JOHN McINTYRE

And when so amended recommend the same do pass.

Rep. McIntyre moved the adoption of the report.

Mr. Speaker: A minority of your committee on Appropriations to whom was referred Senate Bill No. 3, have had the same under consideration and recommend that the same do pass.

VERNON M. JOHNSON
A. C. JOHNSON
C. G. KEE
H. G. SEVERSON
HARRY STORMON
M. W. GACKLE
HARRY CARLSON
W. R. SINGLETON
ED HAAG

TARGIE TRYDAHL, Chairman.

Rep. Haag moved a substitute motion that the report of the minority be adopted, which motion was lost.

The question being on the motion of Rep. McIntyre for the adoption of the report of the majority on Senate Bill No. 3, the motion prevailed.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 117
House Bill No. 1
House Bill No. 95
House Bill No. 141
House Bill No. 166
House Bill No. 212
House Bill No. 8
House Bill No. 106
House Bill No. 179
House Bill No. 248
House Bill No. 282
House Bill No. 294
House Bill No. 300
House Bill No. 319
House Bill No. 329
House Bill No. 330
House Bill No. 262
House Bill No. 189
House Bill No. 140
House Bill No. 98.

Were delivered to the Governor for his approval at the hour of 4 o'clock P. M., March 5, 1941.

REP. WAMBHEIM, Chairman.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 304. A Bill for an Act Relating to the Eradication of the Weed Indian Hemp, and Providing for the Growth Thereof for Commercial Purposes Under License Issued by the Commissioner of Agriculture, with Penalties Provided.

House Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2186 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 241, Session Laws of

1929, and Chapter 279, Session Laws of 1931, Relating to Taxation. Repeal.

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section 10993 of the Compiled Laws of North Dakota for 1913, Relating to the Right of the State to Appeal in Criminal Procedure.

House Bill No. 333. A Bill for an Act Providing for the Operation of Motor Vehicles Within This State by Non-Resident Owners, Authorizing the Motor Vehicle Registrar to Enter Into Reciprocal Agreements With Authorized Officials of Other States; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for the Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

House Bill No. 196. A Bill for an Act to Amend and Re-enact Subsection (h) of Section 51 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment By the Supreme Court of the State Examiner as Receiver of Insolvent State Banks, the Transfer of Powers and Duties of the Receiver or Receivers Heretofore Appointed By the Supreme Court to the State Examiner and Providing That the State Examiner Shall Become Receiver of All Insolvent State Banks from Which the Receiver Appointed by the Supreme Court has Not Been Discharged, and Declaring an Emergency.

House Concurrent Resolution No. 214. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 11 of the Constitution of the State of North Dakota as Amended by Articles 20 and 29 of the Amendments Thereto, Relating to the Levying of Taxes Upon Property in the State of North Dakota.

House Concurrent Resolution No. 216. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Municipal Liquor Stores.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 205 and the President has appointed as a conference committee to act with a like committee from the House, Senators: Brant, Thatcher and Isaak.

W. J. TROUT, Secretary.

Rep. Bymers requested that the House be on the Seventh Order of Business, which request was granted and Rep. Bymers moved that the House reconsider its action taken on Senate Bill No. 82, which motion prevailed.

Rep. Twichell moved that the House request the Senate for the return of Senate Bill No. 82, which motion prevailed.

Rep. Ireland moved that the Speaker appoint a conference committee to act with a like committee from the Senate on Senate Bill No. 205, which motion prevailed and the Speaker appointed on that committee Reps. Bjella, Hofstrand and Wolf of McIntosh.

Rep. Crockett moved that the House refuse to concur in the Senate request for the return of Senate Concurrent Resolution "Q", which motion prevailed.

Rep. Crockett moved that the House adopt Senate Concurrent Resolution "Q", which motion prevailed.

Rep. Crockett moved that the vote by which Senate Concurrent Resolution "Q" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15 of Chapter 247 of the Session Laws for the Year 1939 Relating to the Commitment of Veterans; Appointing the Veterans' Service Commissioner as Special Guardian; Authorizing the Transfer of Veterans to Federal Veterans' Administration Hospitals; Requiring the County Judge to Give Written Notices of the Commitment of Veterans and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell

Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	
Absent and not voting:		
Bjella	Johnson, Cass	Schmidt
Dittmer	Myers	Westby
Glas		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Panko moved that the vote by which House Bill No. 340 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

GENERAL ORDERS

Rep. Swanson moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Swanson to the chair.

When the Committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 184

In line One of Title, strike the word "reform" and insert in lieu thereof the word "survey."

On page 2 at line 10 of the preamble, strike the word "next."

Strike Section one and insert in lieu thereof the following: "SECTION 1. There is hereby established a Governmental Survey Commission consisting of the Governor, one member of the House of Representatives, and one member of the Senate, of the Twenty-seventh Legislative Assembly; said legislative members shall be selected by a roll call vote of the members of the branch of the Legislative Assembly from which they are chosen, prior to the adjournment of the present session of said Twenty-Seventh Legislative Assembly. The Governor shall be Chairman of the Commission."

In Section 3, line 3, strike the word "reform" and insert in lieu thereof the word "survey."

In Section 4, line 3, strike the word "reform" and insert in lieu thereof the word "survey."

In Section 8, line 2, strike the word "reform" and insert in lieu thereof the word "survey."

In Section 8, line 22, strike the word "appeal" and insert in lieu thereof the word "repeal."

In Section 8, line 23, strike the word "next".

In Section 9, line one, strike the word "reform" and insert in lieu thereof the word "survey." Also in line 21 strike

the word "reform" and insert in lieu thereof the word "survey."

In Section 9, line 27, strike the word "reform" and insert in lieu thereof the word "survey."

After line 29 of Section 9 insert the following: "(3) To accept funds or services from any individual or group, public, private or governmental, which will aid the Commission in its work".

In Section 10, line one, strike the word "commissioners" and insert in lieu thereof the word "commission."

In Section 10, line 12, strike the word "Governor" and insert in lieu thereof the following: "an advisory board consisting of the Governor, State Examiner, Attorney General, three others to be chosen by the Governor, who shall be a representative of the School of Accounting of the University of North Dakota, and two finance officers of political subdivisions."

In Section 10, line 43, strike the word "Governor" and insert in lieu thereof the words "Advisory Board."

In Section 10, line 51, strike the words "to the Governor."

In Section 11, beginning at line 3, strike the words "to a board composed of the Governor, State Examiner, Attorney General, and four others to be chosen by the Governor, one representative of the School of Accounting of the University of North Dakota, two finance officers of political subdivisions, and one other," and insert in lieu thereof, "to the Advisory Board."

In Section 11, at line 8, strike the words "after due consideration a majority of said board are" and insert in lieu thereof the words "after due consideration and recommendations from said Advisory Board, the said Commission is."

In Section 12, line 2, strike the word "commissioners" and insert in lieu thereof the word "commission."

In Section 12, line 15, strike the word "board" and insert in lieu thereof the word "commission."

In Section 13 at line 4, after the word "reform" insert "uniform accounting and utilization of physical resources."

In Section 14, line 2, strike the word "reform" and insert in lieu thereof the word "survey."

In Section 14, line 8, strike the word "reform" and in lieu thereof insert the word "survey."

In Section 14, line 9, strike the word "reform and insert in lieu thereof the word "survey."

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following further amendments:

Insert in Section 8 following line 17, Page 5.

(a1) To study reports prepared from investigations for governmental reorganization in other states and consider reform measures advocated in such reports.

And the following amendment to be incorporated in the amendment as printed in the Senate Journal of February 22, 1941, preceding sub-section (f) six lines up from the bottom of page 483.

(e1) In formulating systems of uniform bookkeeping and accounting the commission is prohibited from recommending the use of copyrighted forms or systems except such forms or systems as may be copyrighted by the State of North Dakota.

And when so amended recommend the same do pass.

Senate Bill No. 43.

Strike out everything after "A Bill", and insert in lieu thereof the following:

"For an act to amend and re-enact Sub-section 4 of Section 1, and Section 2, of Chapter 241 of the Session Laws of North Dakota for 1939, and to repeal Sub-section 9 of Section 3 of Chapter 241 of the Session Laws of North Dakota for 1939, being an act to impose a tax on the storage, use or consumption in this state of tangible personal property, as such terms are defined therein; to provide certain exemptions therefrom; to provide for the collection of such tax and the administration of the act; to fix fines and penalties for the violation of the provisions of the act, and to re-adopt Sections 1, 3, excepting Sub-section 9 of Sections 3, 4, 5, 6, 8, 9, and 10 of said act by reference, and to amend and re-enact Sections 7, 11, and 14 of said Chapter 241 of the Session Laws of North Dakota for 1939.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. Amendment.) That Sub-Section 4 of
2 Section 1 of Chapter 241 of the Session Laws of North
3 Dakota for 1939, be amended and re-enacted to read as
4 follows:

5 (4) "Tangible personal property" means tangible
5a goods,
6 wares and merchandise, gas, electricity, and water, when
7 furnished or delivered to consumers or users within this
8 state, and also means machinery, appliances, apparatus,
9 and other like property when leased for use within this
10 state, or when purchased without this state, and used or
11 operated by the owner or lessee thereof within this state.

12 Section 2. Amendment.) That Section 2 of Chapter
13 241 of the Session Laws of North Dakota for 1939, is
14 hereby amended and re-enacted to read as follows:

15 Section 2. Tax Imposed.) An excise tax is hereby
16 imposed on the storage, use or consumption in this state
16a of

17 tangible personal property purchased at retail for stor-
17a age,
18 use or consumption in this state, at the rate of two
19 percent (2%) of the purchase price of such property.

20 Section 3. Repeal.) That Sub-Section 9 of Section 3
21 of Chapter 241 of the Session Laws of North Dakota for
21a 1939,

22 be and the same is hereby repealed.

23 Section 4. Provisions of Use Tax Law Applicable.)
24 All of the provisions of Section 1, except Sub-Section 4
25 thereof (which is separately re-enacted herein), Section
26 3, except Sub-Section 9 thereof, Section 4, Section 5,
27 Section 6, Section 8, Section 9, and Section 10, of
28 Chapter 241 of the Session Laws of North Dakota for the

29 year 1939, are hereby incorporated into and made a part
29a of
30 this Act; and the Tax Commissioner is hereby authorized
30a and
31 empowered to enforce the provisions thereof, and for that
32 purpose, shall exercise all of the powers and duties
33 conferred upon him by the Use Tax and Sales Tax Laws
33a in
34 effect in this State.

35 Section 5. Provisions of Sales Tax Act Applicable.)
36 All of the provisions of Section 5, Sub-Sections 4 and 5 of
37 Section 10, and Sections 11, 12, 13, 14, 15, 16, 17, 18, 19,
38 20, 21, and 22, of Chapter 249 of the Session Laws of
38a North

39 Dakota for the year 1937, and any amendment or re-
39a enactment
40 thereof, are hereby incorporated into and made a part of
41 this Act; and the Tax Commissioner is hereby authorized
42 and empowered to enforce all of the powers and duties
43 conferred upon him by the provisions of said Chapter
43a 249 of
44 the Session Laws of North Dakota for the year 1937,
44a and any
45 amendment or re-enactment thereof.

46 Section 6. Amendment.) That Section 7 of Chapter
46a 241
47 of the Session Laws of North Dakota for 1939, be amend-
47a ed and
48 re-enacted to read as follows:

49 Section 7. Unlawful Advertising.) It shall be un-
49a lawful

50 for any retailer to advertise or hold out or state to the
51 public or to any purchaser, consumer or user, directly or
52 indirectly, that the tax or any part thereof imposed by
52a this

53 Act will be assumed or absorbed by the retailer or that it
54 will not be added to the selling price of the property sold,
55 or if added that it or any part thereof will be refunded.
56 Any person violating any of the provisions of this Section
57 within this State shall be guilty of misdemeanor and
57a subject

58 to a fine of not to exceed one hundred (\$100.00) dollars
58a for
59 each offense or to imprisonment for not to exceed thirty
59a (30)
60 days or to both such fine and imprisonment in the
60a discretion
61 of the court.

62 Section 7. Amendment.) That Section 14 of Chapter
62a 241

63 of the Session Laws of North Dakota for 1939, be
63a amended and

64 re-enacted to read as follows:

65 Section 14. Unlawful Sale or Soliciting.) It shall be
66 unlawful for any agent, canvasser, or employee of any
67 retailer, not authorized by permit from the Tax Com-
67a missioner

68 of the State of North Dakota to collect the tax as herein
69 provided, to sell, solicit orders for or deliver any

70 tangible personal property in this State. Any such agent,
 71 canvasser or employee violating the provisions of this Act
 72 shall be guilty of a misdemeanor and subject to a fine of
 73 not to exceed one hundred (\$100.00) dollars for each such
 74 offense or to imprisonment for not to exceed thirty (30)
 75 days or to both such fine and imprisonment in the
 76 discretion of the court.

77 Section 8. Severability Clause.) If any section,
 78 subsection, clause, sentence, or phrase of this act is, for
 79 any reason, held to be unconstitutional and invalid, such
 80 decision shall not effect the validity of the remaining
 81 portions of this act. The legislature hereby declares that
 82 it would have passed this act and each section, subsection,
 83 clause, sentence or phrase hereof, irrespective of whether
 84 any one or more of the sections, subsections, clauses,
 85 sentences, or phrases, be declared unconstitutional."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 18

In Section 1, Line 3, strike out "\$9,010.00" and insert in lieu thereof "\$12,660.00".

Line 11, strike out "\$2,160.00" and insert in lieu thereof "\$3,160.00".

Line 12, strike out "\$400.00" and insert in lieu thereof "\$600.00".

Line 14, strike out "\$100.00" and insert in lieu thereof "\$200.00".

Line 15, strike out "\$100.00" and insert in lieu thereof "\$150.00".

Line 17, strike out "\$800.00" and insert in lieu thereof "\$1,600.00".

Add the following after Line 18: "Emergency \$1,500.00".

Change the total to "\$12,660.00".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 145.

In the original bill on line 17, after the word "State" insert the following: "and local."

On line 67, Section 4, strike out everything after "SECTION 4." and insert in lieu thereof the following: "That the tax imposed herein shall be levied for the purpose of providing revenue for the payment of interest due or to accrue upon outstanding North Dakota Real Estate Series Bonds, that the State Treasurer shall collect the tax levied pursuant to the provisions of this act and deposit the same monthly to the credit of, 'Real Estate Bond Interest Payment Fund,' established by Chapter 128 of the Session Laws of 1929 and the State Board of Equalization shall consider the revenue derived from the administration of this act in determining, the necessity and amount of any tax to be levied in the manner provided by law."

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

HARLEY R. SWANSON, Chm., Committee of the Whole
Rep. Nelson of Cass moved the adoption of the report of
the Committee of the Whole, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to request the Senate to
return to the House Senate Bill No. 82.

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 191. A Bill for an Act to Provide a Limita-
tion of Time Within Which Claims May Be Made or Pro-
ceedings Brought to Recover Monies in Personal Accounts
of Inmates and Patients in State Charitable Institutions;
and Providing the Transfer of Such Monies.

House Bill No. 221. A Bill for an Act to Amend and Re-
enact Sub-section 1 of Section 20 of Chapter 148 of the
Session Laws of 1931, as Amended by Section 1 of Chapter
144 of the Session Laws of 1935, Relating to Game and Fish.

House Bill No. 241. A Bill for an Act to Amend and Re-
enact Section 3163a1, Compiled Laws of North Dakota, as
Amended by Chapter 136 Session Laws of 1939, Defining a
Public Dancing Place, Repeal.

House Bill No. 167. A Bill for an Act to Amend and Re-
enact Sections 11, 21 and 22 of Chapter 256 of the Session
Laws of North Dakota for the Year 1939 Relating to the
Powers and Duties of the State Water Conservation Com-
mission, Relating to State Water Conservation Commission
Bonds and Declaring an Emergency.

House Bill No. 115. A Bill for an Act to Include Certain
Elective Officials of the State and of the Counties Thereof
Under the Terms of the Workmen's Compensation Act, and
to Amend and Re-enact Section 4 of Chapter 286, Session
Laws of 1935 (Being Section 10-1 of Chapter 162 of the
Session Laws of 1919, as amended) Relating to Disbursement
of Workmen's Compensation Fund; Declaring an Emergency;
Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 237. A Bill for an Act Providing for Reten-
tion by County Auditors of a Part of the Resident and Non-
resident Hunting License and Non-resident Fishing License
Fees, and Repealing All Acts and Parts of Acts in Conflict
Herewith.

House Bill No. 249. A Bill for an Act to Amend and
Re-enact Section 10322a51 of the Supplement of 1925 and
Chapter 118, Laws 1933 Relative to Going Afield With Guns
Before the Hunting Season and Illegal Possession of Game
and Fish After the Hunting Season.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 105. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, Relating to Tax Limitations of Cities.

House Bill No. 187. A Bill for an Act Relating to Payment of the Costs of Sewer and Water Improvements in Cities and Villages Partly by Special Assessments and Partly by Service Charges, and Declaring an Emergency.

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purposes, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; Emergency.

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for 1939.

House Bill No. 258. A Bill for an Act Preserving the Rights to Benefits Under the North Dakota Unemployment Compensation Act to Persons Entering the Military or Naval Service of the United States During the Period of Such Service; Repeal; Declaring an Emergency.

House Bill No. 272. A Bill for an Act to Amend and Re-enact Sections 3 and 5 of Chapter 2 of the 1939 Session Laws; Relating to Beekeepers' Licenses and License Fees, and Repealing All Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 123. A Bill for an Act Reserving to the Counties of the State Mineral, Gas and Oil Rights; and Declaring an Emergency.

House Bill No. 223. A Bill for an Act Authorizing and Directing County Auditors to Destroy Certain Old, No Longer of Use, and Obsolete Books, Blanks, Forms, and Records of Their Offices and Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

House Bill No. 215. A Bill for an Act Authorizing the Governor and the Secretary of State, Acting in the Name of,

and on Behalf of, the State of North Dakota, to Transfer and Convey, Without Consideration, Certain Lands in Rolette County, Now Held by and in the Name of the State of North Dakota in Trust for the Use and Benefit of the International Peace Garden, Inc., a New York Corporation, to the United States of America For Use as a Customs Port of Entry to the United States From the Dominion of Canada, and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to the National Defense Act of June 3, 1916, as Amended by Later Acts of Congress, and Repealing Chapter 35 of the Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939.

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to inform you that the Senate requests the House to return House Bill No. 157.

W. J. TROUT, Secretary.

Rep. Erickson of Divide moved that the House accede to the request of the Senate for the return of House Bill No. 157, which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, March 5, 1941.

Mr. President: I have the honor to return House Bill No. 157, which the Senate has requested.

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 38, have had the same under consideration and recommend that the same be amended as follows:

In Section 1, strike out line 10 and all following lines and insert in lieu thereof the following:

"10 Superintendent	4,000.00
11 Assistant Superintendent	3,600.00
12 Patrolmen	60,000.00
13 Clerks	7,840.00
14 Bookkeepers	6,000.00
15 Postage	1,620.62
16 Office Supplies	600.00
17 Furniture and Fixtures	725.00
18 Printing	2,608.87
19 Miscellaneous	5,622.86
20 Travel Expense	26,400.00
21 New Equipment	4,823.60
22 Training School & 1st Aid	674.00
23 Educational Program	800.00
24 Car Operation, Maintenance, & Replacement Based on 3000 miles per month per car (See Notes—Page 8)	63,360.00
25 New Cars (See Notes—Page 8)	19,371.14
26 Audit	500.00

208,546.09

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 24, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Gackle moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Speaker: Your Committee on Appropriations to whom was referred Senate Bill No. 4, have had the same under consideration and recommend that the same be amended as follows:

Referring to the engrossed bill, in Line 3, strike out the figures "\$31,850.00" and insert in lieu thereof "\$35,650.00".

Line 19, strike out "700.00" and insert in lieu thereof "1,000.00".

Line 25, strike out "16,400.00" and insert in lieu thereof "\$16,700.00".

Line 28, strike out "500.00" and insert in lieu thereof "\$750.00".

Line 30, strike out "250.00" and insert in lieu thereof "500.00".

After Line 34, add a line and insert the following: "34a Light Plant & Pump—Ft. Lincoln State Park 900.00".

After Line 38 add a line and insert the following:

"38a Development and Mtce. of Historic Sights.....1,500.00"

"38b Restoration of Ft. Ransom 600.00"

Line 39, change the total to "\$18,950.00".

Line 40, change the Grand Total to "\$35,650.00".

And when so amended recommend the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. Wolf moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the House stand recessed until 9:30 A. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTY-EIGHTH DAY AFTER RECESS AND
FIFTY-NINTH DAY

Bismarck, March 6, 1941.

The House re-assembled at 9:30 A. M., pursuant to recess, Speaker Symington presiding.

The House continued on the Eighth Order of Business.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 714a7 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1939 Relating to Pledging Securities for Public Deposits.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4 and Section 10 of Chapter 235 of the Session Laws of 1929 Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes; Providing for Exceptions to Such Levies; Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Chapter 246 of the Session Laws of 1931, Relating to the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for Supervision Thereof and for Maintenance of Instruction by Tuition Fees.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 102. A Bill for an Act Relating to the Appointment, Powers and Duties of the State Engineer, to Amend and Re-enact Section 8239 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 224 of the Session Laws of 1929, and to Repeal Section 8240 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 2 of Chapter 224 of the Session Laws of 1929.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 127. A Bill for an Act to Amend and Re-enact Section 22 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, as Amended by Chapter 95 of the Session Laws of North Dakota for the Year 1937, Relating to the Responsibility of Shareholders of State Bank Stock.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 179. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Cooperatives and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Their Personal Property; Providing for the Collection of Such Tax and Appropriating the Proceeds; and Repealing All Acts and Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 208. A Bill for an Act Authorizing Counties to Maintain Actions in Adverse Claims to Quiet Title to Lands Acquired Through Tax Deeds; Providing for the Joinder of the Causes of Action and Parties Defendant; Providing for Separate Trials and Judgments; Authorizing Judgments by Default and Prescribing the Procedure Applicable to the Service of Process and Trial of Such Actions.

And the Speaker signed the same in the presence of the House.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to transmit the following bill:

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as Amended by Act Approved May 24, 1934, and Acts Amendatory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

Which the House has requested.

W. J. TROUT, Secretary.

The House reverted to the Fifth Order of Business.

Mr. Speaker: Your Committee on Highways and Bridges, to whom was referred Senate Bill No. 182, have had the same under consideration and recommend that the same do pass.

A. C. JOHNSON, Chairman.

Rep. Boulden moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that Senate Bill No. 189 be placed on the calendar, which motion prevailed.

Mr. Speaker: Your Committee on Highways and Bridges, to whom was referred Senate Bill No. 119, have had the same under consideration and recommend that the same be amended as follows:

Strike out Section 2 of the engrossed bill and insert a new Section 2 as follows:

SECTION 2. (a) The term "common motor carrier of property," when used in this act, shall mean any person who holds himself out to the public as willing to undertake for hire to transport by motor vehicle from place to place the property of others who may choose to employ him. Those common motor carriers operating between fixed termini, over fixed routes on schedule time, shall be designated as Class "A" common carriers. Those carriers operating over irregular routes, not on schedule time, at the will and command of the shipper shall be designated as "special" common motor carriers.

Class "A" common motor carriers shall transport, within their authority, commodities in any quantity or quantities offered them for shipment.

"Special" common motor carriers may transport commodities within their authority in any quantity or quantities but only from or to that territory or zone for which they have heretofore proved, or may hereafter prove, public convenience and necessity, or such territory or zone as may be found by the Commission to be convenient and necessary to the public or in the public interest; provided, that no "special" motor carrier shall transport shipments in lots less-than-truckloads, as defined, and under the conditions and rules set, by the Com-

mission, between two or more points served by Class "A" carriers whether within or without such zone, except under express authority of the Commission to be granted in cases of undue circuitry via two or more connecting Class "A" carriers; and provided further, that "special" motor carriers may transport household goods, emigrant moveables, or other special commodities, or general commodities in truckloads as defined by the Commission, from or to points not in such zone, or between points on Class "A" routes, by the authority of and under the conditions and rules set by the Commission; and, provided further, that any "special" motor carrier may, with the approval of, and under the conditions and rules set by the Commission, by tariff publication, specify minimum shipments which such carrier shall be obligated to carry; and, provided further, that the rates and tariffs prescribed by the Commission shall be uniform for similar service for classes of carriers affected by this act, and, provided further, that it shall be unlawful for any common carrier to transport any shipment in violation of this act or this authority as conferred by the Commission.

(b) The term "common motor carrier of passengers," when used in this act, shall mean any person who holds himself out to the public as willing to undertake for hire to transport by motor vehicle from place to place persons who may choose to employ him.

(c) The transportation for more than one consignor, or to more than three consignees, by any motor carrier shall be prima facie evidence that such motor carrier is operating as a common carrier.

JOHNSON, of Cass, Chairman.

Rep. Boulden moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment respectfully report that:

House Bill No. 176

Was delivered to the Governor for his approval at the hour of 10:00 o'clock A. M., February 6, 1941.

REP. WAMBHEIM, Chairman.

SECOND READING OF SENATE BILLS

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Haag	Panko

Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rygg
Bergesen	Hogoboom	Sagehorn
Bingenheimer	Hofstrand	Saumur
Bjella	Ireland	Schmidt
Black	Jennings	Schwartz
Blair	Johnson, Cass	Sellens
Bolmeier	Johnson, Richland	Semerad
Boulden	Juhola	Severson
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Shure
Bubel	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Crockett	McIntee	Trydahl
Culver	McIntyre	Twichell
Dalzell	Moe	Wambheim
Devlin	Mollet	Welder
Dittmer	Morland	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck	Nicholsen	

Absent and not voting:

Austad	Heckman	Nelson, Steele
Brusseau	Holm	Rohde
Erickson, Williams	Lillehaugen	Sandness
Glas	Myers	Tuff
Gress		

So the bill passed and the title was agreed to.

Senate Bill No. 184. A Bill for an Act to Create a Governmental Reform Commission; Providing for the Number of Its Members; Their Appointment and Qualifications; the Term of Office and Filling of Vacancies; Providing for its Organization; Prescribing Its Powers and Duties; Providing for 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, 58; nays, 46; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gackle	Olson, Barnes
Allen	Gainor	Peterson, Ransom
Arneson	Haugland	Sagehorn
Arndt	Hogoboom	Sandness
Austad	Holm	Saumur
Benno	Ireland	Sellens
Bergesen	Johnson, Cass	Severson
Bjella	Johnson, Richland	Sharpe
Black	Kee	Shure
Blair	Langley	Singleton

Bolmeier	Lunde	Smart
Boulden	McInnes	Stormon
Carlson	Moe	Swanson
Coghlan	Morland	Trydahl
Collette	Nelson, Cass	Twichell
Dalzell	Nelson, Ramsey	Wambheim
Fitch	Nelson, Sargent	Westby
Fitzharris	Nicholsen	Williams, Stutsman
Fleck	Nystrom	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Anderson	Haag	Ohnstad
Beede	Halvorson	Olson, Bowman
Belzer	Haugen	Panko
Bingenheimer	Hofstrand	Peterson, Bottineau
Braun, McLean	Jennings	Rohde
Braun, Stark	Juhola	Rygg
Bubel	Kindem	Schmidt
Bymers	Larson	Schwartz
Crockett	Levin	Semerad
Culver	Lillehaugen	Starck
Devlin	McIntee	Tuff
Dittmer	McIntyre	Welder
Drovdal	Mollet	Williams, Richland
Erickson, Divide	Morrison	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fraser		

Absent and not voting:

Brusseau	Gress	Myers
Erickson, Williams	Heckman	Nelson, Steele
Glas		

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Bergesen moved that the vote by which Senate Bill No. 184 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The House reverted to the Fifth Order of Business.

REPORT OF STANDING COMMITTEES

Mr. Speaker: Your Committee on State Affairs, to whom was referred Senate Bill No. 82, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and substitute the following amendment in lieu thereof:

For an Act to amend and re-enact Chapter 178, Session Laws for the year 1939 Relating to the Funding and Refunding of Existing Indebtedness of Municipalities and Declaring an Emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. AMENDMENT. That Section 1 of Chapter
2 1a 178

3 of the Session Laws of 1939 be and the same is hereby
4 amended and re-enacted to read as follows:

5 SECTION 1. A municipality may issue bonds under the
6 provisions of this act for the purpose of funding and re-
7 funding its existing indebtedness at any time prior to
8 July 1, 1943. The terms "governing body" and

7a "municipality"
8 as used herein, shall be deemed and construed to mean
8a the
9 same as such terms are respectively defined in Chap-
9a ter 196,
10 Laws of 1927. The terms "floating indebtedness" and
10a "bonded
11 "indebtedness" shall collectively be deemed to include
12 orders, certificates of indebtedness, bonds, contracts and
13 warrants and other instruments evidencing a general
13a municipi-
14 pal indebtedness, issued and outstanding prior to January
15 1, 1941.
1 SECTION 2. AMENDMENT.) That Section 2 of
1a Chapter 178
2 of the Sesison Laws of 1939, be, and the same is hereby
2a amended
3 and re-enacted to read as follows:
4 SECTION 2. (a) Any municipality may by resolu-
4a tion of
5 the governing body propose or accept and adopt a plan for
6 refunding and refunding floating indebtedness and/or
6a bonded
7 indebtedness or any part thereof existing prior to
7a January 1,
8 1941. Such resolution shall recite the plan in detail and
9 contain such provisions not inconsistent with this act as
10 shall be found to be for the best interest of the municipi-
11 pality, its creditors, and its taxpayers. The plan may
12 contemplate the issuance of bonds to refund any or all
12a outstanding
13 bonds, including bonds which are not due or about
14 to become due, may provide that bonds may be ex-
14a exchanged in
15 whole or in part or unmatured bonds with the consent
15a of the
16 holders thereof, and may provide for the execution and
16a sale
17 or exchange and delivery of bonds from time to time as
17a needed
18 to meet maturing obligations. Any such plan may pro-
18a vide for
19 the issuance of one series of bonds or more than one
19a series.
20 The governing body may fix a time limit within which
20a creditors
21 may surrender obligations for payment of exchange and
21a may
22 thereafter extend such time if it is found beneficial to the
23 municipality to do so. The plan may require the con-
23a sent of
24 any specified percentage or amount of the holders of the
25 obligations included in such plan before it shall become
26 effective. Any municipality may take any action
26a authorized
27 by any present or future bankruptcy or similar law
27a enacted
28 by the Congress of the United States designed to assist in

29 the compounding or compromising and refinancing of
 29a indebtedness,
 30 including the payment of fees and expenses necessary
 31 to make use of such act and approved by the court having
 32 jurisdiction thereof.

33 (b) Option or Redemption.) All bonds hereafter issued
 34 under this act and which bear interest at the rate of three
 35 (3%) per cent or less payable semi-annually and mature
 35a serially in
 36 twenty (20) years or less, in annual installments of not
 36a less
 37 than 5 per cent of the principal amount of the bond issue,
 38 commencing not later than the third year, may be issued
 39 with option of payment and redemption prior to
 39a maturity or
 40 with such provisions as to prior payment and redemption
 40a as the
 41 governing body shall adopt.

1 SECTION 3. AMENDMENT.) That Section 3 of
 1a Chapter 178
 2 of the Session Laws of 1939 be amended and re-enacted
 2a to read
 3 as follows:

4 SECTION 3. Bonds issued hereunder may be sold
 4a or exchanged
 5 for outstanding bonds or other indebtedness, or part
 6 sold and part exchanged in such manner as the gov-
 6a erning body
 7 shall determine, but none shall be sold or exchanged upon
 8 such terms that the annual interest cost of the proceeds,
 9 computed to maturities of the bonds of the series ac-
 9a cording

10 to standard tables of bond values now in general nation-
 10a wide

11 use by financial institutions and insurance companies, will
 12 be more than the interest rate on the bonds or other in-
 13 debtedness funded or refunded thereby, or exceed three
 13a (3%)

14 per cent per annum, provided that except as to bonds
 14a heretofore

15 contracted to be sold no bonds shall be sold or exchanged
 16 hereafter until the municipality has first advertised for
 17 bids at a public sale in the manner prescribed by Sec-
 17a tion 17

18 of Chapter 196, Laws of 1927 or acts amendatory thereof;
 19 provided, further, that it shall be unlawful for any munici-
 20 pality as herein defined or for the governing body thereof,
 21 to issue any bonds for any purpose under this act

21a without
 22 first being authorized so to do by a vote of the qualified
 23 electors of such municipality, which election shall be held
 24 and conducted as provided in Chapter 196 of the Session
 24a Laws

25 of 1927 or acts amendatory thereof, excepting, however,
 25a that

26 this proviso shall not apply to funding bonds which have
 27 been contracted to be sold by any such municipality
 27a prior to

28 January 1, 1941. The officers may use the proceeds of
 28a bonds
 29 sold to purchase the outstanding bonds, for the refund-
 29a ing of
 30 which such bonds were issued, at the best price obtainable,
 31 not exceeding par and accrued interest to date of pur-
 31a chase,
 32 or may use such proceeds to pay a certain percentage
 32a of all
 33 bonds or other indebtedness surrendered for exchange
 33a and
 34 deliver bonds in exchange for the remainder of said
 34a bonds or
 35 indebtedness. Prior to or contemporaneously with the
 36 delivery of bonds, an equal par value of outstanding
 36a bonds
 37 or other indebtedness shall be surrendered and cancelled.
 38 Insofar as any exchanges are made, the outstanding
 38a obligations
 39 shall be taken at not more than face amount with accrued
 40 interest and the bonds delivered shall be valued at not
 40a less
 41 than the face amount with accrued interest.

1 SECTION 4. It is expressly provided that no funding
 2 or refunding bonds may be issued hereunder unless
 2a approved by

3 a vote of the people of the "municipality" as provided by
 4 Chapter 196, Laws of 1927, and acts amendatory thereto.

1 SECTION 5. In all proceedings had or taken here-
 1a under no

2 attorney fees, brokerage or other fees, or commission of
 3a any

3 kind shall be paid to any person, firm or corporation for
 4 assisting in the proceedings, or in the preparation of the
 5 bonds, or in negotiating the sale thereof.

1 SECTION 6. EMERGENCY.) This act is hereby
 1a declared to

2 be an emergency measure and shall be in full force and
 3 effect from and after its passage and approval.

And when so amended recommend the same do pass.

L. L. TWICHELL, Chairman.

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Beede moved that the report of the Committee of the Whole recommending indefinite postponement of Senate Bill No. 159 be adopted.

Rep. Bergesen moved a substitute motion that Senate Bill No. 159 be referred to the Committee of the Whole for amendments, which motion prevailed.

GENERAL ORDERS

Rep. Fitch moved that the House resolve itself into a committee of the whole for the consideration of general orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. Fitch to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The committee of the whole have had under consideration Senate Bill No. 159.

And recommend the adoption of the following amendments to the re-engrossed bill:

In Section 1, line 15, place a period (.) after the word "husbandry" and strike out the balance of line 15. Strike out all of lines 16 and 17. (These amendments o. k. for printed bill).

In Section 1, line 13, strike out the word "or" after the word "type".

In Section 1, line 47, strike out the period after the word "Act" and insert the following: "except in necessary movements about the farm or farms". (Same line in printed bill).

In Section 5, line 20, strike out everything after the word "used" and strike out all lines 21 and 22 and in line 23 strike out the word and period "State." at the beginning of the line.

In printed bill this amendment would read line 19 after the word "used" and all of lines 20 and 21 and the word "State" in line 22.

In Section 5, line 38, after the word "Commissioner" strike out the words "of all".

In the printed bill this reads "Section 5, line 37, strike out the words "of all" at the end of the line.

In Section 5, line 41 after the word "license" strike out the word "which" and strike out all of lines 42, 43 and 44 and after the word license insert a period.

In Section 6, strike out all of lines 5, 6, 7, 8 and 9. In the printed bill this amendment would read "strike out all of lines 12, 13, 14, 15 and 16.

In Section 4, line 53 of the re-engrossed bill after the word "inclusive" strike out the words "a corporation" and insert in lieu thereof the words "a bulk dealer".

And when so amended recommend the same do pass.

Senate Bill No. 172.

Strike out everything after "A Bill," and insert in lieu thereof the following:

For an Act defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise below actual cost for the Purpose of having the Effect of injuring competitors or destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the provisions thereof.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. This Act shall be known and designated as the "North Dakota Unfair Trade Practices Act."

Section. (1) When used in this act, the term "cost" shall mean the actual invoice cost of the merchandise or the replacement cost of the merchandise whichever is lower; less all trade discounts, advertising allowances, including customary discounts for cash, to which shall be added (a) transportation including cartage cost, not otherwise included in the invoice cost or the replacement cost of the merchandise; provided, that where a manufacturer publishes a list price,

proof of such list price, less all discount, shall be prima facie evidence of "cost."

(2) When used in this Act the term "replacement cost" shall mean the cost per unit at which the merchandise sold or offered for sale could have been bought by the seller at any time prior to the date of sale or the date upon which it is offered for sale by the seller.

(3) When one or more items are advertised, offered for sale, or sold with one or more items at a combined price, or are advertised, offered as a gift, or given with the sale of one or more items, each and all of said items shall, for the purpose of this Act, be deemed to be advertised, offered for sale, or sold, and the price of each item named shall be governed by the provisions of paragraph (1) or (2) of Section 2, respectively.

(4) The terms "sell at retail," "sales at retail," and "retail sale" shall mean and include any transfer for a valuable consideration, made in the ordinary course of trade or in the usual prosecution of the seller's business, of title to tangible personal property to the purchase for consumption or use other than resale or further processing or manufacturing, provided, however, that sales to contractors or subcontractors engaged in any type of building operation or the repair of buildings or other improvements upon real estate shall be deemed sales for consumption and not for further processing or manufacturing. The terms shall include any transfer of such property where title is retained by the seller as security for the payment of the purchase price.

(5) The terms "sell at wholesale," "sales at wholesale," and "wholesale sales" shall mean and include any transfer for a valuable consideration made in the ordinary course of trade or the usual conduct of the seller's business, of title to tangible personal property to the purchase for purposes for resale or further processing or manufacturing, provided, however, that sales to contractors engaged in any type of building operation or the repair of buildings or other improvements upon real estate regardless of further processing or manufacturing of the material sold, shall be deemed retail sales and not wholesale sales. The above terms shall include any transfer of such property where title is retained by the seller as security for the payment of the purchase price.

(6) The term "retailers" shall mean and include every person, partnership, corporation or association engaged in the business of making sales at retail within this state provided that, in case of a person, partnership, corporation or association engaged in the business of making sales at retail and sales at wholesale, such terms shall be applied only to the retail portion of such business.

(7) The term "wholesaler" shall mean and include every person, partnership, corporation or association engaged in the business of making sales at wholesale within the state, provided that, in case of a person, partnership, corporation or association engaged in the business of making both sales at wholesale and sales at retail, such terms shall be applied only to the wholesale portion of such business.

Section 3. It is hereby declared that any advertising, offer to sell, or sale of any merchandise, either by retailers or

wholesalers, at less than cost as defined in this Act, with the intent, or effect of inducing the purchase of other merchandise or of unfairly diverting trade from a competitor, or otherwise injuring a competitor, impair and prevent fair competition, injure public welfare, and are unfair competition and contrary to public policy and the policy of this Act, where the result of such advertising, offer or sale is to tend to deceive any purchaser or prospective purchaser, or to substantially lessen competition, or to unreasonably restrain trade, or tend to create a monopoly in any line of commerce. The inhibition against sales below cost as defined herein, shall embrace any scheme of special rebate, collateral contract or any device of any nature whereby such result is, in substance or in fact, effected in violation of the spirit and intent of this Act.

Section 4. Any retailer or wholesaler who shall advertise, offer to sell, or sell any article of merchandise at less than cost to such retailer or wholesaler as defined in this Act, or who gives, offers to give, or advertises the intent to give away any article of merchandise, with the intent, or with the effect of injuring competitors and destroying competition shall be guilty of a misdemeanor. Proof of any such advertising, offer to sell or to give away, or sale or gift of any article of merchandise by any retailer or wholesaler at less than cost as defined in this Act, shall be prima facie evidence of a sale below cost.

Section 5. In addition to the penalties provided, the Courts of this State are invested with the jurisdiction to prevent and restrain violations of this Act by injunctive proceedings, and it shall be the duty of the Attorney-General and the several State's Attorneys to institute suits in equity in behalf of the State, to prevent and restrain violations hereof. Any person damaged, or who is threatened with loss or injury, by reason of violation of this Act, shall be entitled to sue for and have injunctive relief in the District Court against any damage or threatened loss or injury by reason of a violation hereof.

Section 6. The provisions of this Act shall not apply to sales at retail or sales at wholesale; (a) where merchandise is sold in bona fide clearance sales, if advertised, marked and sold as such; (b) where perishable merchandise must be sold promptly in order to forestall loss; (c) where merchandise is imperfect or damaged, or is being discontinued and is advertised, marked and sold as such; (d) where merchandise is sold upon the final liquidation of any business; (e) where merchandise is sold for charitable purposes or to relief agencies; (f) where merchandise is sold on contract to departments of the government or governmental institutions; (g) where the price of merchandise is made in good faith to meet legal competition; (h) where merchandise is sold by any officer acting under order or direction of any court; provided, however, that any retailer or wholesaler claiming the benefits of any of the exemptions herein above provided, shall have the burden of proof of facts entitling such retailer or wholesaler to any of the benefits of said exemptions.

Section 7. Any party or record to any civil action or proceeding instituted or brought pursuant to the provisions of this Act may be required to testify in such proceedings and

to reproduce books, papers, tariffs, contracts, agreements and documents before the Court in such proceedings, providing, however, that no person compelled under the provisions of this section to testify or produce evidence tending to incriminate him shall be prosecuted for any crime which such testimony or evidence tends to prove or to which the same relates. This section shall not exempt any person from prosecution for perjury.

Section 8. If any section, sentence, clause or provision of this Act shall, for any reason, be held invalid or unconstitutional, the validity of the remaining parts hereof shall not be affected thereby.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

House Bill No. 338.

And recommend the adoption of the following amendment:

Insert the following enacting clause after the title in the bill:

“BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:”

Senate Bill No. 27.

Referring to the Engrossed Bill, in Line 3, strike out “\$229,806.00” and insert in lieu thereof “\$229,006.00”.

Line 9a strike out “\$5,600.00” and insert in lieu thereof “\$4,800.00”.

Line 10, after the word (person) strike out the comma and the word “Clerks” and insert “\$3,360.00”.

Line 10a, after the “Typists” insert “and Clerks”, and strike out the figures “\$16,800.00” and insert in lieu thereof “\$13,440.00”.

Line 26, strike out “\$229,806.00” and insert in lieu thereof “\$229,006.00”.

And recommend the adoption of the Standing Committee amendments.

And recommend the adoption of the following further amendment:

Change the wording in line 9a to read “Assistant Director”.

Senate Bill No. 34.

Referring to the amended bill, (amendments—Senate Journal p. 496), Line 13, strike out the figures “\$8,000.00” and insert in lieu there “\$9,600.00”.

Line 20, strike out “\$9,000.00” and insert in lieu thereof “\$9,600.00”.

Line 33, strike out “\$134,000.00”, and insert in lieu thereof “\$132,200.00”.

The total remains the same.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 30.

In line 3, strike out the figures “\$2,000.00” and insert in lieu thereof “\$3,000.00”.

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 195.

In Section 1 of the re-engrossed bill at the end of line 14, strike out the word "1st" and insert in lieu thereof the word "10th".

In Section 5, line 6, after the word "the" strike out the word "first" and insert in lieu thereof the word "tenth".

In the same line after the word "year" strike the "semicolon" and insert in lieu thereof a "period". Strike the remainder of Section 5 beginning with the word "provided" in line 6.

In Section 24 at the end of line 3 after the figures "2141a" insert the figure "1" so that the figures will read "2141a1".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

Senate Bill No. 1.

Referring to the engrossed bill, in line 10, strike out the figures "\$760,332.00" and insert in lieu thereof "\$750,487.00".

Line 11, strike out "129,010.52" and insert in lieu thereof "381,856.00".

Line 12, strike out "129,010.52" and insert in lieu thereof "102,510.52".

Line 15, strike out "106,076.00" and insert in lieu thereof "104,680.00".

Line 17, strike out "177,190.00" and insert in lieu thereof "175,093.00".

Line 18, strike out "139,685.00" and insert in lieu thereof "137,665.00".

Line 19, strike out "229,211.95" and insert in lieu thereof "226,062.95".

Line 20, strike out "241,416.18" and insert in lieu thereof "238,062.18".

Line 26, strike out "301,870.00" and insert in lieu thereof "319,870.00".

Line 27, strike out "498,400.00" and insert in lieu thereof "511,900.00".

Line 28, strike out "17,500.00" and insert in lieu thereof "19,000.00".

Line 30, strike out "115,000.00" and insert in lieu thereof "95,000.00".

Line 33, strike out "108,000.00" and insert in lieu thereof "105,000.00".

Line 34, strike out "125,550.00" and insert in lieu thereof "121,500.00".

Strike out all of Section 2 and insert in lieu thereof the following:

"Section 2. There is hereby appropriated out of any money in the State Treasury in The Retail Sales Tax Fund to be used and disbursed pursuant to the State Equalization Fund Law, as follows: for

"High School Correspondence Course.....\$100,000.00".

Line 58 of the engrossed bill strike out the figures "\$226,760.00" and insert in lieu thereof "\$222,760.00".

Line 60, strike out the figures "124,122.00" and insert in lieu thereof "\$121,122.00".

Line 61, strike out the figures "74,130.00" and insert in lieu thereof "72,130.00".

Line 65, strike out the figures "22,470.00" and insert in lieu thereof "21,625.00".

Line 69, strike out the figures "671,596.00" and insert in lieu thereof "661,751.00".

Line 74, strike out the figures "984,547.00" and insert in lieu thereof "974,702.00".

Line 82, strike out the figures "5,000.00" and insert in lieu thereof "2,500.00".

After line 82 insert a line 82a to read as follows:

"82a 10. School of Mines—Survey of Cement materials, 2,500.00".

Line 83, strike out the figures "760,332.00" and insert in lieu thereof "750,487.00".

Line 99, strike out the figures "2,000.00" and insert in lieu thereof "1,000.00".

Line 103, strike out the figures "515,848.00" and insert in lieu thereof "514,848.00".

Line 106, strike out the figures "5,200.00" and insert in lieu thereof "4,200.00".

Line 107, strike out the figures "203,378.00" and insert in lieu thereof "197,308.00".

Line 108, strike out the figures "807,026.00" and insert in lieu thereof "798,956.00".

Line 113, strike out the figures "295,126.00" and insert in lieu thereof "287,056.00".

Line 117, strike out the figures "389,926.00" and insert in lieu thereof "381,856.00".

Line 124, strike out the figures "99,510.52" and insert in lieu thereof "102,510.52".

Line 133, strike out the figures "129,010.52" and insert in lieu thereof "132,010.52".

Line 171, strike out the figures "75,644.08" and insert in lieu thereof "75,160.08".

Line 173, strike out the figures "15,442.50" and insert in lieu thereof "15,342.50".

Line 172, strike out the figures "4,188.00" and insert in lieu thereof "3,900.00".

Line 175, strike out the figures "35,469.00" and insert in lieu thereof "34,945.00".

Line 182, strike out the figures "89,673.58" and insert in lieu thereof "88,277.58".

Line 186, strike out the figures "106,076.00" and insert in lieu thereof "104,680.00".

Line 211, strike out the figures "117,914.00" and insert in lieu thereof "116,947.00".

Line 212, strike out the figures "5,292.00" and insert in lieu thereof "4,482.00".

Line 213, strike out the figures "23,854.00" and insert in lieu thereof "23,734.00".

Line 214, strike out the figures "2,200.00" and insert in lieu thereof "2,000.00".

Line 217, strike out the figures "209,760.00" and insert in lieu thereof "207,663.00".

Line 221, strike out the figures "161,260.00" and insert in lieu thereof "159,163.00".

Line 225, strike out the figures "177,190.00" and insert in lieu thereof "175,093.00".

Line 227, strike out the figures "110,668.00" and insert in lieu thereof "110,168.00".

Line 228, strike out the figures "9,618.00" and insert in lieu thereof "9,318.00".

Line 229, strike out the figures "21,955.00" and insert in lieu thereof "21,655.00".

Line 230, strike out the figures "2,524.00" and insert in lieu thereof "2,304.00".

Line 231, strike out the figures "50,745.00" and insert in lieu thereof "50,045.00".

Line 233, strike out the figures "202,010.00" and insert in lieu thereof "199,990.00".

Line 238, strike out the figures "125,510.00" and insert in lieu thereof "123,490.00".

Line 241, strike out the figures "139,685.00" and insert in lieu thereof "137,665.00".

Line 243, strike out the figures "192,375.00" and insert in lieu thereof "189,021.00".

Line 249, strike out the figures "335,475.00" and insert in lieu thereof "332,121.00".

Line 253, strike out the figures "213,975.00" and insert in lieu thereof "210,621.00".

Line 257, strike out the figures "241,416.18" and insert in lieu thereof "238,061.18".

Line 259, strike out the figures "191,155.20" and insert in lieu thereof "188,655.20".

Line 260, strike out the figures "10,375.59" and insert in lieu thereof "10,226.59".

Line 263, strike out the figures "66,213.70" and insert in lieu thereof "65,713.70".

Line 265, strike out the figures "313,961.95" and insert in lieu thereof "311,812.95".

Line 267, strike out the figures "208,961.95" and insert in lieu thereof "206,812.95".

Line 271, strike out the figures "228,211.95" and insert in lieu thereof "226,062.95".

Lines 303 to 316 inclusive, strike out the whole thereof and insert the following:

"304 Salaries	63,786.76
305 Postage	9,567.50
306 Office Supplies	1,606.95

307	Furniture and fixtures	1,735.72
308	Printing	2,794.36
309	Miscellaneous	514.98
310	Travel Expense	2,147.05
311	Student Supplies	3,392.89
312	Education Aids	950.00
313	Lessons	6,703.49
314	Contingencies	800.00
315	Rent	6,000.00
316	TOTAL	\$100,000.00"

And recommend the adoption of the Standing Committee amendments.

And the following further amendments:

In all cases where "Less Estimated Income" appears on the University of North Dakota, Agricultural College Proper, School of Forestry at Bottineau, Normal and Industrial School at Ellendale, School of Science at Wahpeton, Normal School at Dickinson, Normal School at Mayville, Normal School at Valley City and the State Teachers' College at Minot, deduct the amounts of "Less Estimated Income" and add the same to the final total of each appropriation for each said institution.

And when so amended recommend the same do pass.

Senate Bill No. 3.

In Line 3, of the engrossed bill, strike out "\$20,000.00", and insert in lieu thereof "\$30,000.00".

And recommend the adoption of the following amendment to the Standing Committee amendment to line 3: Strike out the figures "\$30,000.00" as inserted by the Standing Committee and insert in lieu thereof the figures "\$40,000.00."

And when so amended recommend the same do pass.

Senate Bill No. 38.

In Section 1, strike out line 10 and all following lines and insert in lieu thereof the following:

"10	Superintendent	4,000.00
11	Assistant Superintendent	3,600.00
12	Patrolmen	60,000.00
13	Clerks	7,840.00
14	Bookkeepers	6,000.00
15	Postage	1,620.62
16	Office Supplies	600.00
17	Furniture and Fixtures	725.00
18	Printing	2,608.87
19	Miscellaneous	5,622.86
20	Travel Expense	26,400.00
21	New Equipment	4,823.60
22	Training School & 1st Aid	674.00
23	Educational Program	800.00
24	Car Operation, Maintenance, & Replacement Based on 3000 miles per month per car (See Notes—Page 8)	63,360.00
25	New Cars (See Notes—Page 8)	19,371.14
26	Audit	500.00

208,546.09"

And recommend the adoption of the Standing Committee amendments.

And the following amendment to the Standing Committee amendment to line 24: "Strike out the words and parenthesis "(See Notes—Page 8)" and in line 25 strike out the words and parenthesis "(See Notes—Page 8)".

And when so amended recommend the same do pass.

Senate Bill No. 4.

Referring to the engrossed bill, in Line 3, strike out the figures "\$31,850.00" and insert in lieu thereof "\$35,650.00".

Line 19, strike out "700.00" and insert in lieu thereof "1,000.00".

Line 25, strike out "16,400.00" and insert in lieu thereof "16,700.00".

Line 28, strike out "500.00" and insert in lieu thereof "750.00".

Line 30, strike out "250.00" and insert in lieu thereof "500.00".

After Line 34, add a line and insert the following: "34a Light Plant & Pump—Ft. Lincoln State Park 900.00".

After Line 38 add a line and insert the following:

"38a Development and Mtce. of Historic Sights.....1,500.00"

"38b Restoration of Ft. Ransom 600.00"

Line 39, change the total to "\$18,950.00".

Line 40, change the Grand Total to "\$35,650.00".

And recommend the adoption of the Standing Committee amendments.

And when so amended recommend the same do pass.

K. A. FITCH, Chm., Committee of the Whole.

Rep. Swanson moved the adoption of the report of the Committee of the Whole, which motion prevailed and the report was declared adopted.

Rep. Twichell moved that the House do now recess until 1:15 P. M., which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

MESSAGE TO THE SENATE

House of Representatives,

Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 714a7 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1939 Relating to Pledging Securities for Public Deposits.

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4 and Section 10 of Chapter 235 of the Session Laws of 1929 Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes; Providing for Exceptions to Such Levies; Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact Chapter 246 of the Session Laws of 1931, Relating to the Establishment and Maintenance in Certain High Schools

of This State of a Department of Junior College Work and Providing for Supervision Thereof and for Maintenance of Instruction by Tuition Fees.

Senate Bill No. 102. A Bill for an Act Relating to the Appointment, Powers and Duties of the State Engineer, to Amend and Re-enact Section 8239 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 224 of the Session Laws of 1929, and to Repeal Section 8240 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 2 of Chapter 224 of the Session Laws of 1929.

Senate Bill No. 127. A Bill for an Act to Amend and Re-enact Section 22 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, as Amended by Chapter 95 of the Session Laws of North Dakota for the Year 1937, Relating to the Responsibility of Shareholders of State Bank Stock.

Senate Bill No. 179. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Cooperatives and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Their Personal Property; Providing for the Collection of Such Tax and Appropriating the Proceeds; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Senate Bill No. 208. A Bill for an Act Authorizing Counties to Maintain Actions in Adverse Claims to Quiet Title to Lands Acquired Through Tax Deeds; Providing for the Joinder of the Causes of Action and Parties Defendant; Providing for Separate Trials and Judgments; Authorizing Judgments by Default and Prescribing the Procedure Applicable to the Service of Process and Trial of Such Actions.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

GENERAL ORDERS

Rep. McInnes moved that the rules be suspended for the purpose of resolving into a Committee of the Whole for the consideration of General Orders; which motion prevailed, and the House resolved itself into a committee of the whole.

The Speaker called Rep. McInnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker: The Committee of the Whole have had under consideration:

Senate Bill No. 82.

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act to amend and re-enact Chapter 178, Session Laws for the year 1939 Relating to the Funding and Refunding of Existing Indebtedness of Municipalities and Declaring an Emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. AMENDMENT. That Section 1 of Chapter 1a 178

2 of the Session Laws of 1939 be and the same is hereby
3 amended and re-enacted to read as follows:

4 SECTION 1. A municipality may issue bonds under the
5 provisions of this act for the purpose of funding and re-
6 funding its existing indebtedness at any time prior to
7 July 1, 1943. The terms "governing body" and
7a "municipality"
8 as used herein, shall be deemed and construed to mean
8a the
9 same as such terms are respectively defined in Chap-
9a ter 196,
10 Laws of 1927. The terms "floating indebtedness" and
10a "bonded
11 "indebtedness" shall collectively be denied to include
12 orders, certificates of indebtedness, bonds, contracts and
13 warrants and other instruments evidencing a general
13a munici-
14 pal indebtedness, issued and outstanding prior to January
15 1, 1941.

1 SECTION 2. AMENDMENT.) That Section 2 of
1a Chapter 178
2 of the Sesion Laws of 1939, be, and the same is hereby
2a amended
3 and re-enacted to read as follows:

4 SECTION 2. (a) Any municipality may by resolu-
4a tion of
5 the governing body propose or accept and adopt a plan for
6 refunding and refunding floating indebtedness and/or
6a bonded
7 indebtedness or any part thereof existing prior to
7a January 1,
8 1941. Such resolution shall recite the plan in detail and
9 contain such provisions not inconsistent with this act as
10 shall be found to be for the best interest of the munici-
11 pality, its creditors, and its taxpayers. The plan may
12 contemplate the issuance of bonds to refund any or all
12a outstanding
13 bonds, including bonds which are not due or about
14 to become due, may provide that bonds may be ex-
14a exchanged in
15 whole or in part for unmatured bonds with the consent
15a of the
16 holders thereof, and may provide for the execution and
16a sale
17 or exchange and delivery of bonds from time to time as
17a needed
18 to meet maturing obligations. Any such plan may pro-
18a vide for
19 the issuance of one series of bonds or more than one
19a series.
20 The governing body may fix a time limit within which
20a creditors
21 may surrender obligations for payment of exchange and
21a may
22 thereafter extend such time if it is found beneficial to the
23 municipality to do so. The plan may require the con-
23a sent of
24 any specified percentage or amount of the holders of the
25 obligations included in such plan before it shall become

26 effective. Any municipality may take any action
26a authorized
27 by any present or future bankruptcy or similar law
27a enacted
28 by the Congress of the United States designed to assist in
29 the compounding or compromising and refinancing of
29a indebtedness,
30 including the payment of fees and expenses necessary
31 to make use of such act and approved by the court having
32 jurisdiction thereof.

33 (b) Option or Redemption.) All bonds hereafter issued
34 under this act and which bear interest at the rate of three
35 (3%) per cent or less payable semi-annually and mature
35a serially in
36 twenty (20) years or less, in annual installments of not
36a less
37 than 5 per cent of the principal amount of the bond issue,
38 commencing not later than the third year, may be issued
39 with option of payment and redemption prior to
39a maturity or
40 with such provisions as to prior payment and redemption
40a as the
41 governing body shall adopt.

1 SECTION 3. AMENDMENT.) That Section 3 of
1a Chapter 178
2 of the Session Laws of 1939 be amended and re-enacted
2a to read

3 as follows:

4 SECTION 3. Bonds issued hereunder may be sold
4a or exchanged
5 for outstanding bonds or other indebtedness, or part
6 sold and part exchanged in such manner as the gov-
6a erning body
7 shall determine, but none shall be sold or exchanged upon
8 such terms that the annual interest cost of the proceeds,
9 computed to maturities of the bonds of the series ac-
9a cording
10 to standard tables of bond values now in general nation-
10a wide

11 use by financial institutions and insurance companies, will
12 be more than the interest rate on the bonds or other in-
13 debtedness funded or refunded thereby, or exceed three
13a (3%)

14 per cent per annum, provided that except as to bonds
14a heretofore

15 contracted to be sold no bonds shall be sold or exchanged
16 hereafter until the municipality has first advertised for
17 bids at a public sale in the manner prescribed by Sec-
17a tion 17

18 of Chapter 196, Laws of 1927 or acts amendatory thereof;
19 provided, further, that it shall be unlawful for any munici-
20 pality as herein defined or for the governing body thereof,
21 to issue any bonds for any purpose under this act

21a without

22 first being authorized so to do by a vote of the qualified
23 electors of such municipality, which election shall be held
24 and conducted as provided in Chapter 196 of the Session

24a Laws

25 of 1927 or acts amendatory thereof, excepting, however,
 25a that
 26 this proviso shall not apply to funding bonds which have
 27 been contracted to be sold by any such municipality
 27a prior to
 28 January 1, 1941. The officers may use the proceeds of
 28a bonds
 29 sold to purchase the outstanding bonds, for the refund-
 29a ing of
 30 which such bonds were issued, at the best price obtainable,
 31 not exceeding par and accrued interest to date of pur-
 31a chase,
 32 or may use such proceeds to pay a certain percentage
 32a of all
 33 bonds or other indebtedness surrendered for exchange
 33a and
 34 deliver bonds in exchange for the remainder of said
 34a bonds or
 35 indebtedness. Prior to or contemporaneously with the
 36 delivery of bonds, an equal par value of outstanding
 36a bonds
 37 or other indebtedness shall be surrendered and cancelled.
 38 Insofar as any exchanges are made, the outstanding
 38a obligations
 39 shall be taken at not more than face amount with accrued
 40 interest and the bonds delivered shall be valued at not
 40a less
 41 than the face amount with accrued interest.

1 SECTION 4. It is expressly provided that no funding
 2 or refunding bonds may be issued hereunder unless
 2a approved by
 3 a vote of the people of the "municipality" as provided by
 4 Chapter 196, Laws of 1927, and acts amendatory thereto.

1 SECTION 5. In all proceedings had or taken here-
 1a under no
 2 attorney fees, brokerage or other fees, or commission of
 3a any
 3 kind shall be paid to any person, firm or corporation for
 4 assisting in the proceedings, or in the preparation of the
 5 bonds, or in negotiating the sale thereof.

1 SECTION 6. EMERGENCY.) This act is hereby
 1a declared to
 2 be an emergency measure and shall be in full force and
 3 effect from and after its passage and approval.

And when so amended recommend that the same do pass.

Senate Bill No. 119.

Strike out Section 2 of the engrossed bill and insert a new
 Section 2 as follows:

SECTION 2. (a) The term "common motor carrier of
 property", when used in this act, shall mean any person who
 holds himself out to the public as willing to undertake for hire
 to transport by motor vehicle from place to place the property
 of others who may choose to employ him. Those common mo-
 tor carriers operating between fixed termini, over fixed
 routes on schedule time, shall be designated as class "A" com-
 mon carriers. Those carriers operating over irregular routes,

not on scheduled time, at the will and command of the shipper shall be designated as "special" common motor carriers.

Class "A" common motor carriers shall transport, within their authority, commodities in any quantity or quantities offered them for shipment.

"Special" common motor carries may transport commodities within their authority in any quantity or quantities but only from or to that territory or zone for which they have heretofore proved, or may hereafter prove, public convenience and necessity, or such territory or zone as may be found by the Commission to be convenient and necessary to the public or in the public interest; provided, that no "special" motor carrier shall transport shipments in lots less-than-truckloads, as defined, and under the conditions and rules set, by the Commission, between two or more points served by class "A" carriers whether within or without such zone, except under express authority of the Commission to be granted in cases of undue circuitry via two or more connecting class "A" carriers; and, provided further, that "special" motor carriers may transport household goods, emigrant moveables, or other special commodities, or general commodities in truckloads as defined by the Commission, from or to points not in such zone, or between points on class "A" routes, by the authority of and under the conditions and rules set by the Commission; and, provided further, that any "special" motor carrier may, with the approval of, and under the conditions and rules set by the Commission, by tariff publication, specify minimum shipments which such carrier shall be obliged to carry; and, provided further, that the rates and tariffs prescribed by the Commission shall be uniform for similar service for all classes of carriers affected by this act, and, provided further, that it shall be unlawful for any common carrier to transport any shipment in violation of this act or his authority as conferred by the commission.

(b) The term "common motor carrier of passengers", when used in this act, shall mean any person who holds himself out to the public as willing to undertake for hire to transport by motor vehicle from place to place persons who may choose to employ him.

(c) The transportation for more than one consignor, or to more than three consignees, by any motor carrier shall be prima facie evidence that such motor carrier is operating as a common carrier.

H. W. McINNES, Chairman,
Committee of the Whole.

Rep. Nelson of Cass moved the adoption of the report of the Committee of the Whole, which motion prevailed.

Rep. Aker requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Aker moved that the House reconsider its action taken on Senate Bill No. 164, which motion prevailed.

Rep. Aker moved that Senate Bill No. 164 be placed on the calendar, which motion prevailed.

Rep. Rohde moved that the absent members be excused, which motion prevailed.

Rep. Crockett moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

FIFTY-NINTH DAY

Bismarck, March 6, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Dan. J. Rueb, Bismarck.

Roll Call disclosed all members present except Reps. Glas and Myers.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Eighth day and finds the same correct.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No.	105
House Bill No.	115
House Bill No.	191
House Bill No.	123
House Bill No.	167
House Bill No.	186
House Bill No.	187
House Bill No.	188
House Bill No.	211
House Bill No.	215
House Bill No.	221
House Bill No.	223
House Bill No.	237
House Bill No.	241
House Bill No.	258
House Bill No.	272
House Bill No.	249.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 28 made the following report: Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 28, have had the same under consideration and recommend that the House recede from its amendments.

For the Senate:

HJALMAR NELSON
GUST WOG
WILLIAM WATT

For the House:

K. A. FITCH
JOHN McINTYRE
HARRY CARLSON

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 7; absent and not voting, 8.

Those voting in the negative were:

Aker	Fitzharris	Nelson, Morton
Allen	Fleck	Nelson, Ramsey
Anderson	Fraser	Nelson, Sargent
Arneson	Gackle	Nicholsen
Arndt	Gainor	Nystrom
Austad	Gress	Ohnstad
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bjella	Heckman	Rygg
Black	Hofstrand	Sagehorn
Blair	Hogoboom	Saumur
Bolmeier	Holm	Schmidt
Boulden	Ireland	Schwartz
Braun, McLean	Jennings	Sellens
Braun, Stark	Johnson, Richland	Semerad
Brusseau	Juhola	Sharpe
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck
Coghlan	Levin	Stormon
Collette	Lillehaugen	Trydahl
Crockett	Lunde	Tuff
Culver	McInnes	Twichell
Dalzell	McIntee	Wambheim
Devlin	McIntyre	Westby
Dittmer	Moe	Williams, Richland
Drovdal	Mollet	Williams, Stutsman
Erickson, Divide	Morland	Wolf, McIntosh
Erickson, Williams	Morrison	Wolf, Morton
Fitch	Nelson, Cass	Mr. Speaker

Those voting in the negative were:

Johnson, Cass	Sandness	Shure
Kee	Severson	Swanson

Olson, Barnes

Absent and not voting:

Bingenheimer	Glas	Panko
Falconer	Myers	Welder
Fuglestad	Nelson, Steele	

So the bill was passed and the title was agreed to.

Rep. Anderson moved that the vote by which Senate Bill No. 28 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Sections 92 and 93 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Printing and Distribution of the Legislative Manual or North Dakota Blue Book.

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

Senate Bill No. 129. A Bill for an Act to Amend and Re-act Section 17 of Chapter 148, Laws of 1931, Relative to Trespassing While Hunting.

Senate Bill No. 90. A Bill for an Act to Appropriate Seven Thousand, Five Hundred (\$7,500.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Co-operation with the United States in the Control of Such Predatory Animals; and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, Relating to Wolf and Coyote Bounty and Declaring an Emergency.

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 65. A Bill for an Act Imposing a Tax

Upon Tickets for Admission to All Theaters, Movies, Pin Alleys, Ball Alleys, and Other Places of Amusement; Declaring an Emergency.

Senate Bill No. 196. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violations Thereof.

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 499 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 212 of the 1931 Session Laws of the State of North Dakota Relating to Who Exempt from Employing a Registered Pharmacist and Providing for Sale by Certain Retailers of Emergency Household Medicines and Poisons.

Senate Bill No. 158. A Bill for an Act to Amend and Re-enact Section 3080a6 of the 1925 Supplement to the 1913 Code, Relating to the Transporting and Shipping of Kerosene and Gasoline Into the State of North Dakota, and Providing for Inspection Fees and Reports Relating Thereto.

Senate Bill No. 207. A Bill for an Act Authorizing the Board of University and School Lands of the State of North Dakota to Expend From an Appropriation Made for That Purpose, Not to Exceed \$8,000.00 to Build, Improve, Rebuild, Repair, Construct or Reconstruct Buildings and Other Improvements Necessary to Carry Out the Purposes of This Act, on That Part of the South Half of Section 36, Township 137, Range 53, Cass County, North Dakota, Owned By the State; Creating a Special Commission to Be Known as the "Four C's Commission"; Defining Its Powers and Duties; Authorizing Said Commission to Employ All Necessary Labor, Purchase and Sell Materials and to Enter Into Any and All Contracts Necessary or Convenient for the Purpose of Carrying Out the Provisions Hereof; Directing Said Board of University and School Lands to Enter Into a Contract of Lease with Nick Brown and Ella H. Brown, His Wife, Jointly, of Leonard, North Dakota, for the Occupancy of Said Premises During the Period Stated Herein at a Rental of \$1.00 per Year; Granting Option to Purchase; and Declaring an Emergency.

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Section 7408 of the 1913 Compiled Laws of North Dakota, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Section 7411 of the 1913 Compiled Laws of North Dakota, Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 3352 of the Compiled Laws of 1913, to Authorize the Registration of Warrants Issued by Taxing Districts Not Paid for Want of Funds; Limiting the Rate of Interest of Registered Warrants; Requiring Notice for Presentation for Payment Thereof; and Declaring an Emergency.

Which the House has amended.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 28.

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 335. A Bill for an Act to Transfer to the General Fund \$20,000 from the Balance on Hand July 1, 1941, in the "Auto Transportation Fund".

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 213 of the Session Laws for 1939; Repeal.

House Bill No. 301. A Bill for an Act Relating to the State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of All Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions Upon Which Renewal of Licenses Shall Be Issued and Requirements Prerequisite to the Granting of Such Renewal Licenses; Providing for Penalties and Suspension of License for Failure to Reregister; Providing for Reinstatement After Suspension.

House Bill No. 116. A Bill for an Act Authorizing the Seizure and Confiscation of Vehicles or Other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property Which Is the Subject Matter of Any Felony; Providing for a Proceeding to Release Such Property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds Arising from Sale; Declaring an Emergency.

House Bill No. 273. A Bill for an Act for the Licensing, Regulating and Inspecting of Rendering Plants or Establish-

ments, and Providing Punishment for Violation Thereof; Declaring an Emergency.

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 176 of the Session Laws of 1931, and as Amended by Chapter 146 of the Session Laws of 1933, Providing for a Lien for Repairs Made on Automobiles, Trucks, Engines, Threshing Machines, Combines, Tractors, Power-driven Farm Equipment and Well Machines. Repeal.

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 1456 of the Supplement of 1925 as Amended by Chapter 202, Laws 1929, Relative to Maintenance of County Agricultural and Training Schools and the Tuition

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Chiropractic License Renewals; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 245. A Bill for an Act to Amend and Re-enact Sections 26 and 53 and Sub-division (2) of Section 20 of Chapter 148, Laws 1931, Providing for Permit Fee and Providing Penalties for the Illegal Hunting of Big Game.

House Bill No. 213. A Bill for an Act to Amend and Re-enact §§ 5 and 8 of Chapter 165 of the Session Laws of 1939, Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession During the Extended Period, and Limiting the Right, to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; and Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

House Bill No. 199. A Bill for an Act to Provide Punishment for the Taking and Operating of an Automobile or Other Motor Vehicle, or Causing the Same to Be Taken and Operated Without the Consent of the Owner.

House Bill No. 184. A Bill for an Act Authorizing the Board of University and School Lands to Transfer and Convey Certain Acreage of State School Lands to the Game and Fish Department in Exchange for Other Land, to Be Used and Maintained for Wildlife-Restoration Projects, and Declaring an Emergency.

House Bill No. 136. A Bill for an Act to Repeal Subdivi-

sion 1 of Section 3 of Chapter 240 of the Session Laws of the State of North Dakota for the Year 1931.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 5, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 126. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96 of the Session Laws for the State of North Dakota, as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937, Relating to Reserve Fund Requirements for State Banking Associations.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229, of the Session Laws for 1939, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing that as to Stocks of Merchandise, the Average Value Thereof for the Year Preceding the Time of Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, and Declaring an Emergency.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Article 29, Section 2791 of the 1913 Compiled Laws.

Senate Bill No. 109. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for the Repeal of Acts in Conflict Herewith.

Senate Bill No. 36. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of

Senate Concurrent Resolution "L". A Concurrent Resolution Specifying the Number of Copies of the Report of the Code Revision Commission to Be Prepared for Submission to the Twenty-eighth Legislative Assembly.

Senate Bill No. 174. A Bill for an Act Providing for the Dissolution of Irrigation Districts; Providing for the Sale of the Assets of Such Districts; Providing for the Disposition of Cash Assets of the District After All District Obligations Have Been Fully Paid; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 43 was read the second time.

Rep. Bergesen moved that the rules be suspended for the purpose of amending the title of Senate Bill No. 43, which motion prevailed.

Rep. Bergesen moved that the title of the engrossed Senate Bill No. 43 be amended as follows: In line 11 of the rewritten bill as it appears on page 1091 of the House Journal, strike off the "s" on the last word "Sections". Also in line 11, insert a parenthesis before the word "excepting" and also in line 12, insert a parenthesis after the figure "3".

Which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 43 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 66; nays, 39; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fitch	Nelson, Sargent
Allen	Fitzharris	Nelson, Steele
Anderson	Fleck	Nicholsen
Arneson	Fuglestad	Nystrom
Arndt	Gainor	Olson, Barnes
Austad	Gress	Peterson, Ransom
Benno	Haugland	Sagehorn
Bergesen	Hofstrand	Saumur
Bjella	Hogoboom	Sellens
Black	Holm	Severson
Blair	Ireland	Sharpe
Bolmeier	Johnson, Cass	Shure
Boulden	Johnson, Richland	Singleton
Braun, Stark	Kee	Smart
Bymers	Kindem	Stormon
Carlson	Langley	Swanson
Coghlan	Lunde	Trydahl
Collette	McInnes	Twichell
Culver	Moe	Wambheim
Dalzell	Morland	Westby
Dittmer	Nelson, Cass	Williams, Stutsman
Drovdal	Nelson, Ramsey	Mr. Speaker

Those voting in the negative were:

Beede	Haugen	Olson, Bowman
Belzer	Heckman	Panko
Braun, McLean	Jennings	Peterson, Bottineau
Brusseau	Juhola	Rohde
Bubel	Larson	Rygg
Crockett	Levin	Schmidt
Devlin	Lillehaugen	Schwartz
Erickson, Divide	McIntee	Semerad
Erickson, Williams	McIntyre	Starck
Falconer	Mollet	Tuff
Fraser	Morrison	Williams, Richland
Haag	Nelson, Morton	Wolf, McIntosh
Halvorson	Ohnstad	Wolf, Morton

Absent and not voting:

Bingenheimer	Glas	Sandness
Gackle	Myers	Welder

So the bill was passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Twichell moved that the vote by which Senate Bill No. 43 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 117, and the President has appointed as a new conference committee to act with a like committee from the House, Senators: Page, Adam and Bond.

W. J. TROUT, Secretary.

Rep. Falconer requested that the House revert to the Sixth Order of Business, which request was granted.

REPORT OF SELECT COMMITTEE

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 117, have had the same under consideration and recommend:

That a new committee be chosen to confer with a like Committee from the Senate.

FOR THE SENATE:

RASCHKO
STREIBEL
SOLBERG

FOR THE HOUSE:

WM. B. FALCONER
K. FITCH
JOHNSON, of Richland

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the House reconsider its action taken on Senate Bill No. 193 for the purpose of amending the same, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 193 be amended as follows:

Following the sentence ending in line 18, insert the following sentence:

The Board of Election for each said additional polling place shall be constituted as provided in Section 1156, Compiled

Laws of North Dakota, 1913, except that for each said additional polling place, the Board of Directors of said District shall prior to the date of election appoint two electors of said District to act as judges and shall appoint at least one additional elector of said District to act as clerk."

In line 4 of the title strike out the semi-colon after the word "places" and insert a comma in lieu thereof and the following: "providing for the appointment of judges and clerks of election" and a semi-colon.

Which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 193 be placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Repeal, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Sargent
Allen	Fuglestad	Nelson, Steele
Anderson	Gackle	Nicholsen
Arneson	Gainor	Nystrom
Arndt	Gress	Ohnstad
Austad	Halvorson	Olson, Barnes
Beede	Haugen	Olson, Bowman
Belzer	Haugland	Peterson, Bottineau
Benno	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Sellens
Braun, McLean	Johnson, Richland	Semerad
Braun, Stark	Juhola	Severson
Brusseau	Kee	Sharpe
Bubel	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starek
Collette	Levin	Stormon
Crockett	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Westby
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh

Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker
Fleck	Nelson, Ramsey	

Those voting in the negative were:

Schmidt

Absent and not voting:

Bingenheimer	Haag	Sagehorn
Bymers	Myers	Shure
Glas	Panko	Welder

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Hofstrand requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Hofstrand moved that the Speaker appoint a conference committee to act with a like committee from the Senate on Senate Bill No. 161, which motion prevailed and the Speaker appointed on that committee Reps. Hofstrand, Bergesen and Nelson of Steele.

SECOND READING OF SENATE BILLS

Rep. Fitch moved that Senate Bill No. 189 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 189. A Bill for an Act Making an Appropriation to Pay for a Portion of the Cost of Constructing a New Highway Approach to the Great Northern Railway Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 7; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fraser	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Belzer	Haugland	Peterson, Bottineau
Benno	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rohde
Bjella	Hogoboom	Rygg
Black	Holm	Sandness
Bolmeier	Ireland	Saumur
Boulden	Jennings	Schwartz
Braun, Stark	Johnson, Richland	Sellens
Brusseau	Juhola	Semerad
Bubel	Kee	Severson
Carlson	Kindem	Sharpe
Coghlan	Langley	Singleton
Collette	Larson	Smart
Crockett	Levin	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Trydahl

Devlin	McIntee	Tuff
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Westby
Erickson, Divide	Mollet	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker

Those voting in the negative were:

Blair	Nelson, Steele	Swanson
Fuglestad	Schmidt	Twichell
Johnson, Cass		

Absent and not voting:

Bingenheimer	Haag	Sagehorn
Braun, McLean	Lillehaugen	Shure
Bymers	Myers	Welder
Glas	Nelson, Sargent	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Anderson moved that the vote by which Senate Bill No. 189 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 159 was read the second time.

Rep. Haugen moved that the rules be suspended for the purpose of amending Senate Bill No. 159, which motion prevailed.

Rep. Haugen moved that Senate Bill No. 159 be amended as follows:

Strike out the Standing Committee amendment inserted at the end of line 47 on page 3 and insert in lieu thereof the following: "except in necessary movements about or between the farm and/or farms."

Which motion prevailed.

Rep. Haugen moved that the rules be suspended and that Senate Bill No. 159 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Call of the House was demanded and granted.

The Chief Clerk called the roll to ascertain that all members were present and all were found to be present.

Rep. Blair moved that further proceedings of the Call of the House be dispensed with, which motion prevailed.

Senate Bill No. 159. A Bill for an Act Amending and Re-enacting Chapter 147, Laws of 1939, Permitting the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial, and Domestic Purposes, Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Licensing Purchasers and Dealers; and Providing Conditions for Licensing; and Providing Penalties for the Violations of This Act.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 71; nays, 36; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fleck	Nicholsen
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Allen	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Haugen	Peterson, Ransom
Belzer	Haugland	Rygg
Benno	Heckman	Sagehorn
Bergesen	Hofstrand	Sandness
Bjella	Hohm	Saumur
Black	Ireland	Sellens
Blair	Jennings	Severson
Bolmeier	Johnson, Cass	Sharpe
Boulden	Johnson, Richland	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langley	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Culver	Moe	Twichell
Dalzell	Morland	Wambheim
Devlin	Nelson, Cass	Westby
Dittmer	Nelson, Ramsey	Williams, Stutsman
Fitch	Nelson, Sargent	Mr. Speaker
Fitzharris	Nelson, Steele	

Those voting in the negative were:

Anderson	Halvorson	Panko
Becde	Hogoboom	Peterson, Bottineau
Bingenheimer	Juhola	Rohde
Braun, McLean	Larson	Schmidt
Braun, Stark	Levin	Schwartz
Brusseau	Lillehaugen	Semerad
Bubel	McIntee	Starck
Erickson, Divide	McIntyre	Tuff
Falconer	Mollet	Welder
Fraser	Morrison	Williams, Richland
Gress	Nelson, Morton	Wolf, McIntosh
Haag	Olson, Bowman	Wolf, Morton

Absent and not voting:

Drovdal	Glas	Myers
Erickson, Williams		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which Senate Bill No. 159 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 188 was read the second time.

Rep. Bergesen moved that the rules be suspended for the purpose of amending Senate Bill No. 188, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 188 be amended as follows:

On page 2, 9, Line 20 of the printed bill, strike out lines 20 to 35 both inclusive as inserted by the Standing Committee and insert the following:

"There is hereby established in the State Treasury a fund known as the "Charitable Institutions Revolving Fund". The State Treasurer shall cover into said fund monthly, all revenues collected under the provisions of this Act, not otherwise appropriated for administrative expenses, for the benefit

of the State Hospital for the Insane, the Grafton State School and the State Tuberculosis Sanatorium.

There is hereby appropriated to the Board of Administration all of the monies so collected and covered by the State Treasurer into the Charitable Institutions Revolving Fund during each biennium to pay the expenses of maintenance and operation of the State Hospital for the Insane, the Grafton State School and the Tuberculosis Sanatorium.

The Board of Administration shall allocate from such fund and credit to each county the proportion that the total quarterly charges against said county for institutional care bears to the total quarterly charges against all counties for such institutional care; and shall allocate to each of said institutions its portion of the amounts so credited to all counties."

Which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 188 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259 of the Session Laws of 1937; Being an Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol, and Alcoholic Beverages in the State of North Dakota; Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues from Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act, Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 99; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Steele
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Benno	Haugland	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bingenheimer	Hofstrand	Rohde
Brusseau	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Semerad
Braun, McLean	Juhola	Severson
Braun, Stark	Kee	Shure
Bubel	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Larson	Starck

Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Culver	McInnes	Trydahl
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker

Those voting in the negative were:

Belzer	Levin	Schwartz
Crockett	Mollet	Sharpe
Fitch	Schmidt	Wolf, McIntosh
Haag		

Absent and not voting:

Glas	Myers
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So the bill passed and the title was agreed to.

Rep. Moe moved that the vote by which Senate Bill No. 188 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 192 was read the second time.

Rep. Bergesen moved that the rules be suspended for the purpose of amending Senate Bill No. 192, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 192 be amended as follows:

In Section 1, line 1, after the word "judgment" insert the words "or judgments" and after the word "is" insert the words "or are".

In line 5, after the word "judgment" insert the words "or judgments".

In line 11, after the word "judgment" insert the words "or judgments".

In line 16, after the word "judgment" insert the words "or judgments".

In line 16, strike out the word "equal".

In line 17, after the word "installments" insert the words "of not to exceed one mill each year". And after the word "years" in the same line insert a period and strike out the balance of line 17 and all of lines 18, 19, 20, 21 and 22.

Which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 192 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 192. A Bill for an Act Providing for the Payment of Final Judgments Obtained by the State or Any Agency, Bureau, Department or Officer Thereof Against Any County; Limiting the Amount of Tax That Can Be Levied and Extended in Any One Year; Creating a Special Fund Therefor and Providing for the Disbursement of Such Fund.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 105; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Halvorson	Panko
Beede	Haugen	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Bouden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Semerad
Brusseau	Kee	Severson
Bubel	Kindem	Sharpe
Bymers	Langley	Shure
Carlson	Larson	Singleton
Coghlan	Levir	Smart
Collette	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Drovdal	Moe	Twichell
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morland	Westby
Falconer	Morrison	Williams, Richland
Fitch	Nelson, Cass	Williams, Stutsman
Fitzharris	Nelson, Morton	Wolf, McIntosh
Fleck	Nelson, Ramsey	Wolf, Morton
Fraser	Nelson, Sargent	Mr. Speaker

Absent and not voting:

Bjella	Glas	Nelson, Steele
Crockett	Myers	Welder

So the bill passed and the title was agreed to.

Rep. Starck moved that the vote by which Senate Bill No. 192 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. McInnes requested that the House revert to the Seventh Order of Business, which request was granted and Rep. McInnes sent to the desk the following House Concurrent Resolution "Z" which the Chief Clerk read as follows:

House Concurrent Resolution "Z". A Concurrent Resolution Declaring the Legislative Policy of the State of North Dakota With Reference to the Payment of the Principal and Interest of the State's Bonded Indebtedness.

BE IT RESOLVED By the House of Representatives of the State of North Dakota, the Senate concurring, that

WHEREAS, There is now outstanding and unpaid Real Estate Series Bonds of the State of North Dakota aggregating \$19,143,000, and whereas, no adequate tax levies have heretofore been made for the payment of interest and the retirement of principal of said bonds as they mature;

AND WHEREAS, Various proposals have been submitted to this Legislative Assembly for the refinancing and refunding of said bonded indebtedness, and whereas, no enabling legislation has been enacted to authorize and permit the refinancing of the State's indebtedness;

AND WHEREAS, It is apparent to this Legislative Assembly that it is not consistent with good policy to make insufficient levies for interest and principal or to borrow large amounts of money from the Bank of North Dakota, or to divert Highway funds or other State revenues for the purpose of debt service;

AND WHEREAS, Under the various refinancing plans hereinbefore referred to, it was proposed to extend the maturity of the State's bonded indebtedness for a period of thirty years and to repay the principal and interest at a cost, during said time, of approximately \$1,350,000 a year, less income derived from State owned farms and outstanding mortgages;

AND WHEREAS, In order to produce the sum of \$1,350,000 per annum, an annual levy of approximately 4 mills for debt service purposes would be necessary, making allowance for the fact that approximately 20% of the annual levy during recent years has not been collected;

AND WHEREAS, The present levy for debt service purposes, as made by the Board of Equalization in August, 1940, is 2.56 mills, making a total State levy for general tax purposes and debt service purposes at the present time of 6.56 mills;

AND WHEREAS, In order to retire the State's bonded indebtedness without refinancing by paying the bonds as they mature, it is believed that a total debt service levy of not to exceed 5 mills, deducting therefrom the amount of money to be recovered through the Bank of North Dakota from interest on mortgages and income from land, including sales thereof, will be sufficient to retire such obligation;

NOW, THEREFORE, BE IT RESOLVED By the House of Representatives of the Twenty-seventh Legislative Assembly, the Senate concurring:

1.

That the present legislative policy of the State of North Dakota, with reference to the bonded indebtedness, be declared to be that such bonded indebtedness be paid in full at maturity with accrued interest, without recourse to any refinancing thereof.

2.

That in order to accomplish said purpose in an orderly manner and in conformity with the statutes of the State of North Dakota, the State Board of Equalization be and is hereby requested and directed to make annual tax levies sufficient to take care of both the principal and interest on the said State's bonded indebtedness as the same mature, including provisions for a sinking fund to meet future payments on outstanding bonds as the same become due.

3.

That it is the considered judgment of this Legislative Assembly that in order to accomplish this purpose it will be necessary to increase the annual State tax levy from the figure of 6.56 mills established in 1940 to 9 mills, and it is therefore recommended that an annual levy hereafter be made in accordance with the above declared policy with the purpose in mind to equalize the tax levies for debt service over the next nineteen years.

Rep. Beede moved that action on House Concurrent Resolution "Z" be deferred until tomorrow after the same has been printed in the Journal.

Rep. McInnes moved a substitute motion that House Concurrent Resolution "Z" be adopted at this time.

Rep. Crockett moved that further consideration of House Concurrent Resolution "Z" be indefinitely postponed, which motion was lost.

The question being on the motion of Rep. McInnes that House Concurrent Resolution "Z" be adopted, the motion prevailed on a voice vote.

Roll Call was demanded and granted.

ROLL CALL

The question being on the motion of Rep. McInnes for the adoption of House Concurrent Resolution "Z", the roll was called and there were ayes, 67; nays, 40; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Gainor	Olson, Barnes
Allen	Gress	Olson, Bowman
Arneson	Haugland	Peterson, Ransom
Arndt	Heckman	Rygg
Austad	Hofstrand	Sagehorn
Benno	Hogoboom	Sandness
Bergesen	Holm	Saumur
Bjella	Ireland	Sellens
Black	Johnson, Richland	Severson
Blair	Juhola	Sharpe
Bolmeier	Kee	Shure
Boulden	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Dalzell	Morland	Trydahl
Devlin	Nelson, Cass	Twichell
Falconer	Nelson, Sargent	Wambheim
Fitch	Nelson, Steele	Westby
Fitzharris	Nicholsen	Williams, Richland
Fleck	Nystrom	Williams, Stutsman
Fuglestad	Ohnstad	Mr. Speaker
Gackle		

Those voting in the negative were:

Beede	Fraser	Nelson, Morton
Belzer	Haag	Nelson, Ramsey
Bingenheimer	Haugen	Panko
Braun, McLean	Jennings	Peterson, Bottineau
Braun, Stark	Johnson, Cass	Rohde

Brusseau	Larson	Schmidt
Bubel	Levin	Schwartz
Bymers	Lillehaugen	Semerad
Crockett	McIntee	Starck
Culver	McIntyre	Tuff
Dittmer	Moe	Welder
Drovdal	Mollet	Wolf, McIntosh
Erickson, Divide	Morrison	Wolf, Morton
Erickson, Williams		

Absent and not voting:

Anderson	Halvorson	Myers
Glas		

So the Resolution was declared passed.

Rep. Juhola changed his vote from "no" to "aye" for the purpose of reconsideration.

Senate Bill No. 155. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 99; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Sargent
Allen	Fraser	Nicholsen
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Benno	Haugen	Peterson, Bottineau
Bergesen	Heckman	Peterson, Ransom
Bingehcimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Cass	Sellens
Braun, McLean	Johnson, Richland	Semerad
Braun, Stark	Juhola	Sharpe
Brusseau	Kee	Shure
Bymers	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Starck
Collette	Levin	Stormon
Crockett	Lillehaugen	Swanson
Culver	Lunde	Trydahl
Dalzell	McInnes	Tuff
Devlin	McIntee	Twichell
Dittmer	McIntyre	Wambheim
Drovdal	Moe	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Stutsman

Falconer	Nelson, Cass	Wolf, McIntosh
Fitch	Nelson, Morton	Wolf, Morton
Fitzharris	Nelson, Ramsey	Mr. Speaker
Those voting in the negative were:		
Belzer	Rohde	Williams, Richland
Mollet	Schmidt	
Absent and not voting:		
Bubel	Haugland	Nelson, Steele
Glas	Myers	Severson
Halvorson		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Westby moved that the vote by which Senate Bill No. 155 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Fleck moved that Senate Bill No. 164 be placed at the head of the calendar, which motion prevailed.

The Speaker appointed Reps. Fleck, Ohnstad, and Blair as a conference committee to act with a like committee from the Senate on Senate Bill No. 117.

Rep. Haugen moved that the House recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

Which the House has amended.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 159. A Bill for an Act Amending and Re-enacting Chapter 147, Laws of 1939, Permitting the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial, and Domestic Purposes, Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Licensing Purchasers and Dealers; and Providing Conditions for Licensing; and Providing Penalties for the Violations of This Act.

Senate Bill No. 192. A Bill for an Act Providing for the Payment of Final Judgments Obtained by the State or Any Agency, Bureau, Department or Officer Thereof Against

Any County; Limiting the Amount of Tax That Can Be Levied and Extended in Any One Year; Creating a Special Fund Therefor and Providing for the Disbursement of Such Fund.

Which the House has amended.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to transmit herewith the following resolution:

House Concurrent Resolution "Z". A Concurrent Resolution Declaring the Legislative Policy of the State of North Dakota With Reference to the Payment of the Principal and Interest of the State's Bonded Indebtedness.

Which the House has adopted and your favorable consideration is respectfully requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 339. A Bill for an Act to Amend and Re-enact Section 3, Chapter 152, Session Laws of 1939, State Feeder Highway System, and for the Division of the Cost of Improving Same, and for Maintenance, and Declaring an Emergency.

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15 of Chapter 247 of the Session Laws for the Year 1939 Relating to the Commitment of Veterans; Appointing the Veterans' Service Commissioner as Special Guardian; Authorizing the Transfer of Veterans to Federal Veterans' Administration Hospitals; Requiring the County Judge to Give Written Notices of the Commitment of Veterans and Declaring an Emergency.

House Concurrent Resolution "V." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

House Concurrent Resolution "W." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

House Concurrent Resolution "X." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

House Concurrent Resolution "Y." A Concurrent Resolution to Transfer Monies from the Mileage and Per Diem of Members Fund, the Printing Fund and the Miscellaneous Fund to the Mileage and Per Diem Fund of the Officers and Employees.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 6, 1941.

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, Senators: Raschko, Streibel, and Solberg on Senate Bill No. 117.

W. J. TROUT, Secretary.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on State Affairs to whom was referred Senate Bill No. 75, have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. TWICHELL, Chairman

Rep. Nystrom moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the vote by which Senate Bill No. 75 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: Your Conference Committee on Senate Bill No. 40 begs leave to report as follows:

(1) That the House recede from all of its amendments to said Bill.

(2) That Senate Bill No. 40 be amended as follows:

Strike out everything after "A Bill" and insert in lieu thereof the following:

"For an Act to amend and reenact Section 2 of Chapter 249 of the Session Laws of North Dakota for 1937, as amended by Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, relating to the levying and imposing of a retail sales tax and the disposition of the funds collected therefrom, and to readopt Sections 1, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, and 22 of Chapter 249 of the Session Laws of North Dakota for 1937 by reference, and to amend and reenact Section 7 and paragraphs (1), (2), (3), (4), and (5) of Section 15 of said Chapter 249 of the Session Laws of North Dakota for 1937, and to amend and reenact Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, as amended by Section 2, Chapter 234 of the Session Laws of North Dakota for 1939, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. Amendment.) That Section 2 of Chapter
2 249 of the Session Laws of North Dakota for 1937, as
3 amended by Section 1 of Chapter 234 of the Session Laws
4 of North Dakota for 1939, be amended and reenacted to
5 read as follows:

6 Section 2. Tax Imposed.) There is hereby imposed,
7 beginning the first day of July, 1941, and ending June 30,
8 1943, a tax of two percent (2%) upon the gross receipts
9 from all sales of tangible personal property, consisting
9a of

10 goods, wares, or merchandise, except as otherwise
10a provided

11 in this act, sold at retail in the State of North Dakota
12 to consumers or users; a like rate of tax upon the gross
13 receipts from the sales, furnishing or service of steam,
14 gas, electricity, water and communication service,
15 including the gross receipts from such sales by any

16 municipal corporation furnishing steam, gas, electricity,
17 water and communication service to the public in its
18 proprietary capacity, except as otherwise provided in
19 this act, when sold at retail in the State of North
20 Dakota to consumers or users; and a like rate of tax
21 upon the gross receipts from all sales of tickets or
22 admissions to places of amusement and athletic events,
23 except as otherwise provided in this act.

24 The tax herein levied shall be computed and collected
25 as hereinafter provided.

26 Section 2. Provisions of Sales Tax Law Applicable.)

27 All of the provisions of Sections 1, 3, 4, 5, 6, 8, 9, 10,
28 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, and 22, of Chapter
29 249 of the Session Laws of North Dakota for 1937 are
30 hereby incorporated into and made a part of this act; and
31 the Tax Commissioner is hereby authorized and em-
31a powered to

32 enforce the provisions thereof; and, for that purpose,
33 shall exercise all of the powers and duties conferred
33a upon

34 him by the Sales Tax Laws in effect in this state.

35 Section 3. Amendment.) That Section 7 of Chapter
36 249 of the Session Laws of North Dakota for 1937, is
37 hereby amended and reenacted to read as follows:

38 Section 7. Unlawful Acts.) It shall be unlawful
39 for any retailer to advertise or hold out or state to the
40 public or to any customer, directly or indirectly, that the
41 tax or any part thereof imposed by this act shall be
42 assumed or absorbed by the retailer or that it will not be
43 considered as an element in the price to the consumer, or
44 if added, that it or any part thereof will be refunded.

45 Section 4. Amendment.) That paragraphs (1), (2),
45a (3),

46 (4), and (5) of Section 15 of Chapter 249 of the Session
47 Laws of North Dakota for 1937 be amended and re-
47a enacted to

48 read as follows:

49 Section 15. Penalties; Offenses.)

50 (1) Any person failing to file a return or corrected
51 return or to pay any tax within the time required by this
52 division shall be subject to a penalty of five percent
52a (5%)

53 of the amount of tax due, plus one percent (1%) of such
53a tax

54 for each month of delay or fraction thereof, excepting
54a the

55 first month after such return was required to be filed or
56 such tax became due; but the Commissioner, if satisfied
56a that

57 the delay was excusable, may remit all or any part of
57a such

58 penalty. Such penalty shall be paid to the Commissioner
59 and disposed of in the same manner as other receipts
59a under

60 this act. Unpaid penalties may be enforced in the same
61 manner as the tax imposed by this act.

62 (2) Any person who shall sell tangible personal
63 property, tickets or admissions to places of amusement
63a and

64 athletic events, or steam, gas, water, electricity and
65 communication service at retail in this State after his
66 license shall have been revoked, or without procuring a
67 license within sixty (60) days after the effective date of
68 this act, as provided in Section 11 of this Act, or who
69 shall violate the provisions of Section 7 of this Act, and
70 the officers of any corporation who shall so act, shall be
71 guilty of a misdemeanor, punishment for which shall be a
72 fine of not more than \$1,000.00 or imprisonment for not
72a more

73 than one year, or both such fine and imprisonment, in the
74 discretion of the Court.

75 (3) Any person required to make, render, sign or
76 verify any return or supplementary return, who makes
76a any
77 false or fraudulent return with intent to defeat or evade
78 the assessment required by law to be made, shall be
78a guilty

79 of a misdemeanor and shall, for each such offense, be
79a fined

80 not to exceed Five Hundred Dollars or be imprisoned
80a in the

81 County jail not exceeding one year, or be subject to
81a both a

82 fine and imprisonment, in the discretion of the Court.

83 (4) The certificate of the Commissioner to the effect
84 that a tax has not been paid, that a return has not been
85 filed, or that information has not been supplied pursuant
85a to

86 the provisions of this act, shall be prima facie evidence
87 thereof.

88 (5) Any person failing to comply with any of the
89 provisions of this act, or failing to remit within the time
90 herein provided to the State the tax due on any sale or
91 purchase of tangible personal property subject to said
91a sales

92 tax, shall be guilty of a misdemeanor and upon con-
92a viction

93 shall be punished by imprisonment in the County jail not
94 exceeding six months or by a fine not exceeding Five
94a Hundred

95 Dollars, or by both such fine or imprisonment at the
96 discretion of the Court. This criminal liability shall be
97 cumulative and in addition to the civil liability for
98 penalties hereinbefore provided.

99 Section 5. Amendment.) That Section 25 of Chapter
100 249, Session Laws of North Dakota for 1937, as amended
100a by

101 Section 2 of Chapter 234 of the Session Laws of North
102 Dakota for 1939, be amended and reenacted to read as
102a follows:

103 Section 25. Allocation of Revenue.) All monies
104 collected and received under this act shall be paid into
105 the State Treasury and shall be credited by the State
106 Treasurer into a special fund to be known as "The Retail
107 Sales Tax Fund". Out of this fund the State Treasurer
108 shall first provide for the payment of refunds allowed
109 under this act. That the net amount of monies remain-
109a ing in

110 said "Retail Sales Tax Fund" shall be and shall con-
110a stitute

111 a special trust fund to be used and disbursed solely for
112 the following purposes:

113 (1) That seven-twelfths (7/12) of said trust fund
114 shall be used and disbursed only for the payment of
115 appropriations made pursuant to and for the purposes
115a set

116 forth in the State Equalization Fund Law. That the
117 remaining five-twelfths (5/12) of said trust fund shall
117a be

118 used and disbursed only for the payment of appropria-
118a tions

119 to be expended by the Public Welfare Board for the
119a purposes

120 authorized by law; provided, however, that appropria-
120a tions

121 made from the General Fund to be expended by said
121a Public

122 Welfare Board shall constitute and include appropria-
122a tions

123 from said five-twelfths (5/12) share of said trust fund.

124 (2) That the State Treasurer and State Auditor are
125 hereby authorized and directed to make monthly trans-
125a fers

126 of all the amounts available in said trust fund, in the
127 proportions provided herein to the State Equalization
128 Fund and to be expended by said Public Welfare Board as
129 provided by law.

130 Section 6. All monies now in the Retail Sales Tax
131 Fund created by Chapter 249 of the Session Laws of
131a North

132 Dakota for 1937, as amended and reenacted by Chapter
132a 234

133 of the Session Laws of North Dakota for 1939, or col-
133a lected

134 pursuant to the provisions of said acts, are hereby
135 appropriated and transferred into the Retail Sales Tax
136 Fund created by this act, and shall be allocated and used
137 as herein provided.

138 Section 7. Severability Clause.) If any section,
139 sub-section, clause, sentence, or phrase of this act is
140 for any reason held to be unconstitutional and invalid,
141 such decision shall not effect the validity of the remain-
141a ing

142 portions of this act. The Legislature hereby declares
142a that

143 it would have passed this act and each section, sub-
143a section,

144 clause, sentence or phrase hereof, irrespective of whether
145 any one or more of the sections, sub-sections, clauses,
146 sentences, or phrases, be declared unconstitutional.

147 Section 8. Emergency.) There is hereby declared
148 to exist an emergency and this bill shall be in full force
149 and effect from and after its passage and approval.

A. W. FOWLER
ROB. GREISER
R. R. MORGAN
for the Senate

W. H. SHURE
E. G. SAGEHORN
C. H. BYMERS
for the House.

Rep. Swanson moved the adoption of the report of the conference committee on Senate Bill No. 40, which motion prevailed, and the report was declared adopted.

Rep. Swanson moved that the rules be suspended and that Senate Bill No. 40 be placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Sargent
Allen	Fleck	Nelson, Steele
Anderson	Fraser	Nicholsen
Arneson	Fuglestad	Nystrom
Arndt	Gackle	Ohnstad
Austad	Gainor	Olson, Barnes
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Sellens
Bolmeier	Ireland	Semerad
Boulden	Jennings	Severson
Braun, McLean	Johnson, Cass	Sharpe
Braun, Stark	Johnson, Richland	Shure
Brusseau	Juhola	Singleton
Bubel	Kee	Smart
Bymers	Kindem	Starck
Carlson	Langley	Swanson
Coghlan	Larson	Trydahl
Collette	Levin	Tuff
Culver	Lunde	Twichell
Dalzell	McInnes	Wambheim
Devlin	McIntee	Westby
Dittmer	McIntyre	Williams, Richland
Drovdal	Moe	Williams, Stutsman
Erickson, Divide	Morland	Wolf, McIntosh
Erickson, Williams	Nelson, Cass	Wolf, Morton
Falconer	Nelson, Morton	Mr. Speaker
Fitch	Nelson, Ramsey	

Those voting in the

Crockett	negative were:	
Mollet	Olson, Bowman	Schwartz
Morrison	Rohde	Welder
	Schmidt	

Absent and not voting:

Glas	Lillehaugen	Stormon
Gress	Myers	

So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which Senate Bill No. 40 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 40.

C. R. VERRY, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 338. A Bill for an Act to Amend Sub-section (3) of Section 5 of Chapter 91 of the 1935 Session Laws as amended by Chapter 98 of the 1939 Session Laws.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 68; nays, 39; absent and not voting, 4.

Those voting in the affirmative were:

Allen	Fitch	Ohnstad
Anderson	Fitzharris	Olson, Barnes
Arneson	Fleck	Panko
Arndt	Gackle	Peterson, Bottineau
Austad	Gainor	Sagehorn
Beede	Halvorson	Saumur
Belzer	Haugen	Schmidt
Benno	Haugland	Sellens
Bergesen	Holm	Semerad
Black	Ireland	Shure
Boulden	Jennings	Smart
Braun, McLean	Johnson, Cass	Starck
Braun, Stark	Johnson, Richland	Swanson
Bubel	Juhola	Trydahl
Carlson	Kee	Tuff
Coghlan	Larson	Twichell
Collette	Levin	Wambheim
Crockett	Lunde	Welder
Culver	McInnes	Westby
Dalzell	McIntee	Williams, Stutsman
Drovdal	Morrison	Wolf, McIntosh
Erickson, Williams	Nelson, Morton	Wolf, Morton
Falconer	Nelson, Sargent	

Those voting in the negative were:

Aker	Heckman	Nystrom
Bingenheimer	Hofstrand	Olson, Bowman
Bjella	Hogoboom	Peterson, Ransom
Blair	Kindem	Rohde
Bolmeier	Langley	Rygg
Brusseau	McIntyre	Sandness
Bymers	Moe	Schwartz
Devlin	Mollet	Severson
Dittmer	Morland	Sharpe
Erickson, Divide	Nelson, Cass	Singleton
Fraser	Nelson, Ramsey	Stormon

Fuglestad	Nelson, Steele	Williams, Richland
Haag	Nicholsen	Mr. Speaker
Absent and not voting:		
Glas	Lillehaugen	Myers
Gress		

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Crockett moved that the vote by which House Bill No. 338 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST READING OF SENATE BILL

Senate Bill No. 212. A Bill for an Act to Prohibit the Manufacture, Sale or Storage of Imitation Butter, Patent or Processed Butter, or Ingredients Sold for the Purpose of Home Manufacture of Imitation Butter; excepting Oleomargarine; and Providing a Penalty.

Was read the first time and referred to the Comm. on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing 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, 71; nays, 31; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fleck	Olson, Barnes
Allen	Fuglestad	Panko
Anderson	Gackle	Peterson, Ransom
Arneson	Gainor	Rohde
Austad	Haag	Rygg
Benno	Halvorson	Sagehorn
Bergesen	Haugen	Sandness
Black	Haugland	Saumur
Blair	Heckman	Sellens
Bolmeier	Jennings	Semerad
Boulden	Johnson, Cass	Severson
Braun, Stark	Johnson, Richland	Sharpe
Brusseau	Juhola	Singleton
Bymers	Kee	Smart
Coghlan	Langley	Starek
Collette	Levin	Swanson
Crockett	Lunde	Trydahl
Culver	McInnes	Welder
Dittmer	McIntyre	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Morton	Wolf, McIntosh

Falconer	Nelson, Sargent	Wolf, Morton
Fitch	Nicholsen	Mr. Speaker
Fitzharris	Ohnstad	
Those voting in the negative were:		
Arndt	Hofstrand	Nelson, Cass
Beede	Hogoboom	Nelson, Ramsey
Belzer	Holm	Nelson, Steele
Bingenheimer	Ireland	Nystrom
Bjella	Kindem	Peterson, Bottineau
Braun, McLean	Larson	Schmidt
Carlson	McIntee	Schwartz
Dalzell	Moe	Shure
Devlin	Mollet	Wambheim
Drovdal	Morland	Williams, Stutsman
Fraser		
Absent and not voting:		
Bubel	Lillehaugen	Stormon
Glas	Myers	Tuff
Gress	Olson, Bowman	Twichell

So the bill passed and the title was agreed to.

Rep. Arneson moved that the vote by which Senate Bill No. 164 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 18. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and as Amended by Chapter 254 of the Session Laws of 1937.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gackle	Olson, Barnes
Anderson	Gainor	Olson, Bowman
Arneson	Haag	Panko
Arndt	Halvorson	Peterson, Bottineau
Austad	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Belzer	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Bolmeier	Jennings	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lunde	Starck

Collette	McInnes	Stormon
Crockett	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Moe	Tuff
Devlin	Mollet	Twichell
Dittmer	Morland	Wambheim
Drovdal	Morrison	Welder
Erickson, Divide	Nelson, Cass	Westby
Erickson, Williams	Nelson, Morton	Williams, Richland
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitch	Nelson, Sargent	Wolf, McIntosh
Fitzharris	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker

Absent and not voting:

Benno	Glas	Lillehaugen
Blair	Gress	Myers
Fleck	Johnson, Cass	Ohnstad

So the bill passed and the title was agreed to.

Rep. Panko moved that the vote by which Senate Bill No. 18 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 15. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 33. A Bill for an Act to Require the Filing of a Farm Lease Containing a Reservation of Title to Crop in the Lessor and Providing for a Waiver of Rights by the Lessor Upon Failure to File Such Lease.

House Bill No. 107. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for 1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such

Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor; Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for in Chapter 209, Session Laws of 1939, and Acts Amendatory Thereto.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 174. A Bill for an Act Prohibiting the Sale and Use on Automobiles, Trucks and Motorcycles in the State of North Dakota, Regrooved Tires; Penalty.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber.
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 202. A Bill for an Act Providing for the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm, Providing for the Commitment and Transfer of Prisoners Thereto, and Their Care and Supervision Therein; Making an Appropriation for the Establishment and Maintenance of Said Institution; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 337. A Bill for an Act to Amend and Re-enact Section 53, Chapter 3, Article 4, Political Code, Compiled Laws of 1913, Relating to the Printing of Journals of Each Branch of the Legislative Assembly.

House Bill No. 150. A Bill for an Act Making a Deficiency Appropriation for Assistance to the Needy Aged for the Balance of the Biennial Period Ending June 30, 1941, and Declaring an Emergency.

House Bill No. 200. A Bill for an Act to Provide for the Levying of Dues or Assessments Upon Members in Non-Stock Corporations, and Declaring an Emergency.

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 118, Laws 1929 Relative to the Posting of Butterfat Prices at Creamery and Cream Stations and Other Places of Business Purchasing Such Products From the Public.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 200b12 and Section 200b14 of the 1925 Supplement to the Compiled Laws of North Dakota; Providing for the Cancellation of Liability of the State Bonding Fund for Acts of Employees and Furnishing of Other Bonds; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 210. A Bill for an Act to Conserve Crude Petroleum Oil and Natural Gas; to Enlarge the Duties and

Authority of the Industrial Commission of North Dakota to Supervise and Control the Oil and Gas Resources of North Dakota; Authorizing the Industrial Commission of North Dakota to Promulgate Rules and Regulations for the Enforcement of the Provisions of the Act for the Purpose of Conserving Oil and Gas; Providing Penalties for the Violation of Certain Provisions of the Act or the Regulations Promulgated Thereunder; Repealing Chapter 184 of the 1929 Session Laws and Chapter 135 of the 1937 Session Laws of North Dakota; Repealing All Laws and Parts of Laws in Conflict Herewith.

House Bill No. 277. A Bill for an Act to Establish a Marketing Bureau Within the Department of Agriculture and Labor of the State of North Dakota and Defining Its Functions.

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 5631 of the 1913 Compiled Laws of North Dakota, Relating to Descent of Homestead Estate and Exemption; Repealing Section 5632 of the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

House Bill No. 303. A Bill for an Act Requiring Departmental Budgets and Biennial Reports by the State Highway Commissioner and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 323. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159, Session Laws of 1927, Relating to the Department of State Highways.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 17. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 19. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 21. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 22. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 103. A Bill for an Act Appropriating the Sum of \$27,845.92 to the State Highway Commissioner Out of Any Funds in the State Treasury Available to the State Highway Department for the Purpose of Paying a Judgment That May Be Obtained by the Northern Improvement Company, of Fargo, North Dakota.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the conference committee on Senate Bill No. 40 and has passed the bill.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 43.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 161 and the President has appointed as a conference committee to act with a like committee from the House, Senators: Aandahl, Lavik and Streibel.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 167.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 93.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 137. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Mailing Bureau in the Capitol Building, for the Use of State Officers, Departments or Agencies, and to Prescribe Rules and Regulations for the General Use and Management of the Same; and Establishing a Board of Administration Postage Revolving Fund; and Making an Appropriation for the Establishment, Maintenance and Operation of the Same.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building, to Prescribe Rules and Regulations for the Operation and

Maintenance of the Same, and Making an Appropriation Therefor.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "T." A Concurrent Resolution Relative to Quadruplets Born to Mr. and Mrs. Nick Brown of Cass County, North Dakota.

Which the Senate has adopted and your favorable consideration is requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 134. A Bill for an Act to Amend and Re-enact Chapter 126 of the Session Laws of the State of North Dakota for the Year 1933, Relative to and Covering the Awarding of Certain Contracts, and Giving Preference to Residents of the State of North Dakota; Repeal; Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 212. A Bill for an Act to Prohibit the Manufacture, Sale or Storage of Imitation Butter, Patent or Processed Butter, or Ingredients Sold for the Purpose of Home Manufacture of Imitation Butter; excepting Oleomargarine; and Providing a Penalty.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 2. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3178 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain; Repeal; Declaring an Emergency; and Providing a Penalty.

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and

Non-Resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of this Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

House Concurrent Resolution No. 63. Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments Thereto, Relating to Future Amendments.

House Concurrent Resolution No. 64.—A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as Amended by Articles 15 and 26 of the Amendments Thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum.

House Bill No. 46. A Bill for an Act Requiring all Counties, Townships, School Districts, Cities, Villages, Park Districts, and All Other Municipal or Quasi-Municipal Corporations Within the State, Which Are Now or May Hereafter Be Authorized to Issue and Sell Bonds for Any Purpose Whatsoever to Offer Such Bonds for Sale to the State and to All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds Before Advertising Said Bonds for Sale or Selling Such Bonds; and Requiring the Sale of Such Bonds to the State or to a State Agency or Department Unless They Can Be Sold Elsewhere at a Lower Rate of Interest, Providing a Penalty for Non-Compliance Herewith.

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 265. A Bill for an Act to License Certain Types of Coin-Operated Amusement Devices and Providing for the Division and Distribution of the Revenue Derived Therefrom.

Which the Senate has amended.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 206. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Mill and Elevator Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Mill and Elevator Series; Prescribing the Terms and Conditions Thereof; Providing a Tax

Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act.

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

House Bill No. 332. A Bill for an Act Declaring a Land Use Policy Relative to Agricultural Lands Obtained by the County on Tax Deed Proceedings, and Empowering the Board of County Commissioners to Conform to Such Policy in the Sale and Lease of Such Lands. Declaring an Emergency.

House Bill No. 286. A Bill for an Act Authorizing the Board of University and School Lands to Sell Lands Belonging to the Permanent School or Institutional Funds But Not a Part of the Federal Grant Lands to Bona Fide Farmers, Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

House Bill No. 168. A Bill for an Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supplying and Delivering Water for Irrigation Purposes, or for Domestic Use, to Its Members or Stockholders, Providing That the Shares of Stock in Such Corporations May Be Appurtenant to Certain Lands, Prescribing the Rights and Powers of Such Corporations; Providing for the Transferability of Stock Therein and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 263. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and by Chapter 283 of the Laws of 1935; Repealing All Acts; and Declaring an Emergency.

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937 as Amended by Chapter 177 of the Session Laws of North Dakota for the Year 1939, Relating to Pensions for Policemen and Dependents in Cities Now, or Hereafter, Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

House Bill No. 299. A Bill for an Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, Relating to the State Board of Architecture.

House Bill No. 122. A Bill for an Act Making an Appropriation for Payment of an Emergency Expenditure by the North Dakota National Guard in Connection with the

Organization of Two Extra Battalions of 155 m.m. by Order of the War Department and Declaring an Emergency.

House Bill No. 114. A Bill for an Act to Amend and Re-enact Section 11105 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 130 of the 1939 Session Laws of the State of North Dakota, Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "P." A Concurrent Resolution Requesting Congress to Amend Social Security Act to Provide Federal Grants to State for Public Assistance on Equalization Basis.

House Concurrent Resolution "O". Memorializing Congress to Enact Legislation Giving to the United States District Court of the State of North Dakota Criminal Jurisdiction Within the Limits of the Indian Reservations in the State of North Dakota for the Enforcement of the Criminal Laws and the Punishment of Crimes Committed Therein by Indians Upon Persons of Indian Blood.

Which the Senate has adopted.

W. J. TROUT, Secretary.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 105. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 10322a51 of the Supplement of 1925 and Chapter 118, Laws 1933 Relative to Going Afield With Guns Before the Hunting Season and Illegal Possession of Game and Fish After the Hunting Season.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 272. A Bill for an Act to Amend and Re-enact Sections 3 and 5 of Chapter 2 of the 1939 Session Laws; Relating to Beekeepers' Licenses and License Fees, and Repealing All Acts in Conflict Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 258. A Bill for an Act Preserving the Rights to Benefits Under the North Dakota Unemployment Compensation Act to Persons Entering the Military or Naval Service of the United States During the Period of Such Service; Repeal; Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 3163a1, Compiled Laws of North Dakota, as Amended by Chapter 136 Session Laws of 1939, Defining a Public Dancing Place, Repeal.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 247. A Bill for an Act to License and Regulate Public Dancing in Places Where Alcoholic Beverages Are Sold; Defining the Powers and Duties of the State Tax Commissioner and the Governing Bodies of Cities, Villages, Towns and Townships; Prescribing Penalties for Violations; Repealing Conflicting Acts and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 237. A Bill for an Act Providing for Retention by County Auditors of a Part of the Resident and Non-resident Hunting License and Non-resident Fishing License Fees, and Repealing All Acts and Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 223. A Bill for an Act Authorizing and Directing County Auditors to Destroy Certain Old, No Longer of Use, and Obsolete Books, Blanks, Forms, and Records of Their Offices and Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 221. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20 of Chapter 148 of the Session Laws of 1931, as Amended by Section 1 of Chapter 144 of the Session Laws of 1935, Relating to Game and Fish.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 215. A Bill for an Act Authorizing the Governor and the Secretary of State, Acting in the Name of, and on Behalf of, the State of North Dakota, to Transfer and Convey, Without Consideration, Certain Lands in Rolette County, Now Held by and in the Name of the State of North Dakota in Trust for the Use and Benefit of the International Peace Garden, Inc., a New York Corporation, to the United States of America For Use as a Customs Port of Entry to the United States From the Dominion of Canada, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for 1939.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purposes, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 187. A Bill for an Act Relating to Payment of the Costs of Sewer and Water Improvements in Cities and Villages Partly by Special Assessments and Partly by Service Charges, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 186. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, Relating to Tax Limitations of Cities.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 167. A Bill for an Act to Amend and Re-enact Sections 11, 21 and 22 of Chapter 256 of the Session Laws of North Dakota for the Year 1939 Relating to the Powers and Duties of the State Water Conservation Commission, Relating to State Water Conservation Commission Bonds and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 123. A Bill for an Act Reserving to the Counties of the State Mineral, Gas and Oil Rights; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 191. A Bill for an Act to Provide a Limitation of Time Within Which Claims May Be Made or Proceedings Brought to Recover Monies in Personal Accounts of Inmates and Patients in State Charitable Institutions; and Providing the Transfer of Such Monies.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 115. A Bill for an Act to Include Certain Elective Officials of the State and of the Counties Thereof Under the Terms of the Workmen's Compensation Act, and to Amend and Re-enact Section 4 of Chapter 286, Session Laws of 1935 (Being Section 10-1 of Chapter 162 of the Session Laws of 1919, as amended) Relating to Disbursement of Workmen's Compensation Fund; Declaring an Emergency; Repealing All Acts or Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 338. A Bill for an Act to Amend Sub-section (3) of Section 5 of Chapter 91 of the 1935 Session Laws as Amended by Chapter 98 of the 1939 Session Laws.

Which the House has passed and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purposes, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; Emergency.

House Bill No. 187. A Bill for an Act Relating to Payment of the Costs of Sewer and Water Improvements in Cities and Villages Partly by Special Assessments and Partly by Service Charges, and Declaring an Emergency.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, Relating to Tax Limitations of Cities.

House Bill No. 167. A Bill for an Act to Amend and Re-enact Sections 11, 21 and 22 of Chapter 256 of the Session Laws of North Dakota for the Year 1939 Relating to the Powers and Duties of the State Water Conservation Commission, Relating to State Water Conservation Commission Bonds and Declaring an Emergency.

House Bill No. 123. A Bill for an Act Reserving to the Counties of the State Mineral, Gas and Oil Rights; and Declaring an Emergency.

House Bill No. 191. A Bill for an Act to Provide a Limitation of Time Within Which Claims May Be Made or Proceedings Brought to Recover Monies in Personal Accounts of Inmates and Patients in State Charitable Institutions; and Providing the Transfer of Such Monies.

House Bill No. 115. A Bill for an Act to Include Certain Elective Officials of the State and of the Counties Thereof Under the Terms of the Workmen's Compensation Act, and to Amend and Re-enact Section 4 of Chapter 286, Session Laws of 1935 (Being Section 10-1 of Chapter 162 of the Session Laws of 1919, as amended) Relating to Disbursement of Workmen's Compensation Fund; Declaring an Emergency; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 105. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 10322a51 of the Supplement of 1925 and Chapter 118, Laws 1933 Relative to Going Afield With Guns Before the Hunting Season and Illegal Possession of Game and Fish After the Hunting Season.

House Bill No. 272. A Bill for an Act to Amend and Re-enact Sections 3 and 5 of Chapter 2 of the 1939 Session Laws; Relating to Beekeepers' Licenses and License Fees, and Re-

pealing All Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 258. A Bill for an Act Preserving the Rights to Benefits Under the North Dakota Unemployment Compensation Act to Persons Entering the Military or Naval Service of the United States During the Period of Such Service; Repeal; Declaring an Emergency.

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 3163a1, Compiled Laws of North Dakota, as Amended by Chapter 136 Session Laws of 1939, Defining a Public Dancing Place, Repeal.

House Bill No. 237. A Bill for an Act Providing for Retention by County Auditors of a Part of the Resident and Non-resident Hunting License and Non-resident Fishing License Fees, and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 223. A Bill for an Act Authorizing and Directing County Auditors to Destroy Certain Old, No Longer of Use, and Obsolete Books, Blanks, Forms, and Records of Their Offices and Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

House Bill No. 221. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20 of Chapter 148 of the Session Laws of 1931, as Amended by Section 1 of Chapter 144 of the Session Laws of 1935, Relating to Game and Fish.

House Bill No. 215. A Bill for an Act Authorizing the Governor and the Secretary of State, Acting in the Name of, and on Behalf of, the State of North Dakota, to Transfer and Convey, Without Consideration, Certain Lands in Rolette County, Now Held by and in the Name of the State of North Dakota in Trust for the Use and Benefit of the International Peace Garden, Inc., a New York Corporation, to the United States of America For Use as a Customs Port of Entry to the United States From the Dominion of Canada, and Declaring an Emergency.

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for 1939.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR

Bismarck, March 6, 1941.

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved:

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

And the same have been filed with the Secretary of State.
JOHN MOSES, Governor.

Rep. Fitch moved that the House do now recess until 7:30 P. M., which motion prevailed.

Pursuant to recess taken the Speaker called the House to order and announced the House would be on the Fifth Order of Business.

STANDING COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health to whom was referred Senate Bill No. 212, have had the same under consideration and recommend that the same do pass.

C. T. OLSON, Chairman.

Miss Haugland moved that the report be adopted, which motion prevailed and the report was adopted

MESSAGES FROM THE SENATE

Senate Chamber
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 321. A Bill for an Act to Amend and Re-enact Section 25 of Chapter 97 of the Session Laws of North Dakota for 1933, as amended by Chapter 123 of the Session Laws of North Dakota for 1935, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners; Repeal; Emergency.

House Bill No. 279. A Bill for an Act Prohibiting the Use of Intoxicating Liquors in Any Form by the State Highway Patrol Superintendent, His Assistants and All Members of the Division of State Highway Safety and Patrol.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber

Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 148. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 147. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 306. A Bill for an Act to Amend and Re-enact Sub-section (1) of Section 2, Sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, Relating to Electric Cooperative Corporations, Their Powers, Incorporation, Corporate Names, Amendment of By-Laws and Articles of Incorporation, Quorum and Voting Requirements, Qualifications of Directors, Exemptions from

Certain Statutory Requirements; and Providing for the Extension of Chapter 115 of the Session Laws of 1937 to Certain Foreign Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 284. A Bill for an Act to Provide for the Abatement of Places Where Intoxicating Liquors Are Sold and Where Persons Engaged in Such Retail Sale of Intoxicating Liquors Have Been Convicted as a Second Offense of Committing or Knowingly Permitting in Said Place of Business or in Connection Therewith Any Violation of Any State Law; and Providing Procedure and Penalties.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers. Repeal.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Sections 4, 18, and 21 of Chapter 211 of the Session Laws for 1937, Pertaining to the Duties of the State Agency, the Confidential Character of Old Age Assistance Records, and the Distribution of Amounts Recovered from the Estates of Recipients of Old Age Assistance.

House Bill No. 149. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 4972, Compiled Laws of North Dakota for the Year 1913, Relating to the Age of Members of Accident and Sickness Insurance Corporations, Associations and Societies.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

Senate Chamber

Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High School Tuition" from \$1,100,000.00 as Therein Provided to \$1,200,000.00, and Declaring an Emergency.

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as

Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

Which the Senate has amended.

W. J. TROUT, Secretary.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bills which the House has amended:

Senate Bill No. 184. A Bill for an Act to Create a Governmental Reform Commission; Providing for the Number of Its Members; Their Appointment and Qualifications; the Term of Office and Filling of Vacancies; Providing for its Organization; Prescribing Its Powers and Duties; Providing for an Appropriation; and Declaring an Emergency.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Repeal, and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259 of the Session Laws of 1937; Being an Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol, and Alcoholic Beverages in the State of North Dakota; Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues from Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act, Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Senate Bill No. 18. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and as Amended by Chapter 254 of the Session Laws of 1937.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following Resolution which the House has adopted:

Senate Concurrent Resolution "G." A Concurrent Resolution Memorializing Congress to Pass Legislation to Enable the Federal Government to Increase the Loan Value on Grains and Farm Products at Least 25%.

C. R. VERRY, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Chapter 236 of the Session Laws of 1937. An Act to Provide for the Assessment of Car Line Companies, Express Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North

Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 1; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Fitzharris	Ohnstad
Allen	Fraser	Olson, Barnes
Anderson	Fuglestad	Olson, Bowman
Arneson	Halvorson	Panko
Arndt	Haugen	Peterson, Bottineau
Beede	Heckman	Peterson, Ransom
Belzer	Hofstrand	Rohde
Bergesen	Hogoboom	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Saumur
Blair	Johnson, Cass	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Boulden	Langley	Sellens
Braun, McLean	Larson	Sharpe
Braun, Stark	Levin	Shure
Brusseau	Lillehaugen	Singleton
Bubel	Lunde	Smart
Bymers	McInnes	Starck
Carlson	McIntee	Stormon
Coghlan	McIntyre	Swanson
Collette	Moe	Trydahl
Dalzell	Mollet	Tuff
Devlin	Morrison	Twichell
Dittmer	Nelson, Cass	Wambheim
Drovdal	Nelson, Morton	Williams, Richland
Erickson, Divide	Nelson, Sargent	Williams, Stutsman
Erickson, Williams	Nelson, Steele	Wolf, Morton
Falconer	Nicholsen	Wolf, McIntosh
Fitch	Nystrom	Mr. Speaker

Those voting in the negative were:

Morland

Absent and not voting:

Austad	Glas	Myers
Benno	Gress	Nelson, Ramsey
Crockett	Haag	Semerad
Culver	Haugland	Severson
Fleck	Juhola	Welder
Gackle	Kee	Westby
Gainor	Kindem	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 32. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from which Paid; Providing for the Payment of Said Collection into the

Special Fund in the State Treasury; Providing for Repeal of Acts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gainor	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Beede	Haugen	Panko
Belzer	Hofstrand	Peterson, Bottineau
Benno	Hogoboom	Peterson, Ransom
Bergesen	Holm	Rohde
Bingenheimer	Ireland	Rygg
Bjella	Jennings	Sagehorn
Black	Johnson, Cass	Sandness
Blair	Johnson, Richland	Saumur
Bolmeier	Juhola	Schmidt
Boulden	Kee	Schwartz
Braun, McLean	Kindem	Sellens
Braun, Stark	Langley	Semerad
Brusseau	Larson	Sharpe
Bubel	Levin	Shure
Bymers	Lillehaugen	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Starck
Collette	McIntee	Stormon
Crockett	McIntyre	Swanson
Dalzell	Moe	Trydahl
Devlin	Mollet	Tuff
Drovdal	Morland	Twichell
Erickson, Divide	Morrison	Wambheim
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker
Fraser	Nicholsen	

Absent and not voting:

Arndt	Glas	Myers
Austad	Gress	Severson
Culver	Haugland	Welder
Dittmer	Heckman	Westby
Gackle		

So the bill passed and the title was agreed to.

Senate Bill No. 24. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 99; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fleck	Nystrom
Allen	Fraser	Ohnstad
Anderson	Fuglestad	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Gress	Panko
Beede	Haag	Peterson, Bottineau
Belzer	Halvorson	Peterson, Ransom
Benno	Haugen	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Shure
Bymers	Levin	Singleton
Carlson	Lillehaugen	Smart
Coghlan	Lunde	Starck
Collette	McInnes	Stormon
Crockett	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Mollet	Tuff
Dittmer	Morrison	Twichell
Drovdal	Nelson, Cass	Wambheim
Erickson, Divide	Nelson, Morton	Williams, Richland
Erickson, Williams	Nelson, Ramsey	Williams, Stutsman
Falconer	Nelson, Sargent	Wolf, McIntosh
Fitch	Nelson, Steele	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker

Those voting in the negative were:

Moe

Absent and not voting:

Austad	Haugland	Myers
Culver	Heckman	Welder
Gackle	Kindem	Westby
Glas	Morland	

So the bill passed and the title was agreed to.

Senate Bill No. 182. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fuglestad	Nelson, Steele
Allen	Gackle	Nicholsen
Anderson	Gainor	Nystrom
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rygg
Bingenheimer	Holm	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Saumur
Blair	Johnson, Cass	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Boulden	Juhola	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Crockett	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser		

Absent and not voting:

Austad	Haugland	Rohde
Bubel	Heckman	Welder
Culver	Myers	Westby
Glas	Ohnstad	

So the bill passed and the title was agreed to.

Senate Bill No. 172 was read the second time.

Rep. Fitch moved that the rules be suspended for the purpose of amending Senate Bill No. 172.

Rep. Nelson of Morton moved that Senate Bill No. 172 be indefinitely postponed, which motion was lost.

The question being on the motion of Rep. Fitch that the rules be suspended for the purpose of amending Senate Bill No. 172, the motion was lost.

Senate Bill No. 172. A Bill for an Act Defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise Below Actual Cost for the Purpose of Having the Effect of Injuring Competitors or Destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the Provisions Thereof.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67; nays, 33; absent and not voting, 8; pass, 3.

Those voting in the affirmative were:

Allen	Fleck	Nicholsen
Arneson	Fuglestad	Nystrom
Arndt	Gainor	Ohnstad
Belzer	Gress	Olson, Barnes
Benno	Haag	Peterson, Ransom
Bjella	Haugen	Rygg
Black	Haugland	Sagehorn
Blair	Holm	Sandness
Bolmeier	Ireland	Saumur
Boulden	Jennings	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Juhola	Severson
Bymers	Kee	Sharpe
Carlson	Langley	Singleton
Coghlan	McInnes	Smart
Collette	McIntyre	Swanson
Crockett	Morland	Trydahl
Culver	Morrison	Welder
Dalzell	Nelson, Cass	Williams, Richland
Devlin	Nelson, Ramsey	Williams, Stutsman
Erickson, Divide	Nelson, Sargent	Wolf, McIntosh
Erickson, Williams	Nelson, Steele	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Anderson	Hogoboom	Panko
Austad	Johnson, Cass	Peterson, Bottineau
Beede	Kindem	Rohde
Bingenheimer	Larson	Schmidt
Brusseau	Levin	Semerad
Dittmer	Lillehaugen	Shure
Falconer	McIntee	Starck
Fitch	Moe	Stormon
Fraser	Mollet	Tuff
Halvorson	Nelson, Morton	Twichell
Hofstrand	Olson, Bowman	Wolf, Morton

Absent and not voting:

Aker	Glas	Myers
Bubel	Heckman	Westby
Gackle	Lunde	

Passed:

Bergesen	Drovdal	Wambheim
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So the bill passed and the title was agreed to.

Rep. Bymers moved that the vote by which Senate Bill No. 172 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Crockett moved that Rep. Bergesen be excused from voting on Senate Bill No. 172, which motion prevailed.

Rep. Fitch moved that Rep. Drovdal be excused from voting on Senate Bill No. 172, which motion prevailed.

Rep. Fitch moved that Rep. Wambheim be excused from voting on Senate Bill No. 172, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bills which the House has amended:

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Chapter 236 of the Session Laws of 1937. An Act to Provide for the Assessment of Car Line Companies, Express Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 172. A Bill for an Act Defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise Below Actual Cost for the Purpose of Having the Effect of Injuring Competitors or Destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the Provisions Thereof.

C. R. VERRY, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 117 and the President has appointed as a new conference committee to act with a like committee from the House, Senators: Bridston, Nelson of Dickey and Lofthus.

W. J. TROUT, Secretary.

Rep. Bergesen moved that the Speaker appoint a new conference committee to confer with a like committee from the Senate on Senate Bill No. 117, which motion prevailed and the Speaker appointed on that committee Reps. Bergesen, Crockett and Falconer.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, Representatives: Bergesen, Falconer and Crockett, on Senate Bill No. 117.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 334.

Which the Senate has amended.

W. J. TROUT, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Mis-

cellaneous Expenses for the State Laboratories Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arndt	Gainor	Ohnstad
Arneson	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nelson, Steele	

Absent and not voting:

Aker	Heckman	Trydahl
Crockett	Myers	Westby
Glas		

So the bill passed and the title was agreed to.

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 104; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Allen	Fraser	Nystrom
Anderson	Fuglestad	Ohnstad
Arneson	Gainor	Olson, Barnes
Arndt	Gress	Olson, Bowman
Austad	Haag	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Haugen	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Boulden	Kee	Sellens
Braun, McLean	Kindem	Semerad
Braun, Stark	Langley	Severson
Brusseau	Larson	Sharpe
Bubel	Levin	Shure
Bymers	Lillehaugen	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Starck
Collette	McIntee	Stormon
Crockett	McIntyre	Swanson
Culver	Moe	Trydahl
Dalzell	Mollet	Tuff
Devlin	Morland	Twichell
Dittmer	Morrison	Wambheim
Drovdal	Nelson, Cass	Welder
Erickson, Divide	Nelson, Morton	Westby
Erickson, Williams	Nelson, Ramsey	Williams, Stutsman
Falconer	Nelson, Sargent	Wolf, McIntosh
Fitch	Nelson, Steele	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker
Fleck		

Absent and not voting:

Aker	Heckman	Myers
Gackle	Johnson, Cass	Williams, Richland
Glas	Juhola	

So the bill passed and the title was agreed to.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Allen	Fraser	Nystrom
Anderson	Fuglestad	Ohnstad
Arneson	Gainor	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde

Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Sellens
Braun, Stark	Kee	Semerad
Brusseau	Kindem	Severson
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	McInnes	Starck
Crockett	McIntee	Stormon
Culver	McIntyre	Swanson
Dalzell	Moe	Trydahl
Devlin	Mollet	Tuff
Dittmer	Morland	Twichell
Drovdal	Morrison	Wambheim
Erickson, Divide	Nelson, Cass	Welder
Erickson, Williams	Nelson, Morton	Williams, Richland
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitch	Nelson, Sargent	Wolf, McIntosh
Fitzharris	Nelson, Steele	Wolf, Morton
Fleck	Nicholsen	Mr. Speaker

Absent and not voting:

Aker	Glas	Lunde
Arndt	Heckman	Myers
Gackle	Juhola	Westby

So the bill passed and the title was agreed to.

Senate Bill No. 195 was read the second time.

Rep. Twichell moved that the rules be suspended for the purpose of amending Senate Bill No. 195, which motion prevailed.

Rep. Twichell moved that Senate Bill No. 195 be amended as follows:

On page 12, Section 16, line 29, after the word "county" insert the following: "and any representative group or association of tax payers".

On page 13, Section 16, line 40, after the word "auditor" insert the phrase "and other competent evidence".

Which motion prevailed.

Rep. Twichell moved that the rules be suspended and that Senate Bill No. 195 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 195. A Bill for an Act Declaring Assessments of Taxable Property in Excess of the Full and True Value in Money Void; Providing for Administrative and Judicial Review of Valuations of Individual or Classes of Taxable Property and the Equalization of Valuations Between Assessment Districts Within and Among the Several Counties of the State, and Prescribing Procedure for Such Review; Providing for the Annual Meetings of the State Board of Equalization to Assess and Equalize Taxable Property, Fixing the Time When Real, Personal and Other Taxes Become Due and Delinquent with Penalties;

Prescribing the Time for the Levy of State Taxes, and the Fixation of the Mill Rate for State Purposes; Providing That the Act Operate Prospectively Only; Repealing Subdivision 7 of Section 1, Chapter 276 of the Session Laws of 1931, Chapter 225 of the Session Laws of 1939, Section 2141a of the 1925 Supplement to the Compiled Laws of 1913, Chapter 246 of the Session Laws of 1937 and Chapter 233 of the Session Laws of 1939, and Declaring an Emergency.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 60; nays, 46; absent and not voting, 5.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Fitzharris	Olson, Barnes
Arneson	Gackle	Peterson, Ransom
Arndt	Gainor	Sagehorn
Austad	Haugland	Sandness
Bergesen	Hofstrand	Saumur
Bjella	Hogoboom	Sellens
Black	Holm	Sharpe
Blair	Johnson, Cass	Shure
Bolmeier	Johnson, Richland	Singleton
Boulden	Kindem	Smart
Braun, Stark	Langley	Starck
Bymers	Levin	Stormon
Carlson	Lunde	Swanson
Coghlan	McInnes	Trydahl
Collette	Nelson, Cass	Twichell
Culver	Nelson, Morton	Wambheim
Dalzell	Nelson, Sargent	Williams, Stutsman
Dittmer	Nelson, Steele	Wolf, Morton
Fitch	Nicholsen	Mr. Speaker

Those voting in the negative were:

Anderson	Haag	Nelson, Ramsey
Beede	Halvorson	Ohnstad
Belzer	Haugen	Olson, Bowman
Bingenheimer	Ireland	Panko
Braun, McLean	Jennings	Peterson, Bottineau
Brusseau	Juhola	Rohde
Bubel	Kee	Rygg
Crockett	Larson	Schmidt
Devlin	Lillehaugen	Schwartz
Drovdal	McIntee	Semerad
Erickson, Divide	McIntyre	Severson
Erickson, Williams	Moe	Tuff
Falconer	Mollet	Welder
Fleck	Morland	Williams, Richland
Fraser	Morrison	Wolf, McIntosh
Gress		

Absent and not voting:

Benno	Heckman	Westby
Glas	Myers	

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Twichell moved that the vote by which Senate Bill No.

195 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Speaker called Rep. Fitch to take the Chair.

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 2; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Morton
Allen	Fleck	Nelson, Ramsey
Anderson	Fraser	Nelson, Sargent
Arneson	Fuglestad	Nicholsen
Arndt	Gackle	Nystrom
Austad	Gainor	Ohnstad
Beede	Gress	Olson, Barnes
Belzer	Haag	Olson, Bowman
Bergesen	Halvorson	Panko
Bingenheimer	Haugland	Peterson, Bottineau
Bjella	Hofstrand	Peterson, Ransom
Black	Hogoboom	Rohde
Blair	Holm	Rygg
Bolmeier	Ireland	Sagehorn
Boulden	Jennings	Sandness
Braun, McLean	Johnson, Richland	Saumur
Braun, Stark	Juhola	Schwartz
Brusseau	Kee	Sellens
Bubel	Kindem	Semerad
Bymers	Langley	Severson
Carlson	Larson	Sharpe
Coghlan	Levin	Shure
Collette	Lillehaugen	Singleton
Culver	Lunde	Smart
Dalzell	McInnes	Starck
Devlin	McIntee	Stormon
Dittmer	McIntyre	Trydahl
Drovdal	Moe	Tuff
Erickson, Divide	Mollet	Wambheim
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, McIntosh
Fitch	Nelson, Cass	Wolf, Morton

Those voting in the negative were:

Schmidt Welder

Absent and not voting:

Benno	Johnson, Cass	Twichell
Crockett	Myers	Westby
Glas	Nelson, Steele	Williams, Richland
Haugen	Swanson	Mr. Speaker
Heckman		

So the bill passed and the title was agreed to.

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 88; nays, 10; absent and not voting, 13.

Those voting in the affirmative were:

Allen	Fitzharris	Nelson, Morton
Anderson	Fleck	Nelson, Ramsey
Arneson	Fraser	Nelson, Sargent
Arndt	Fuglestad	Nystrom
Austad	Gainor	Ohnstad
Beede	Gress	Olson, Barnes
Belzer	Halvorson	Olson, Bowman
Benno	Haugen	Panko
Bingenheimer	Haugland	Peterson, Bottineau
Bjella	Hofstrand	Peterson, Ransom
Black	Hogoboom	Rohde
Bolmeier	Holm	Rygg
Braun, McLean	Ireland	Sagehorn
Braun, Stark	Jennings	Sandness
Brusseau	Johnson, Cass	Saumur
Bubel	Johnson, Richland	Schmidt
Bymers	Juhola	Schwartz
Carlson	Kindem	Sellens
Coghlan	Langley	Semerad
Collette	Larson	Severson
Crockett	Lillehaugen	Sharpe
Culver	Lunde	Singleton
Dalzell	McInnes	Smart
Devlin	McIntee	Starck
Dittmer	McIntyre	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Williams, Richland
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Wolf, Morton
Fitch		

Those voting in the negative were:

Boulden	Shure	Wambheim
Haag	Stormon	Welder
Kee	Trydahl	Wolf, McIntosh
Nicholsen		

Absent and not voting:

Aker	Heckman	Nelson, Steele
Bergesen	Levin	Swanson
Blair	Moe	Westby
Gackle	Myers	Mr. Speaker
Glas		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 79; nays, 23; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Erickson, Williams	Nelson, Morton
Allen	Falconer	Nelson, Ramsey
Anderson	Fitch	Nelson, Sargent
Arneson	Fitzharris	Nelson, Steele
Arndt	Fleck	Nicholsen
Austad	Fuglestad	Nystrom
Belzer	Gainor	Ohnstad
Benno	Gress	Olson, Barnes
Bergesen	Halvorson	Peterson, Ransom
Bjella	Haugland	Rygg
Black	Hofstrand	Sagehorn
Bolmeier	Hogoboom	Sandness
Boulden	Holm	Saumur
Braun, McLean	Ireland	Schmidt
Braun, Stark	Johnson, Richland	Sellens
Bubel	Juhola	Severson
Bymers	Kee	Sharpe
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Collette	Larson	Stormon
Crockett	Levin	Swanson
Culver	Lillehaugen	Trydahl
Dalzell	Lunde	Twichell
Devlin	McInnes	Wambheim
Dittmer	Morland	Williams, Richland
Drovdal	Nelson, Cass	Williams, Stutsman
Erickson, Divide		

Those voting in the negative were:

Beede	McIntyre	Semerad
Bingenheimer	Moe	Shure
Brusseau	Mollet	Starck
Fraser	Morrison	Tuff
Haag	Olson, Bowman	Welder
Haugen	Peterson, Bottineau	Wolf, McIntosh
Jennings	Rohde	Wolf, Morton
McIntee	Schwartz	

Absent and not voting:

Blair	Heckman	Panko
Gackle	Johnson, Cass	Westby
Glas	Myers	Mr. Speaker

So the bill passed and the title was agreed to.

Rep. Aker moved that the vote by which Senate Bill No. 38 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 100; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fraser	Nelson, Sargent
Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom
Arneson	Gainor	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Bergesen	Haugland	Rohde
Bingenheimer	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Bolmeier	Ireland	Saumur
Boulden	Jennings	Schmidt
Braun, McLean	Johnson, Richland	Schwartz
Braun, Stark	Juhola	Sellens
Brusseau	Kee	Semerad
Bubel	Kindem	Severson
Bymers	Langley	Sharpe
Carlson	Larson	Shure
Coghlan	Levin	Singleton
Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Tuff
Drovdal	Mollet	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Williams, Stutsman
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck		

Those voting in the negative were:

Welder

Absent and not voting:

Benno	Johnson, Cass	Panko
Blair	Myers	Westby
Glas	Nelson, Steele	Mr. Speaker
Heckman		

So the bill passed and the title was agreed to.

Rep. Stormon moved that the vote by which Senate Bill No. 4 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as Amended by Act Approved May 24, 1934, and Acts Amenda-

tory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 14; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fitch	Nelson, Ramsey
Allen	Fitzharris	Nelson, Sargent
Anderson	Fleck	Nicholsen
Arneson	Fraser	Nystrom
Arndt	Fuglestad	Ohnstad
Austad	Gackle	Olson, Bowman
Beede	Gainor	Peterson, Bottineau
Belzer	Gress	Peterson, Ransom
Benno	Halvorson	Rohde
Bergesen	Haugen	Rygg
Bingenheimer	Haugland	Sagehorn
Bjella	Hofstrand	Saumur
Black	Hogoboom	Schmidt
Bolmeier	Holm	Schwartz
Boulden	Ireland	Sellens
Braun, McLean	Jennings	Sharpe
Braun, Stark	Johnson, Richland	Shure
Bubel	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langlely	Stormon
Collette	Larson	Swanson
Culver	Levin	Trydahl
Dalzell	Lillehaugen	Tuff
Devlin	Lunde	Twichell
Dittmer	McIntee	Wambheim
Drovdal	McIntyre	Williams, Richland
Erickson, Divide	Mollet	Williams, Stutsman
Erickson, Williams	Morland	Wolf, Morton
Falconer	Nelson, Cass	

Those voting in the negative were:

Brusseau	Moe	Sandness
Bymers	Morrison	Starck
Crockett	Nelson, Morton	Welder
Haag	Olson, Barnes	Wolf, McIntosh
Juhola	Panko	

Absent and not voting:

Blair	McInnes	Severson
Glas	Myers	Westby
Heckman	Nelson, Steele	Mr. Speaker
Johnson, Cass	Semerad	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Twichell moved that the vote by which Senate Bill No. 82 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 119. A Bill for an Act Amending and Re-enacting Section 2 of Article II, Chapter 164 of the Session

Laws of 1933 Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby; Providing Safety and Sanitary Regulations for the Operation of Motor Propelled Vehicles Used for the Purpose of Transporting Persons and Property for Compensation Over Any Public Highway; Providing for the Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 74; nays, 28; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Hofstrand	Olson, Bowman
Allen	Hogboom	Panko
Anderson	Holm	Peterson, Ransom
Arneson	Jennings	Rohde
Austad	Johnson, Richland	Rygg
Beede	Juhola	Sagehorn
Belzer	Kee	Sandness
Black	Kindem	Saumur
Blair	Langley	Schmidt
Bolmeier	Larson	Sellens
Boulden	Levin	Semerad
Braun, McLean	Lillehaugen	Sharpe
Brusseau	Lunde	Shure
Bubel	McInnes	Starck
Collette	McIntyre	Stormon
Crockett	Mollet	Trydahl
Devlin	Morland	Tuff
Dittmer	Nelson, Cass	Twichell
Drovdal	Nelson, Ramsey	Wambheim
Fraser	Nelson, Sargent	Welder
Fuglestad	Nelson, Steele	Williams, Richland
Gackle	Nicholsen	Williams, Stutsman
Gainor	Nystrom	Wolf, McIntosh
Haag	Ohnstad	Wolf, Morton
Haugen	Olson, Barnes	

Those voting in the negative were:

Arndt	Erickson, Williams	Moe
Bergesen	Falconer	Morrison
Bingenheimer	Fitch	Nelson, Morton
Bjella	Fitzharris	Peterson, Bottineau
Bymers	Gress	Schwartz
Carlson	Halvorson	Severson
Coghlan	Haugland	Singleton
Culver	Ireland	Smart
Dalzell	McIntee	Swanson
Erickson, Divide		

Absent and not voting:

Benno	Glas	Myers
Braun, Stark	Heckman	Westby

Fleck Johnson, Cass Mr. Speaker

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which Senate Bill No. 119 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 235 of the 1919 Session Laws, Constituting Section 6076 of the 1925 Supplement.

House Bill No. 90. A Bill for an Act Providing for the Consideration by the State Board of Equalization of Certain Property Valuation in Determining the Value of Public Utilities for Taxing Purposes, and Declaring an Emergency.

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Guinness Patent Butter and to Patent Butter and Cheese.

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for the Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 195 of the Session Laws of 1929 Relating to the Opening of Bids, Award of Contract, and Bond Required for Public Buildings.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 312. A Bill for an Act Prohibiting the Sale or Giving Away of Intoxicating Liquors of an Alcoholic Content Greater Than Four Per Cent by Volume as a Beverage in any Place or on any Premise within the State of North Dakota where Gasoline and Oil are Sold at Retail, and Providing Penalty for Violation.

House Bill No. 232. A Bill for an Act to Amend and Re-enact Sections 5, 6 and 8 of Chapter 110 of the Session Laws of 1937 Relating to the Classifying and Fixing of the License Fee of Public Contractors and the Award of Contracts to Licensed Contractors.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 82. A Bill for an Act to Amend and Re-

enact Section 3 (d) of Chapter 165 Laws of North Dakota for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel; and Declaring an Emergency.

House Bill No. 270. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the Short Form of County Managership.

House Bill No. 218. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the County Manager Form.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

House Bill No. 10. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government and for All of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 111. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Which the Senate has amended.

W. J. TROUT, Secretary.

Rep. Bergesen requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Bergesen moved that the House request the Senate for the return of Senate Bill No. 183, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 212. A Bill for an Act to Prohibit the Manufacture, Sale or Storage of Imitation Butter, Patent or Processed Butter, or Ingredients Sold for the Purpose of Home Manufacture of Imitation Butter; excepting Oleomargarin; and Providing a Penalty, 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, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Allen	Fuglestad	Nicholsen
Anderson	Gackle	Nystrom

Arneson	Gainor	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bergesen	Hofstrand	Rohde
Bingenheimer	Hogoboom	Rygg
Bjella	Holm	Sagehorn
Black	Ireland	Sandness
Blair	Jennings	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Boulden	Juhola	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Shure
Carlson	Levin	Singleton
Coghlan	Lillehaugen	Smart
Collette	Lunde	Starck
Culver	McIntee	Stormon
Dalzell	McIntyre	Swanson
Devlin	Moe	Trydahl
Dittmer	Mollet	Tuff
Drovdal	Morland	Twichell
Erickson, Divide	Morrison	Wambheim
Erickson, Williams	Nelson, Cass	Welder
Falconer	Nelson, Morton	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser		
Absent and not voting:		
Aker	Heckman	Saumur
Bymers	Johnson, Cass	Westby
Crockett	McInnes	Mr. Speaker
Glas	Myers	

So the bill passed and the title was agreed to.

Rep. Crockett moved that the vote by which Senate Bill No. 212 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Speaker Symington resumed the Chair.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 183.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 195. A Bill for an Act Declaring Assessments of Taxable Property in Excess of the Full and True Value in Money Void; Providing for Administrative and Judicial Review of Valuations of Individual or Classes of Taxable Property and the Equalization of Valuations Between Assessment Districts Within and Among the Several Counties of the State, and Prescribing Procedure for Such Review; Providing for the Annual Meetings of the State Board of Equalization to Assess and Equalize Taxable Property, Fixing the Time When Real, Personal and Other Taxes Become Due and Delinquent with Penalties; Prescribing the Time for the Levy of State Taxes, and the Fixation of the Mill Rate for State Purposes; Providing That the Act Operate Prospectively Only; Repealing Subdivision 7 of Section 1, Chapter 276 of the Session Laws of 1931, Chapter 225 of the Session Laws of 1939, Section 2141a of the 1925 Supplement to the Compiled Laws of 1913, Chapter 246 of the Session Laws of 1937 and Chapter 233 of the Session Laws of 1939, and Declaring an Emergency.

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

Which the House has amended.

C. R. VERRY, Chief Clerk.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 156
 House Bill No. 168
 House Bill No. 200
 House Bill No. 202
 House Bill No. 240
 House Bill No. 263
 House Bill No. 286
 House Bill No. 297
 House Bill No. 303
 House Bill No. 323
 House Bill No. 332
 House Bill No. 337.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

The Chief Clerk read:

Senate Concurrent Resolution "T." A Concurrent Resolution Relative to Quadruplets Born to Mr. and Mrs. Nick Brown of Cass County, North Dakota.

Rep. Shure moved that Senate Concurrent Resolution "T" be laid on the table, which motion prevailed.

The Chief Clerk read:

Senate Concurrent Resolution "P." A Concurrent Resolution Requesting Congress to Amend Social Security Act to Provide Federal Grants to State for Public Assistance on Equalization Basis.

Rep. Shure moved that Senate Concurrent Resolution "P" be referred to the Comm. on Appropriations, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 75. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 1 and to Repeal Sub-section 9 of Section 3, of Chapter 241, Session Laws of 1939, Relating to the Use Tax.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 6, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 189. A Bill for an Act Making an Appropriation to Pay for a Portion of the Cost of Constructing a New Highway Approach to the Great Northern Railway Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Declaring an Emergency.

Senate Bill No. 155. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission; and Declaring an Emergency.

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing Penalties.

Senate Bill No. 32. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from which Paid; Providing for the Payment of Said Collection into the

Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 182. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

Senate Bill No. 24. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Senate Bill No. 212. A Bill for an Act to Prohibit the Manufacture, Sale or Storage of Imitation Butter, Patent or Processed Butter, or Ingredients Sold for the Purpose of Home Manufacture of Imitation Butter; excepting Oleomargarine; and Providing a Penalty, and Declaring an Emergency.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 16
 House Bill No. 17
 House Bill No. 18
 House Bill No. 21
 House Bill No. 22
 House Bill No. 114
 House Bill No. 122
 House Bill No. 137
 House Bill No. 150
 House Bill No. 251
 House Bill No. 277
 House Bill No. 299
 House Bill No. 328
 House Bill No. 19
 House Bill No. 103
 House Bill No. 206
 House Bill No. 163.

And find the same correctly enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 17. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 18. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 21. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced the Speaker was about to sign

House Bill No. 22. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 114. A Bill for an Act to Amend and Re-enact Section 11105 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 130 of the 1939 Session Laws of the State of North Dakota, Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 122. A Bill for an Act Making an Appropriation for Payment of an Emergency Expenditure by the North Dakota National Guard in Connection with the Organization of Two Extra Battalions of 155 m.m. by Order of the War Department and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 137. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Mailing Bureau in the Capitol Building, for the

Use of State Officers, Departments or Agencies, and to Prescribe Rules and Regulations for the General Use and Management of the Same; and Establishing a Board of Administration Postage Revolving Fund; and Making an Appropriation for the Establishment, Maintenance and Operation of the Same.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 150. A Bill for an Act Making a Deficiency Appropriation for Assistance to the Needy Aged for the Balance of the Biennial Period Ending June 30, 1941, and Declaring an Emergency.

And the speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 118, Laws 1929 Relative to the Posting of Butterfat Prices at Creamery and Cream Stations and Other Places of Business Purchasing Such Products From the Public.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 277. A Bill for an Act to Establish a Marketing Bureau Within the Department of Agriculture and Labor of the State of North Dakota and Defining Its Functions.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 299. A Bill for an Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, Relating to the State Board of Architecture.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 200b12 and Section 200b14 of the 1925 Supplement to the Compiled Laws of North Dakota; Providing for the Cancellation of Liability of the State Bonding Fund for Acts of Employees and Furnishing of Other Bonds; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 19. A Bill for an Act Making an Appro-

priation for Operation and Maintenance of the Auto Transportation Division.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 103. A Bill for an Act Appropriating the Sum of \$27,845.92 to the State Highway Commissioner Out of Any Funds in the State Treasury Available to the State Highway Department for the Purpose of Paying a Judgment That May Be Obtained by the Northern Improvement Company, of Fargo, North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 206. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Mill and Elevator Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Mill and Elevator Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Sections 4, 18, and 21 of Chapter 211 of the Session Laws for 1937, Pertaining to the Duties of the State Agency, the Confidential Character of Old Age Assistance Records, and the Distribution of Amounts Recovered from the Estates of Recipients of Old Age Assistance.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937 as Amended by Chapter 177 of the Session Laws of North Dakota for the Year 1939, Relating to Pensions for Policemen and Dependents in Cities Now, or Hereafter, Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 168. A Bill for an Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supplying and Delivering Water for Irrigation Purposes, or for Domestic Use, to Its Members or Stockholders, Providing

That the Shares of Stock in Such Corporations May Be Appurtenant to Certain Lands, Prescribing the Rights and Powers of Such Corporations; Providing for the Transferability of Stock Therein and Repealing All Acts and Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 200. A Bill for an Act to Provide for the Levying of Dues or Assessments Upon Members in Non-Stock Corporations, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 202. A Bill for an Act Providing for the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm, Providing for the Commitment and Transfer of Prisoners Thereto, and Their Care and Supervision Therein; Making an Appropriation for the Establishment and Maintenance of Said Institution; Repealing All Acts or Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 263. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and by Chapter 283 of the Laws of 1935; Repealing All Acts; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 286. A Bill for an Act Authorizing the Board of University and School Lands to Sell Lands Belonging to the Permanent School or Institutional Funds But Not a Part of the Federal Grant Lands to Bona Fide Farmers, Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands

Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 5631 of the 1913 Compiled Laws of North Dakota, Relating to Descent of Homestead Estate and Exemption; Repealing Section 5632 of the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 303. A Bill for an Act Requiring Departmental Budgets and Biennial Reports by the State Highway Commissioner and Repealing All Acts and Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 323. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159, Session Laws of 1927, Relating to the Department of State Highways.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 332. A Bill for an Act Declaring a Land Use Policy Relative to Agricultural Lands Obtained by the County on Tax Deed Proceedings, and Empowering the Board of County Commissioners to Conform to Such Policy in the Sale and Lease of Such Lands. Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 337. A Bill for an Act to Amend and Re-enact Section 53, Chapter 3, Article 4, Political Code, Compiled Laws of 1913, Relating to the Printing of Journals of Each Branch of the Legislative Assembly.

And the Speaker signed the same in the presence of the House.

Rep. Swanson moved that the House do now recess until 9:00 A. M., tomorrow, which motion prevailed and the House stood recessed.

C. R. VERRY, Chief Clerk.

FIFTY-NINTH DAY AFTER RECESS
AND SIXTIETH DAY

Bismarck, March 7, 1941.

The House re-assembled at 9:00 A. M., pursuant to recess, Speaker Symington presiding.

MESSAGES FROM THE SENATE

Senate Chamber
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "O". A Resolution Requesting Congress to Give Consideration to Need for Appropriations for Roads on Strategic Military Network.

Senate Concurrent Resolution "X." A Concurrent Resolution Recommending and Authorizing Dedication of the State Capitol Building and Grounds.

Senate Concurrent Resolution "U." Referring to Extra Work of Comparing and Indexing Permanent Journal of Twenty-Seventh Legislative Assembly— and Appropriation for Same.

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-seventh Legislative Assembly.

Senate Concurrent Resolution "W." Authorizing Extra Post-session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

Which the Senate has passed and your favorable consideration is requested.

W. J. TROUT, Secretary.

Senate Chamber
Bismarck, Mar. 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of the State of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws for the Year 1931, and as Amended by Chapter 163 of the Session Laws for the Year 1933, and as Amended by Chapter 185 of the Session Laws

for the Year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles That May Be Driven or Moved Upon the Highways of the State of North Dakota; Providing Exemptions; Fixing Fees for the Registration and Licensing of Motor Vehicles Referred to; Prescribing Penalties for Violation; and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 288. A Bill for an Act to Amend and Re-enact Subdivision "c" of Division 15 of Section 7 of Chapter 94, Session Laws of 1931; Section 14 of Chapter 94, Session Laws of 1931, as Amended by Chapter 101, Session Laws of 1939; and Section 23 of Chapter 94, Session Laws of 1931, Providing for Investments by Building and Loan Associations; Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, Banks, Eleemosynary, Educational, Public and Municipal Corporations and Public Officials; and Pertaining to Bonds of Directors, Officers, Agents and Employees.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, Mar. 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has amended

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, Mar. 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 102. A Bill for an Act to Establish a State Industrial Alcohol Plant; Providing for the Management Thereof, and Making an Appropriation Therefor; Constitutionality.

House Concurrent Resolution "Y." A Concurrent Resolution to Transfer Monies from the Mileage and Per Diem of Members Fund, the Printing Fund and the Miscellaneous Fund to the Mileage and Per Diem Fund of the Officers and Employees.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, Mar. 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 339. A Bill for an Act to Amend and Re-enact Section 3, Chapter 152, Session Laws of 1939, State of North Dakota, Providing for the Designation of a State

Feeder Highway System, and for the Division of the Cost of Improving Same, and for Maintenance, and Declaring an Emergency.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, Mar. 7, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "U". A Concurrent Resolution Memorializing the Congress of the United States to Maintain a Military Post at Fort Lincoln.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, Mar. 7, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Z". A Concurrent Resolution Declaring the Legislative Policy of the State of North Dakota With Reference to the Payment of the Principal and Interest of the State's Bonded Indebtedness.

Which the Senate has adopted as amended.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, Mar. 7, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "V." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

House Concurrent Resolution "W." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

House Concurrent Resolution "X." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber
Bismarck, Mar. 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 191. A Bill for an Act to Provide a Limitation of Time Within Which Claims May Be Made or Proceedings Brought to Recover Monies in Personal Accounts of Inmates and Patients in State Charitable Institutions; and Providing the Transfer of Such Monies.

House Bill No. 115. A Bill for an Act to Include Certain Elective Officials of the State and of the Counties Thereof Under the Terms of the Workmen's Compensation Act, and to Amend and Re-enact Section 4 of Chapter 286, Session Laws of 1935 (Being Section 10-1 of Chapter 162 of the Session Laws of 1919, as amended) Relating to Disbursement of Workmen's Compensation Fund; Declaring an Emergency; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 215. A Bill for an Act Authorizing the Governor and the Secretary of State, Acting in the Name of,

and on Behalf of, the State of North Dakota, to Transfer and Convey, Without Consideration, Certain Lands in Rolette County, Now Held by and in the Name of the State of North Dakota in Trust for the Use and Benefit of the International Peace Garden, Inc., a New York Corporation, to the United States of America For Use as a Customs Port of Entry to the United States From the Dominion of Canada, and Declaring an Emergency.

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for 1939.

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purpose, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; Emergency.

House Bill No. 105. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 10322a51 of the Supplement of 1925 and Chapter 118, Laws 1933 Relative to Going Afield With Guns Before the Hunting Season and Illegal Possession of Game and Fish After the Hunting Season.

House Bill No. 272. A Bill for an Act to Amend and Re-enact Sections 3 and 5 of Chapter 2 of the 1939 Session Laws; Relating to Beekeepers' Licenses and License Fees, and Repealing All Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 3163a1, Compiled Laws of North Dakota, as Amended by Chapter 136 Session Laws of 1939, Defining a Public Dancing Place, Repeal.

House Bill No. 237. A Bill for an Act Providing for Retention by County Auditors of a Part of the Resident and Non-resident Hunting License and Non-resident Fishing License Fees, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 223. A Bill for an Act Authorizing and Directing County Auditors to Destroy Certain Old, No Longer of Use, and Obsolete Books, Blanks, Forms, and Records of Their Offices and Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

House Bill No. 221. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20 of Chapter 148 of the Session Laws of 1931, as Amended by Section 1 of Chapter 144 of the Session Laws of 1935, Relating to Game and Fish.

House Bill No. 187. A Bill for an Act Relating to Payment of the Costs of Sewer and Water Improvements in Cities and Villages Partly by Special Assessments and Partly by Service Charges, and Declaring an Emergency.

House Bill No. 186. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, Relating to Tax Limitations of Cities.

House Bill No. 167. A Bill for an Act to Amend and Re-enact Sections 11, 21 and 22 of Chapter 256 of the Session Laws of North Dakota for the Year 1939 Relating to the Powers and Duties of the State Water Conservation Commission, Relating to State Water Conservation Commission Bonds and Declaring an Emergency.

House Bill No. 123. A Bill for an Act Reserving to the Counties of the State Mineral, Gas and Oil Rights; and Declaring an Emergency.

House Bill No. 258. A Bill for an Act Preserving the Rights to Benefits Under the North Dakota Unemployment Compensation Act to Persons Entering the Military or Naval Service of the United States During the Period of Such Service; Repeal; Declaring an Emergency.

Which the President has signed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "S". A Concurrent Resolution Providing that House Bill No. 289, Being a Complete Revision of the Military Code of the State of North Dakota, Be Not Printed in the Session Laws.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bills Nos. 3, 4, 27 and 34 and the President has appointed as a conference committee to act with a like committee from the House, Senators: Watt, Thatcher and Morgan of Walsh.

W. J. TROUT, Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 177.

Rep. Smart moved that the House do concur in the Senate amendments to House Bill No. 177, which motion prevailed.

Rep. Smart moved that the rules be suspended and that

House Bill No. 177 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 4; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Gress	Panko
Arndt	Haag	Peterson, Bottineau
Austad	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Saumur
Bingenheimer	Holm	Schmidt
Bjella	Ireland	Schwartz
Black	Jennings	Sellens
Blair	Johnson, Cass	Semerad
Bolmeier	Johnson, Richland	Severson
Boulden	Juhola	Sharpe
Braun, McLean	Kee	Shure
Braun, Stark	Kindem	Singleton
Carlson	Langley	Smart
Coghlan	Larson	Stormon
Collette	Lunde	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Mollet	Twichell
Dittmer	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fitzharris	Nelson, Steele	Mr. Speaker
Fraser	Nicholsen	

Those voting in the negative were:

Brusseau	Halvorson	Moe
Bubel		

Absent and not voting:

Bymers	Levin	Olson, Bowman
Crockett	Lillehaugen	Sandness
Drovdal	McInnes	Starck
Fleck	Myers	Wambheim
Glas	Nelson, Morton	Welder

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Trydahl moved that Reps. Kee, Johnson of Cass and Schmidt be excused to confer on amendments to House Bill No. 10, which motion prevailed.

House Bill No. 82.

Rep. Hofstrand moved that the House do concur in the Senate amendments to House Bill No. 82.

Rep. Haugen moved a substitute motion that the House refuse to concur in the Senate amendments to House Bill No. 82, which motion prevailed.

Rep. Haugen moved that the Speaker appoint a conference committee to act with a like committee from the Senate on House Bill No. 82, which motion prevailed and the Speaker appointed on that committee Reps. Haugen, Austad and Black.

House Bill No. 127.

Rep. Stormon moved that the House do concur in the Senate amendments to House Bill No. 127, which motion prevailed.

Rep. Stormon moved that the rules be suspended and that House Bill No. 127 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 94; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Aker	Gackle	Ohnstad
Allen	Gainor	Olson, Barnes
Anderson	Gress	Panko
Arneson	Haag	Peterson, Bottineau
Arndt	Halvorson	Peterson, Ransom
Austad	Haugen	Rohde
Beede	Haugland	Rygg
Belzer	Heckman	Sagehorn
Bønno	Hofstrand	Sandness
Bingenheimer	Hogoboom	Saumur
Bjella	Holm	Schwartz
Black	Ireland	Sellens
Blair	Jennings	Semerad
Bolmeier	Johnson, Richland	Severson
Boulden	Juhola	Sharpe
Braun, McLean	Kindem	Shure
Braun, Stark	Langley	Singleton

Brusseau	Larson	Smart
Carlson	Lunde	Stormon
Coghlan	McIntee	Swanson
Collette	McIntyre	Trydahl
Culver	Moe	Tuff
Dalzell	Mollet	Twichell
Devlin	Morland	Wambheim
Dittmer	Morrison	Welder
Erickson, Divide	Nelson, Cass	Westby
Erickson, Williams	Nelson, Morton	Williams, Richland
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitch	Nelson, Sargent	Wolf, McIntosh
Fitzharris	Nicholsen	Wolf, Morton
Fraser	Nystrom	Mr. Speaker
Fuglestad		

Absent and not voting:

Bergesen	Glas	Myers
Bubel	Johnson, Cass	Nelson, Steele
Bymers	Kee	Olson, Bowman
Crockett	Levin	Schmidt
Drovdal	Lillehaugen	Starck
Fleck	McInnes	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 307.

Rep. Beede moved that the House refuse to concur in the Senate amendments to House Bill No. 307 and that a conference committee be appointed.

Rep. Fitch moved a substitute motion that the House do concur in the Senate amendments to House Bill No. 307, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Bill No. 307 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3178 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain; Repeal; Declaring an Emergency; and Providing a Penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 83; nays, 13; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fitzharris	Ohnstad
Allen	Gackle	Olson, Barnes
Anderson	Gainor	Panko
Arneson	Gress	Peterson, Ransom
Arndt	Haag	Rygg
Austad	Halvorson	Sagehorn
Beede	Haugen	Sandness
Benno	Heckman	Saumur
Bjellz	Hofstrand	Sellens
Black	Holm	Semerad

Blair	Ireland	Severson
Bolmeier	Jennings	Sharpe
Boulden	Johnson, Richland	Shure
Braun, Stark	Juhola	Singleton
Brusseau	Kindem	Smart
Bubei	Langley	Starck
Bymers	Larson	Stormon
Carlson	Lunde	Swanson
Cognlan	McIntee	Trydahl
Collette	McIntyre	Twichell
Culver	Moe	Wambheim
Dalzell	Mollet	Welder
Devlin	Morland	Westby
Dittmer	Nelson, Cass	Williams, Richland
Erickson, Divide	Nelson, Ramsey	Williams, Stutsman
Erickson, Williams	Nelson, Sargent	Wolf, McIntosh
Falconer	Nelson, Steele	Mr. Speaker
Fitch	Nystrom	

Those voting in the negative were:

Belzer	Morrison	Rohde
Bingenheimer	Nelson, Morton	Schwartz
Fraser	Nicholsen	Tuff
Fuglestad	Peterson, Bottineau	Wolf, Morton
Hogboom		

Absent and not voting:

Bergeser	Glas	Lillehaugen
Braun, McLean	Haugland	McInnes
Crockett	Johnson, Cass	Myers
Drovdal	Kee	Olson, Bowman
Fleck	Levin	Schmidt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Fitch moved that the vote by which House Bill No. 307 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution No. 63.

Rep. Aker moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 63, which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Concurrent Resolution No. 63 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Concurrent Resolution No. 63. Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments Thereto, Relating to Future Amendments.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, as amended, the roll was called and there were ayes, 62; nays, 34; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Gainor	Peterson, Bottineau
Allen	Haugland	Peterson, Ransom
Arneson	Hofstrand	Rygg

Arndt	Hogoboom	Sagehorn
Austad	Holm	Sandness
Bingenheimer	Ireland	Saumur
Bjella	Johnson, Richland	Severson
Black	Juhola	Sharpe
Blair	Kindem	Shure
Bolmeier	Langley	Singleton
Boulden	Lunde	Smart
Bymers	Moe	Stormon
Carlson	Morland	Swanson
Coghlan	Nelson, Cass	Trydahl
Collette	Nelson, Ramsey	Twichell
Dalzell	Nelson, Sargent	Wambheim
Dittmer	Nelson, Steele	Westby
Fitch	Nystrom	Williams, Richland
Fitzharris	Ohnstad	Williams, Stutsmap
Fuglestad	Olson, Barnes	Mr. Speaker
Gackle	Panko	

Those voting in the negative were:

Anderson	Gress	Nelson, Morton
Beede	Haag	Nicholsen
Belzer	Halvorson	Rohde
Braun, Stark	Haugen	Schwartz
Brusseau	Heckman	Sellens
Bubel	Jennings	Semerad
Culver	Larson	Starck
Devlin	McIntee	Tuff
Erickson, Divide	McIntyre	Welder
Erickson, Williams	Mollet	Wolf, McIntosh
Falconer	Morrison	Wolf, Morton
Fraser		

Absent and not voting:

Benno	Fleck	Lillehaugen
Bergesen	Glas	McInnes
Braun, McLean	Johnson, Cass	Myers
Crockett	Kee	Olson, Bowman
Drovdal	Levin	Schmidt

So the Resolution was declared passed.

Rep. Wambheim moved that the vote by which House Concurrent Res. No. 63 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 62.

Rep. Bergesen moved that the House do concur in the Senate amendments to House Bill No. 62, which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that House Bill No. 62 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division of Highway Safety and Police Patrol, Repealing All Acts

and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 66; nays, 31; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gackle	Ohnstad
Allen	Gainor	Olson, Barnes
Arneson	Gress	Peterson, Bottineau
Arndt	Halvorson	Peterson, Ransom
Austad	Haugland	Rygg
Bergesen	Hofstrand	Sagehorn
Bjella	Hogoboom	Sandness
Black	Holm	Saumur
Blair	Ireland	Sellens
Bolmeier	Johnson, Richland	Severson
Boulden	Juhola	Sharpe
Braun, Stark	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Collette	Morland	Trydahl
Culver	Nelson, Cass	Twichell
Dalzell	Nelson, Ramsey	Wambheim
Dittmer	Nelson, Sargent	Westby
Fitch	Nelson, Steele	Williams, Richland
Fitzharris	Nicholsen	Williams, Stutsman
Fuglestad	Nystrom	Mr. Speaker

Those voting in the negative were:

Anderson	Haag	Nelson, Morton
Beede	Haugen	Rohde
Belzer	Heckman	Schwartz
Braun, McLean	Jennings	Semerad
Brusseau	Larson	Shure
Bubel	McIntee	Starck
Devlin	McIntyre	Tuff
Erickson, Divide	Moe	Welder
Erickson, Williams	Mollet	Wolf, McIntosh
Falconer	Morrison	Wolf, Morton
Fraser		

Absent and not voting:

Benno	Glas	Myers
Bingenheimer	Johnson, Cass	Olson, Bowman
Crockett	Kee	Panko
Drovdal	Levin	Schmidt
Fleck	Lillehaugen	

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Rep. Carlson moved that the vote by which House Bill No. 62 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the

Senate has refused to concur in the House amendment to House Bill No. 82 and the President has appointed as a new conference committee to act with a like committee from the House, Senators: Olson of Mountrail, Owings and Braun.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 82 and the President has appointed as a conference committee to act with a like committee from the House, Senators: Fowler, Stucke and Page.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate is returning Senate Bill No. 183 as requested by the House.

W. J. TROUT, Secretary.

Rep. Bergesen requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Bergesen moved that the House reconsider its action by which Senate Bill No. 183 was lost, which motion was lost.

CONSIDERATION OF MESSAGES FROM THE SENATE House Bill No. 194.

Rep. Johnson of Richland moved that the House do concur in the Senate amendments to House Bill No. 194, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and that House Bill No. 194 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and Non-Resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of this Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 16; absent and not voting, 14.

Those voting in the affirmative were:

Aker

Fitch

Peterson, Ransom

Allen	Fitzharris	Rohde
Anderson	Fraser	Rygg
Arneson	Fuglestad	Sagehorn
Arndt	Gackle	Sandness
Austad	Gainor	Saumur
Beede	Gress	Sellens
Belzer	Haag	Semerad
Bergesen	Haugland	Severson
Bingenheimer	Hogboom	Sharpe
Ejella	Holm	Shure
Black	Ireland	Singleton
Blair	Johnson, Richland	Smart
Bolmeier	Juhola	Starck
Boulder	Langley	Stormon
Braun, McLean	Larson	Swanson
Braun, Stark	Lunde	Trydahl
Bubel	McInnes	Tuff
Bymers	McIntyre	Twichell
Carlson	Nelson, Cass	Wambheim
Collette	Nelson, Morton	Welder
Culver	Nelson, Ramsey	Westby
Dalzell	Nelson, Sargent	Williams, Richland
Devlin	Nicholsen	Williams, Stutsman
Dittmer	Nystrom	Wolf, McIntosh
Erickson, Williams	Oison, Barnes	Wolf, Morton
Falconer	Peterson, Bottineau	Mr. Speaker
Those voting in the negative were:		
Bruseau	Jennings	Mollet
Erickson, Divide	Kindem	Morland
Halvorson	Lillehaugen	Morrison
Haugen	McIntee	Panko
Heckman	Moe	Schwartz
Hofstrand		
Absent and not voting:		
Benno	Glas	Nelson, Steele
Coghlan	Johnson, Cass	Ohnstad
Crockett	Kee	Olson, Bowman
Drovdal	Levin	Schmidt
Fleck	Myers	

So the bill passed and the title was agreed to.

Rep. Dalzell moved that the vote by which House Bill No. 194 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 91.

Rep. Semerad moved that the House do concur in the Senate amendments to House Bill No. 91, which motion prevailed.

Rep. Semerad moved that the rules be suspended and that House Bill No. 91 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 72; nays, 25; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Gackle	Nystrom
Anderson	Gainor	Panko
Arneson	Gress	Peterson, Bottineau
Arndt	Haag	Peterson, Ransom
Austad	Haugen	Rygg
Beede	Haugland	Sagehorn
Benno	Hofstrand	Schwartz
Bingenheimer	Holm	Sellens
Bjella	Ireland	Semerad
Black	Jennings	Severson
Blair	Johnson, Richland	Sharpe
Boulden	Juhola	Shure
Braun, Stark	Kindem	Singleton
Brusseau	Langley	Smart
Bubel	Larson	Stormon
Culver	Lillehaugen	Trydahl
Dalzell	Lunde	Tuff
Devlin	McInnes	Wambheim
Erickson, Divide	McIntyre	Westby
Erickson, Williams	Moe	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker

Those voting in the negative were:

Belzer	Fuglestad	Nelson, Cass
Bergesen	Halvorson	Rohde
Bolmeier	Heckman	Sandness
Braun, McLean	Hogoboom	Saumur
Bymers	McIntee	Starck
Carlson	Mollet	Swanson
Coghlan	Morland	Twichell
Collette	Morrison	Welder
Dittmer		

Absent and not voting:

Allen	Johnson, Cass	Ohnstad
Crockett	Kee	Olson, Barnes
Drovdal	Levin	Olson, Bowman
Fleck	Myers	Schmidt
Glas	Nelson, Steele	

So the bill passed and the title was agreed to.

Rep. Semerad moved that the vote by which House Bill No. 91 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,

Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 126. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96 of the Session Laws for the State of North Dakota, as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937, Relat-

ing to Reserve Fund Requirements for State Banking Associations.

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229, of the Session Laws for 1939, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing that as to Stocks of Merchandise, the Average Value Thereof for the Year Preceding the Time of Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, and Declaring an Emergency.

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Article 29, Section 2791 of the 1913 Compiled Laws.

Senate Bill No. 109. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for the Repeal of Acts in Conflict Herewith.

Senate Bill No. 36. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Senate Concurrent Resolution 2. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 29 of the Constitution of North Dakota.

Senate Concurrent Resolution "L". A Concurrent Resolution Specifying the Number of Copies of the Report of the Code Revision Commission to Be Prepared for Submission to the Twenty-eighth Legislative Assembly.

Senate Bill No. 174. A Bill for an Act Providing for the Dissolution of Irrigation Districts; Providing for the Sale of the Assets of Such Districts; Providing for the Disposition of Cash Assets of the District After All District Obligations Have Been Fully Paid; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 82 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Haugen, Austad and Black.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 200b12 and Section 200b14 of the 1925 Supplement to the Compiled Laws of North Dakota; Providing for the Cancellation of Liability of the State Bonding Fund for Acts of Employees and Furnishing of Other Bonds; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 19. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 103. A Bill for an Act Appropriating the Sum of \$27,845.92 to the State Highway Commissioner Out of Any Funds in the State Treasury Available to the State Highway Department for the Purpose of Paying a Judgment That May Be Obtained by the Northern Improvement Company, of Fargo, North Dakota.

House Bill No. 206. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Mill and Elevator Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Mill and Elevator Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Sections 4, 18, and 21 of Chapter 211 of the Session Laws for 1937, Pertaining to the Duties of the State Agency, the Confidential Character of Old Age Assistance Records, and the Distribution of Amounts Recovered from the Estates of Recipients of Old Age Assistance.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 17. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 21. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

House Bill No. 22. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 114. A Bill for an Act to Amend and Re-

enact Section 11105 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 130 of the 1939 Session Laws of the State of North Dakota, Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

House Bill No. 122. A Bill for an Act Making an Appropriation for Payment of an Emergency Expenditure by the North Dakota National Guard in Connection with the Organization of Two Extra Battalions of 155 m.m. by Order of the War Department and Declaring an Emergency.

House Bill No. 137. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Mailing Bureau in the Capitol Building, for the Use of State Officers, Departments or Agencies, and to Prescribe Rules and Regulations for the General Use and Management of the Same; and Establishing a Board of Administration Postage Revolving Fund; and Making an Appropriation for the Establishment, Maintenance and Operation of the Same.

House Bill No. 150. A Bill for an Act Making a Deficiency Appropriation for Assistance to the Needy Aged for the Balance of the Biennial Period Ending June 30, 1941, and Declaring an Emergency.

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 118, Laws 1929 Relative to the Posting of Butterfat Prices at Creamery and Cream Stations and Other Places of Business Purchasing Such Products From the Public.

House Bill No. 277. A Bill for an Act to Establish a Marketing Bureau Within the Department of Agriculture and Labor of the State of North Dakota and Defining Its Functions.

House Bill No. 299. A Bill for an Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, Relating to the State Board of Architecture.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarek, March 6, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937 as Amended by Chapter 177 of the Session Laws of North Dakota for the Year 1939, Relating to Pensions for Policemen and Dependents in Cities Now, or Hereafter, Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

House Bill No. 168. A Bill for an Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supply-

ing and Delivering Water for Irrigation Purposes, or for Domestic Use, to Its Members or Stockholders, Providing That the Shares of Stock in Such Corporations May Be Appurtenant to Certain Lands, Prescribing the Rights and Powers of Such Corporations; Providing for the Transferability of Stock Therein and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 200. A Bill for an Act to Provide for the Levying of Dues or Assessments Upon Members in Non-Stock Corporations, and Declaring an Emergency.

House Bill No. 202. A Bill for an Act Providing for the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm, Providing for the Commitment and Transfer of Prisoners Thereto, and Their Care and Supervision Therein; Making an Appropriation for the Establishment and Maintenance of Said Institution; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

House Bill No. 263. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and by Chapter 283 of the Laws of 1935; Repealing All Acts; and Declaring an Emergency.

House Bill No. 286. A Bill for an Act Authorizing the Board of University and School Lands to Sell Lands Belonging to the Permanent School or Institutional Funds But Not a Part of the Federal Grant Lands to Bona Fide Farmers, Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 5631 of the 1913 Compiled Laws of North Dakota, Relating to Descent of Homestead Estate and Exemption; Repealing Section 5632 of the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

House Bill No. 303. A Bill for an Act Requiring Departmental Budgets and Biennial Reports by the State Highway Commissioner and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 323. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159, Session Laws of 1927, Relating to the Department of State Highways.

House Bill No. 332. A Bill for an Act Declaring a Land Use Policy Relative to Agricultural Lands Obtained by the County on Tax Deed Proceedings, and Empowering the Board of County Commissioners to Conform to Such Policy in the Sale and Lease of Such Lands. Declaring an Emergency.

House Bill No. 337. A Bill for an Act to Amend and Re-enact Section 53, Chapter 3, Article 4, Political Code, Compiled Laws of 1913, Relating to the Printing of Journals of Each Branch of the Legislative Assembly.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 335
 House Bill No. 301
 House Bill No. 273
 House Bill No. 222
 House Bill No. 255
 House Bill No. 245
 House Bill No. 213
 House Bill No. 199
 House Bill No. 184
 House Bill No. 136
 House Bill No. 135
 House Bill No. 116
 House Bill No. 20
 House Bill No. 261.

Were delivered to the Governor for his approval at the hour of 10:30 o'clock March 7, 1941.

REP. WAMBHEIM, Chairman.

Rep. Shure requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Shure moved that he be relieved from acting on the conference committee on House Bill No. 120.

Rep. Beede moved a substitute motion that a new conference committee be appointed to deliberate on House Bill No. 120, which motion prevailed and the Speaker appointed on that committee Reps. Morland, Halvorson and Peterson of Bottineau.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 2.

Rep. Culver moved that the House do not concur in the Senate amendments to House Bill No. 2 and that the Speaker appoint a conference committee to act with a like committee from the Senate on House Bill No. 2, which motion prevailed and the Speaker appointed on that committee Reps. Culver, Sandness and Belzer.

House Bill No. 224.

Rep. Sellens moved that the House do concur in the Senate amendments to House Bill No. 224, which motion prevailed.

Rep. Sellens moved that the rules be suspended and that House Bill No. 224 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for

1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor; Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 4; absent and not voting, 16.

Those voting in the affirmative were:

Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bingenheimer	Holm	Saumur
Bjella	Ireland	Schwartz
Black	Jennings	Sellens
Blair	Johnson, Richland	Semerad
Bolmeier	Juhola	Severson
Boulden	Kindem	Shure
Braun, McLean	Langley	Singleton
Braun, Stark	Larson	Smart
Bubel	Levin	Starck
Bymers	Lillehaugen	Stormon
Carlson	Lunde	Swanson
Culver	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Sargent	Wolf, McIntosh
Fitzharris	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Aker	Morrison	Nelson, Ramsey
Collette		

Absent and not voting:

Brusseau	Halvorson	Olson, Barnes
Coghlan	Johnson, Cass	Peterson, Bottineau
Crockett	Kee	Schmidt
Drovdal	Moe	Sharpe
Fleck	Myers	Trydahl
Glas		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Belzer moved that the vote by which House Bill No. 224 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, Representatives: Morland, Halvorson, Peterson of Bottineau on House Bill No. 120.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 2 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Culver, Sandness, Belzer.

C. R. VERRY, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 33.

Rep. Hogoboom moved that the House do concur in the Senate amendments to House Bill No. 33, which motion prevailed.

Rep. Hogoboom moved that the rules be suspended and that House Bill No. 33 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 33. A Bill for an Act to Require the Filing of a Farm Lease Containing a Reservation of Title to Crop in the Lessor and Providing for a Waiver of Rights by the Lessor Upon Failure to File Such Lease.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 89; nays, 2; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
Allen	Gress	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Halvorson	Olson, Bowman
Arndt	Haugen	Panko
Austad	Haugland	Peterson, Ransom
Beede	Heckman	Rygg
Belzer	Hofstrand	Sagehorn
Benno	Hogoboom	Sandness
Bingenheimer	Holm	Saumur
Bjella	Ireland	Schwartz

Black	Jennings	Sellens
Blair	Johnson, Richland	Semerad
Bolmeier	Kindem	Severson
Boulder	Langley	Shure
Braun, McLean	Larson	Singleton
Bubel	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Collette	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Mollet	Twichell
Devlin	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad	Nicholsen	

Those voting in the negative were:

Moe	Wambheim
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Absent and not voting:

Bergesen	Fleck	Myers
Braun, Stark	Gackle	Peterson, Bottineau
Brusseau	Glas	Rohde
Bymers	Johnson, Cass	Schmidt
Crockett	Juhola	Sharpe
Dittmer	Kee	Tuff
Drovdal	Levin	

So the bill passed and the title was agreed to.

Rep. Hogoboom moved that the vote by which House Bill No. 33 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 7.

Rep. Trydahl moved that the House do concur in the Senate amendments to House Bill No. 7, which motion prevailed.

Rep. Trydahl moved that the rules be suspended and that House Bill No. 7 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Aker	Gackle	Nicholsen
Allen	Gainor	Nystrom
Anderson	Gress	Ohnstad
Arndt	Haag	Olson, Barnes

Arneson	Halvorson	Olson, Bowman
Austad	Haugen	Panko
Beede	Haugland	Peterson, Bottineau
Belzer	Heckman	Peterson, Ransom
Benno	Hofstrand	Rygg
Bjella	Hogoboom	Sagehorn
Black	Holm	Sandness
Blair	Ireland	Saumur
Boulden	Jennings	Semerad
Braun, McLean	Johnson, Richland	Severson
Bubel	Kindem	Shure
Bymers	Langley	Singleton
Carlson	Larson	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Sargent	Wolf, Morton
Fuglestad	Nelson, Steele	Mr. Speaker

Absent and not voting:

Bergesen	Fleck	Myers
Bingenheimer	Glas	Rohde
Bolmeier	Johnson, Cass	Schmidt
Braun, Stark	Juhola	Schwartz
Brusseau	Kee	Sellens
Drovdal	Levin	Sharpe

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 7 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 108.

Rep. Trydahl moved that the House do concur in the Senate amendments to House Bill No. 108, which motion prevailed.

Rep. Trydahl moved that the rules be suspended and that House Bill No. 108 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Fuglestad	Olson, Barnes
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Allen	Gress	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arneson	Halvorson	Peterson, Bottineau
Arndt	Haugen	Peterson, Ransom
Beede	Heckman	Rohde
Belzer	Hofstrand	Rygg
Benno	Hogoboom	Sagehorn
Bingenheimer	Holm	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Sellens
Blair	Johnson, Richland	Semerad
Bolmeier	Juhola	Severson
Boulden	Kindem	Sharpe
Braun, McLean	Langley	Shure
Braun, Stark	Larson	Singleton
Bubel	Lillehaugen	Smart
Bymers	Lunde	Starck
Carlson	McInnes	Stormon
Coghlan	McIntee	Swanson
Collette	McIntyre	Tuff
Dalzell	Moe	Twichell
Devlin	Mollet	Wambheim
Dittmer	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fraser	Nelson, Steele	Wolf, Morton
Fuglestad	Nelson, Sargent	Mr. Speaker
Gackle	Nicholsen	

Absent and not voting:

Austad	Fleck	Myers
Bergesen	Glas	Ohnstad
Bruseau	Haugland	Panko
Crockett	Johnson, Cass	Schmidt
Culver	Kee	Schwartz
Drovdal	Levin	Trydahl
Falconer		

So the bill passed and the title was agreed to.

House Bill No. 15.

Rep. Rohde moved that the House do concur in the Senate amendments to House Bill No. 15, which motion prevailed.

Rep. Rohde moved that the rules be suspended and that House Bill No. 15 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 15. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
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Allen	Gackle	Olson, Barnes
Anderson	Gainor	Olson, Bowman
Arneson	Gress	Panko
Arndt	Haag	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Sellens
Blair	Jennings	Semerad
Bolmeier	Johnson, Richland	Severson
Boulden	Juhola	Sharpe
Braun, McLean	Kindem	Shure
Braun, Stark	Langley	Singleton
Bubel	Larson	Smart
Bymers	Lillehaugen	Starck
Carlson	Lunde	Stormon
Coghlan	McInnes	Trydahl
Collette	McIntee	Tuff
Crockett	McIntyre	Twichell
Dalzell	Moe	Wambheim
Devlin	Mollet	Welder
Dittmer	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fitzharris	Nelson, Steele	Mr. Speaker
Fraser	Nicholsen	

Those voting in the negative were:

Nelson, Ramsey

Absent and not voting:

Austad	Glas	Myers
Brusseau	Halvorson	Ohnstad
Culver	Johnson, Cass	Schmidt
Drovdal	Kee	Schwartz
Fleck	Levin	Swanson

So the bill passed and the title was agreed to.

House Bill No. 4.

Rep. Trydahl moved that the House do concur in the Senate amendments to House Bill No. 4, which motion prevailed.

Rep. Trydahl moved that the rules be suspended and that House Bill No. 4 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 8; absent and not voting, 17..

Those voting in the affirmative were:

Aker	Fitch	Nicholsen
Allen	Fitzharris	Nystrom
Anderson	Fraser	Olson, Barnes
Arneson	Gackle	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Saumur
Bjella	Holm	Sellens
Black	Ireland	Semerad
Blair	Jennings	Sharpe
Bolmeier	Johnson, Richland	Shure
Boulden	Juhola	Singleton
Braun, McLean	Kindem	Smart
Braun, Stark	Langley	Trydahl
Bymers	Larson	Tuff
Carlson	Lillehaugen	Twichell
Coghlan	Lunde	Wambheim
Collette	McInnes	Welder
Crockett	McIntee	Westby
Dalzell	McIntyre	Williams, Richland
Devlin	Mollet	Williams, Stutsman
Dittmer	Morland	Wolf, McIntosh
Erickson, Divide	Morrison	Wolf, Morton
Erickson, Williams	Nelson, Morton	Mr. Speaker
Falconer	Nelson, Sargent	

Those voting in the negative were:

Fuglestad	Nelson, Steele	Stormon
Nelson, Cass	Sandness	Swanson
Nelson, Ramsey	Severson	

Absent and not voting:

Brusseau	Glas	Myers
Bubel	Halvorson	Ohnstad
Culver	Johnson, Cass	Schmidt
Drovdal	Kee	Schwartz
Fleck	Levin	Starck
Gainor	Moe	

So the bill passed and the title was agreed to.

House Bill No. 5.

Rep. Rohde moved that the House do concur in the Senate amendments to House Bill No. 5, which motion prevailed.

Rep. Rohde moved that the rules be suspended and that House Bill No. 5 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 80; nays, 8; absent and not voting, 23.

Those voting in the affirmative were:

Aker	Fuglestad	Olson, Bowman
Allen	Gress	Panko
Anderson	Haag	Peterson, Bottineau
Austad	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Semerad
Bingenheimer	Ireland	Severson
Black	Jennings	Sharpe
Blair	Juhola	Shure
Bolmeier	Kindem	Singleton
Braun, McLean	Langley	Smart
Braun, Stark	Larson	Starck
Bymers	Lillehaugen	Stormon
Carlson	McIntee	Trydahl
Collette	McIntyre	Tuff
Crockett	Mollet	Twichell
Culver	Morland	Wambheim
Dalzell	Morrison	Welder
Devlin	Nelson, Cass	Westby
Dittmer	Nelson, Morton	Williams, Richland
Erickson, Divide	Nelson, Steele	Williams, Stutsman
Erickson, Williams	Nicholsen	Wolf, McIntosh
Falconer	Nystrom	Wolf, Morton
Fitch	Ohnstad	Mr. Speaker
Fraser	Olson, Barnes	

Those voting in the negative were:

Arneson	Fitzharris	Lunde
Arndt	Gackle	Sandness
Boulden	Holm	

Absent and not voting:

Bjella	Halvorson	Nelson, Ramsey
Brusseau	Johnson, Cass	Nelson, Sargent
Bubel	Johnson, Richland	Saumur
Coghlan	Kee	Schmidt
Drovdal	Levin	Schwartz
Fleck	McInnes	Sellens
Gainor	Moe	Swanson
Glas	Myers	

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 5 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 3.

Rep. Severson moved that the House do concur in the Senate amendments to House Bill No. 3.

Rep. Severson moved that the rules be suspended and that House Bill No. 3 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 82; nays, 7; absent and not voting, 22.

Those voting in the affirmative were:

Aker	Fraser	Panko
Allen	Gackle	Peterson, Bottineau
Anderson	Haugland	Peterson, Ransom
Arneson	Heckman	Rohde
Arndt	Hofstrand	Rygg
Austad	Hogoboom	Sagehorn
Beede	Holm	Sandness
Belzer	Ireland	Saumur
Benno	Jennings	Semerad
Bergesen	Johnson, Richland	Severson
Bingenheimer	Juhola	Sharpe
Black	Kindem	Shure
Blair	Langley	Singleton
Bolmeier	Larson	Smart
Braun, McLean	Lillehaugen	Starck
Braun, Stark	Lunde	Stormon
Bymers	McInnes	Swanson
Carlson	McIntee	Trydahl
Collette	McIntyre	Tuff
Culver	Mollet	Twichell
Dalzell	Morland	Wambheim
Devlin	Morrison	Welder
Dittmer	Nicholsen	Westby
Erickson, Divide	Nystrom	Williams, Richland
Erickson, Williams	Ohnstad	Williams, Stutsman
Falconer	Olson, Barnes	Wolf, McIntosh
Fitch	Olson, Bowman	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Boulden	Nelson, Cass	Nelson, Steele
Fuglestad	Nelson, Morton	Wolf, Morton
Haag		

Absent and not voting:

Bjella	Glas	Moe
Brusseau	Gress	Myers
Bubel	Halvorson	Nelson, Ramsey
Coghlan	Haugen	Nelson, Sargent
Crockett	Johnson, Cass	Schmidt
Drovdal	Kee	Schwartz
Fleck	Levin	Sellens
Gainor		

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 3 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 6.

Rep. Trydahl moved that the House do concur in the Senate amendments to House Bill No. 6, which motion prevailed.

Rep. Trydahl moved that the rules be suspended and that House Bill No. 6 be considered properly engrossed and placed

on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 75; nays, 16; absent and not voting, 20.

Those voting in the affirmative were:

Allen	Gress	Ohnstad
Anderson	Haag	Olson, Barnes
Arneson	Haugen	Olson, Bowman
Austad	Haugland	Panko
Beede	Heckman	Peterson, Bottineau
Belzer	Hofstrand	Peterson, Ransom
Bergesen	Hogoboom	Rohde
Bingenheimer	Ireland	Rygg
Blair	Jennings	Sagehorn
Boulden	Johnson, Richland	Schwartz
Braun, McLean	Juhola	Semerad
Braun, Stark	Kindem	Sharpe
Bubel	Langley	Shure
Carlson	Larson	Singleton
Collette	Levin	Starck
Culver	Lillehaugen	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Tuff
Erickson, Divide	Mollet	Twichell
Erickson, Williams	Morland	Welder
Falconer	Morrison	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fraser	Nicholsen	Wolf, Morton
Gackle	Nystrom	Mr. Speaker

Those voting in the negative were:

Aker	Fuglestad	Sandness
Arndt	Holm	Saumur
Black	Lunde	Severson
Bolmeier	Nelson, Cass	Westby
Coghlan	Nelson, Steele	Williams, Richland
Fitzharris		

Absent and not voting:

Benno	Gainor	Nelson, Ramsey
Bjella	Glas	Nelson, Sargent
Brusseau	Halvorson	Schmidt
Bymers	Johnson, Cass	Sellens
Crockett	Kee	Smart
Drovdal	Moe	Wambheim
Fleck	Myers	

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 6 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to request the return of Senate Bill No. 206 to the House.

C. R. VERRY, Chief Clerk.

Rep. Trydahl moved that the House do now recess until 1:15 P. M., which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

Rep. Fitch requested that the House be on the Eighth Order of Business, which request was granted.

Rep. Fitch moved that the House proceed to the election of a member of the House of Representatives to act as one of the members of the Governmental Survey Commission composed of the Governor, one member of the House of Representatives and one member of the Senate as authorized by Senate Bill No. 184, which motion prevailed.

Rep. L. L. Twichell in nominating Rep. Targie Trydahl spoke as follows:

"It is customary in making a nomination to state one's pleasure in being privileged to make the same. With me it is no idle expression as the man I am about to nominate, Targie Trydahl, in my opinion, is as well equipped as any member of this body to fill this position effectively.

"I have watched the work of the Appropriations Committee this Session, the work of Mr. Trydahl, Arthur Johnson and the other members of that committee, and have been impressed therewith. They have done the best work of any appropriations committee in recent years in my opinion.

"I nominate Representative Targie Trydahl as a candidate for election to this place."

Rep. Sandness moved that the nominations be closed, which motion prevailed.

ROLL CALL

The question being on the election of Rep. Targie Trydahl as a member of the Governmental Survey Commission authorized by Senate Bill No. 184, the roll was called and there were ayes, 94; pass, 11; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Sargent
Allen	Gainor	Nelson, Steele
Arndt	Haag	Nicholsen
Arneson	Halvorson	Nystrom
Austad	Haugen	Ohnstad
Belzer	Haugland	Olson, Barnes
Benno	Heckman	Olson, Bowman
Bergesen	Hofstrand	Panko
Bjella	Hogoboom	Peterson, Bottineau
Black	Holm	Peterson, Ransom
Blair	Ireland	Rohde
Bolmeier	Jennings	Rygg
Boulden	Johnson, Cass	Sagehorn
Braun, McLean	Johnson, Richland	Sandness
Braun, Stark	Kee	Saumur

Brusseau	Kindem	Schmidt
Bubel	Langley	Sellens
Bymers	Larson	Severson
Carlson	Levin	Sharpe
Coghlan	Lillehaugen	Shure
Collette	Lunde	Singleton
Culver	McInnes	Smart
Dalzell	McIntee	Stormon
Devlin	McIntyre	Swanson
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Falconer	Morland	Westby
Fitch	Morrison	Williams, Richland
Fitzharris	Nelson, Cass	Williams, Stutsman
Fleck	Nelson, Morton	Wolf, Morton
Fraser	Nelson, Ramsey	Mr. Speaker
Fuglestad		
Passed:		
Anderson	Erickson, Williams	Trydahl
Beede	Juhola	Welder
Crockett	Semerad	Wolf, McIntosh
Erickson, Divide	Starck	
Absent and not voting:		
Bingenheimer	Gress	Schwartz
Glas	Myers	Tuff

Rep. Twichell moved that the election of Rep. Trydahl as a member of the Governmental Survey Commission be made unanimous, which motion prevailed and Rep. Trydahl's election was declared unanimous.

Following his election, Rep. Targie Trydahl spoke as follows:

"All I can say and all that I will say is that I appreciate very deeply the trust you have placed in me. The only thing I hope is that when you come back here in two years and look over the work I have done that you will not be too much disappointed in your selection. I thank you very heartily and promise that I will do the best I can."

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill Nos. 109, 110, and 111.

Rep. Trydahl moved that the House do not concur in the Senate amendments to House Bill Nos. 109, 110 and 111, and moved that the Speaker appoint a conference committee to act with a like committee from the Senate on these bills, which motion prevailed and the Speaker appointed on that committee Reps. Trydahl, Johnson of Richland and Crockett.

House Bill No. 165.

Rep. Johnson of Cass moved that the House do concur in the Senate amendments to House Bill No. 165, which motion prevailed.

Rep. Johnson of Cass, moved that the rules be suspended and that House Bill No. 165 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of the

State of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws for the Year 1931, and as Amended by Chapter 163 of the Session Laws for the Year 1933, and as Amended by Chapter 185 of the Session Laws for the Year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of **Motor Vehicles That May Be** Driven or Moved Upon the Highways of the State of North Dakota; Providing Exemptions; Fixing Fees for the Registration and Licensing of Motor Vehicles Referred to; Prescribing Penalties for Violation; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 10; absent and not voting, 8.

Those voting in the affirmative were:

Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arndt	Gress	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugen	Peterson, Ransom
Benno	Haugland	Rohde
Bergesen	Heckman	Rygg
Bjella	Hofstrand	Sagehorn
Black	Hogoboom	Sandness
Blair	Holm	Saumur
Bolmeier	Ireland	Sellens
Boulden	Jennings	Semerad
Braun, Stark	Johnson, Cass	Severson
Bubel	Johnson, Richland	Sharpe
Carlson	Kindem	Shure
Coghlan	Langley	Singleton
Collette	Levin	Smart
Crockett	Lillehaugen	Starck
Culver	Lunde	Stormon
Dalzell	McInnes	Swanson
Devlin	McIntee	Trydahl
Dittmer	McIntyre	Twichell
Drovdal	Moe	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Richland
Fitzharris	Nelson, Ramsey	Williams, Stutsman
Fleck	Nelson, Sargent	Wolf, McIntosh
Fraser	Nelson, Steele	Wolf, Morton
Fuglestad	Nicholsen	Mr. Speaker

Those voting in the negative were:

Aker	Bymers	Morrison
Bingenheimer	Fitch	Panko
Braun, McLean	Larson	Tuff
Brusseau		

Absent and not voting:

Arneson	Kee	Schmidt
Glas	Mollet	Schwartz
Juhola	Myers	

So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which House Bill No. 165 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The House reverted to the Fifth Order of Business.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Concurrent Resolution "P", have had the same under consideration and recommend that the same do pass.

TARGIE TRYDAHL, Chairman.

Rep. McIntyre moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 161 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 161, have had the same under consideration and recommend:

That the Senate concur in the House amendments to lines 28, 29, and 30; that the House recede from its amendment to line 49; that the House recede from its amendment to line 56; and that the figure "15" be stricken out of line 56 and "20" be inserted in lieu thereof; that the Senate concur in the House amendment to line 103 and the balance of the Section; that in line 41 after the word "time" insert the words "prior to the first day of July, 1943."

For the Senate:

FRED G. AANDAHL
R. M. STREIBEL
A. N. LAVIK

For the House:

C. H. HOFSTRAND
A. R. BERGESEN
STEVEN C. NELSON

Rep. Nelson of Steele moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Hofstrand moved that the rules be suspended and that Senate Bill No. 161 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fleck	Nicholsen
Allen	Fraser	Nystrom
Anderson	Fuglestad	Ohnstad
Arneson	Gackle	Panko
Arndt	Gainor	Peterson, Bottineau
Austad	Gress	Peterson, Ransom
Beede	Haag	Rohde

Belzer	Halvorson	Rygg
Benno	Haugen	Sagehorn
Bergesen	Haugland	Sandness
Bingenheimer	Heckman	Saumur
Bjella	Hofstrand	Sellens
Black	Hogoboom	Semerad
Blair	Holm	Severson
Bolmeier	Ireland	Sharpe
Braun, McLean	Jennings	Shure
Brusseau	Johnson, Richland	Singleton
Bubel	Kindem	Smart
Bymers	Langley	Starck
Carlson	Larson	Stormon
Coghan	Levin	Swanson
Collette	Lillehaugen	Trydahl
Crockett	Lunde	Tuff
Culver	McInnes	Twichell
Dalzell	McIntee	Wambheim
Devlin	McIntyre	Welder
Dittmer	Moe	Westby
Drovdal	Mollet	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Sargent	Mr. Speaker
Fitzharris	Nelson, Steele	
Absent and not voting:		
Boulden	Kee	Olson, Barnes
Braun, Stark	Morland	Olson, Bowman
Glas	Myers	Schmidt
Johnson, Cass	Nelson, Ramsey	Schwartz
Juhola		

So the bill passed and the title was agreed to.

The Conference Committee on Senate Bill No. 205 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 205, have had the same under consideration and recommend that the House recede from all amendments and that the bill be amended as follows:

After the word "sale" and comma in line 362 in Section 18, insert the following:

"Provided, however, that if such property is sold at private sale to any other person than the original owner or his successor in interest, such sale shall be held in abeyance for a period of thirty (30) days from the date of notice to the owner or his seccessor in interest given by registered mail by the county auditor, during which time the original owner or his successor in interest may make redemption by payment in full of delinquent taxes, penalty and interest charged against such real estate. Provided, further, that if no redemption is made by the original owner or his successor in interest during said period of thirty (30) days, then the sale

shall be final and the purchaser shall be entitled to a deed as provided herein."

For the Senate:

E. H. BRANT
GOTTLIEB ISAAK
WM. A. THATCHER

For the House:

C. H. HOFSTRAND
ASLE BJELLA
BEN J. WOLF

Rep. Hofstrand moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Hofstrand moved that the rules be suspended and that Senate Bill No. 205 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Steele
Allen	Fraser	Nicholsen
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Halvorson	Peterson, Bottineau
Benno	Haugen	Rohde
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Sellens
Boulden	Ireland	Semerad
Braun, McLean	Jennings	Severson
Braun, Stark	Johnson, Richland	Sharpe
Brusseau	Kindem	Shure
Bubel	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon

Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Culver	McIntee	Tuff
Dalzell	McIntyre	Twichell
Devlin	Moe	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Absent and not voting:		
Bolmeier	Juhola	Peterson, Ransom
Glas	Kee	Schmidt
Johnson, Cass	Myers	Schwartz

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 205.

C. R. VERRY, Chief Clerk.

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

House Concurrent Resolution "O".

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed and the report was adopted.

STANDING COMMITTEE REPORTS

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 72
House Bill No. 90
House Bill No. 138
House Bill No. 147
House Bill No. 148
House Bill No. 149
House Bill No. 157
House Bill No. 210
House Bill No. 231
House Bill No. 306.
House Bill No. 102
House Bill No. 128.

House Concurrent Resolution "Y".

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 51 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 51, have had the same under consideration and report that the committee was unable to agree and recommend that a new conference committee be appointed.

For the Senate:

A. W. FOWLER

R. R. MORGAN

ROBT. GREISER

For the House:

K. A. FITCH

PETER PETERSON

ANDREW HALVORSON

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fitch moved that the Speaker appoint a new conference on House Bill No. 51, which motion prevailed and the Speaker appointed on that committee Reps. Fitch, Halvorson and Crockett.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 289.

Rep. Severson moved that the House do concur in the Senate amendments to House Bill No. 289, which motion prevailed.

Rep. Severson moved that the rules be suspended and that House Bill No. 289 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to the National Defense Act of June 3, 1916, as Amended by Later Acts of Congress, and Repealing Chapter 35 of the Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 96; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker

Allen

Anderson

Fitzharris

Fleck

Fraser

Nicholsen

Nystrom

Ohnstad

Arneson	Fuglestad	Olson, Bowman
Arndt	Gackle	Panko
Austad	Gainor	Peterson, Bottineau
Beede	Gress	Peterson, Ransom
Belzer	Haag	Rohde
Benno	Halvorson	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hogoboom	Sandness
Black	Ireland	Saumur
Blair	Jennings	Sellens
Bolmeier	Johnson, Richland	Semerad
Braun, McLean	Kindem	Severson
Braun, Stark	Langley	Sharpe
Brusseau	Larson	Shure
Bubel	Levin	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Collette	McIntee	Swanson
Crockett	McIntyre	Tuff
Culver	Moe	Twichell
Dalzell	Mollet	Wambheim
Devlin	Morland	Welder
Dittmer	Morrison	Westby
Drovdal	Nelson, Cass	Williams, Richland
Erickson, Divide	Nelson, Morton	Williams, Stutsman
Erickson, Williams	Nelson, Ramsey	Wolf, McIntosh
Falconer	Nelson, Sargent	Wolf, Morton
Fitch	Nelson, Steele	Mr. Speaker

Absent and not voting:

Bergesen	Hofstrand	Myers
Boulden	Holm	Olson, Barnes
Glas	Johnson, Cass	Schmidt
Haugen	Juhola	Schwartz
Haugland	Kee	Trydahl

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Panko moved that the vote by which House Bill No. 289 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 161.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bills Nos. 109, 110, 111 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Trydahl, Johnson of Cass and Crockett.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 177
House Bill No. 127
House Bill No. 307
House Bill No. 194
House Bill No. 91
House Bill No. 62
House Concurrent Resolution No. 63
House Bill No. 224
House Bill No. 33
House Bill No. 7
House Bill No. 108
House Bill No. 107
House Bill No. 15
House Bill No. 5
House Bill No. 3
House Bill No. 6
House Bill No. 165

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 205.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, Representatives: Fitch, Halvorson and Crockett, on House Bill No. 51.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as Amended by Act Approved May 24, 1934, and Acts Amendatory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

Senate Bill No. 119. A Bill for an Act Amending and Re-enacting Section 2 of Article II, Chapter 164 of the Session Laws of 1933 Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining and Classifying Transportation by Motor Propelled

Vehicles Affected Hereby; Providing Safety and Sanitary Regulations for the Operation of Motor Propelled Vehicles Used for the Purpose of Transporting Persons and Property for Compensation Over Any Public Highway; Providing for the Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof.

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Which the House has amended.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate is returning herewith Senate Bill No. 206 which the House has requested.

W. J. TROUT, Secretary.

Rep. Juhola moved that the House reconsider its action taken on Senate Bill No. 206, which motion prevailed.

Rep. Juhola moved that Senate Bill No. 206 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 81; nays, 21; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Ramsey
Allen	Fraser	Nelson, Steele
Anderson	Fuglestad	Nicholsen
Arneson	Gackle	Nystrom
Arndt	Gainor	Olson, Barnes
Austad	Gress	Olson, Bowman
Beede	Haag	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rygg

Bjella	Hofstrand	Sandness
Black	Hogoboom	Saumur
Blair	Holm	Sellens
Braun, McLean	Ireland	Sharpe
Braun, Stark	Jennings	Singleton
Brusseau	Juhola	Smart
Bymers	Kindem	Starck
Coghlan	Langley	Stormon
Crockett	Larson	Trydahl
Culver	Levin	Tuff
Dalzell	Lillehaugen	Twichell
Devlin	Lunde	Wambheim
Drovdal	McInnes	Westby
Erickson, Divide	McIntee	Williams, Richland
Erickson, Williams	Morland	Williams, Stutsman
Falconer	Morrison	Wolf, Morton
Fitzharris	Nelson, Morton	Mr. Speaker

Those voting in the negative were:

Bergesen	Halvorson	Rohde
Bolmeier	Johnson, Richland	Sagehorn
Bubel	Moe	Semerad
Carlson	Mollet	Shure
Collette	Nelson, Cass	Swanson
Dittmer	Nelson, Sargent	Welder
Fitch	Ohnstad	Wolf, McIntosh

Absent and not voting:

Boulden	Kee	Schmidt
Glas	McIntyre	Schwartz
Johnson, Cass	Myers	Severson

So the bill passed and the title was agreed to.

Rep. Starck moved that the vote by which Senate Bill No. 206 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Sandness moved that the absent members be excused, which motion prevailed.

Rep. Sandness moved that the House do now adjourn, which motion prevailed and the House stood adjourned.

SIXTIETH DAY

Bismarck, March 7, 1941.

The House assembled at 2:00 P. M., pursuant to adjournment, Speaker Symington presiding.

Prayer was offered by Rev. Dan J. Rueb, Bismarck.

Roll Call disclosed all members present except Reps. Glas and Myers. And Reps. Johnson of Cass, Kee and Schmidt were absent temporarily for the reason that they were in conference on amendments to House Bill No. 10.

The Committee on Revision and Correction of the Journal made the following report:

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-Ninth day and recommends that the same be corrected as follows:

On page 1226, line 10 from the top of the page, strike out the words "Those voting in the negative were:" and insert in lieu thereof the words "Absent and not voting:".

On page 1245, line 20 from the top of the page, House Bill No. 247 is recorded as signed by the Speaker whereas House Bill No. 241 should be recorded as being signed by the Speaker.

On page 1270, correct the roll call totals to read: "ayes, 100; nays, 0;"

On page 1271 in the roll call Reps. Welder and Wolf of McIntosh are recorded as voting "no" whereas they voted "aye".

On page 1271 in the roll call strike out the line reading "Those voting in the negative were:"

And when so corrected recommends that the same be approved.

E. A. LUNDE, Chairman.

Rep. Lunde moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

A letter was received from Mrs. H. W. Brown.

Rep. Morland moved that the communication be printed in the Journal, which motion prevailed.

Beach, North Dakota,
March 6th, 1941.

To the House of Representatives of No. Dak.
Bismarck, North Dakota.
Honorable Members:

I wish to acknowledge receipt of your recent Memorial resolution embodying an expression of sympathy upon the passing away of my husband, former representative, H. W. Brown.

I wish to take this occasion to express my appreciation for your thoughtfulness, to thank you for the kind words said in memory of my departed husband, and to say that the grief shared with me, by others, has lightened the burden of sorrow in my bereavement.

Sincerely yours,
MRS. H. W. BROWN

MOTIONS AND RESOLUTIONS

Rep. Bergesen moved that the rules be suspended for the purpose of introducing a House Concurrent Resolution "Z-1", which motion prevailed.

The Chief Clerk read House Concurrent Resolution "Z-1" as follows:

HOUSE CONCURRENT RESOLUTION "Z-1"

Introduced by Representatives Bergesen, Beede and Haugen.
A Concurrent Resolution Providing for Assistance of the Judicial Council in Operation of the State Work Farm.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

WHEREAS, This Legislative Assembly has enacted House Bill Number 202 providing for the establishment and government of a correctional institution to be known as the North Dakota State Farm, and whereas the management of said Farm is placed under the control of the State Board of Administration, and

WHEREAS, The Judicial Council has heretofore approved the establishment of such institution, and

WHEREAS, The Judges of the District Courts and County courts having increased jurisdiction will determine what persons shall be sentenced to such Work Farm, and

WHEREAS, The State Board of Administration deems it desirable that some provisions be made whereby such Board may have the benefit of the council with, and advice of, such Judges in questions and problems that may arise incident to the establishment and operation of such Farm.

1 NOW THEREFORE, BE IT RESOLVED, That the
 1a said Judicial
 2 Council of North Dakota be and it is hereby directed to
 3 give to the Board of Administration all possible assis-
 4 tance in the establishment and operation of said State
 5 Work Farm, and to that end the said Judicial Council is
 6 directed to appoint a committee to consult with and aid
 7 and assist the said State Board of Administration in
 8 matters in connection with the establishment and
 9 government of such Farm, it being understood that no
 10 compensation or remuneration of any sort shall be
 10a allowed
 11 to any member of the Judicial Council or such committee
 12 for any such service.

Rep. Bergesen moved that the House adopt House Concurrent Resolution "Z-1," which motion prevailed and the Resolution was declared adopted.

Rep. Bergesen moved that the vote by which House Concurrent Resolution "Z-1" was declared adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Chief Clerk read:

Senate Concurrent Resolution "O". A Resolution Requesting Congress to Give Consideration to Need for Appropriations for Roads on Strategic Military Network.

Rep. Bolmeier moved that the House adopt Senate Concurrent Resolution "O", which motion prevailed and the Resolution was declared adopted.

The Chief Clerk read:

Senate Concurrent Resolution "U." Referring to Extra Work of Comparing and Indexing Permanent Journal of Twenty-Seventh Legislative Assembly— and Appropriation for Same.

Rep. Twitchell moved that action on Senate Concurrent Resolution "U" be deferred.

Rep. Dalzell moved that further consideration of Senate Concurrent Resolution "U" be indefinitely postponed, which motion prevailed.

Rep. Dalzell moved that the vote by which Senate Concurrent Resolution "U" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

The Chief Clerk read:

Senate Concurrent Resolution "V." Calling for Compila-

tion of Actions Taken on All Bills Introduced During the Session of the Twenty-seventh Legislative Assembly.

Rep. Swanson moved that Senate Concurrent Resolution "V" be indefinitely postponed, which motion prevailed.

The Chief Clerk read:

Senate Concurrent Resolution "W." Authorizing Extra Post-session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

Rep. Shure moved that action on Senate Concurrent Resolution "W" be deferred.

Rep. Aker moved a substitute motion that Senate Concurrent Resolution "W" be indefinitely postponed, which motion prevailed.

The Chief Clerk read:

Senate Concurrent Resolution "X." A Concurrent Resolution Recommending and Authorizing Dedication of the State Capitol Building and Grounds.

Rep. Fitch moved that Senate Concurrent Resolution "X" be indefinitely postponed, which motion prevailed.

Rep. Crockett moved that the vote by which Senate Concurrent Resolution "X" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to transmit herewith the following resolution:

House Concurrent Resolution "Z-1." A Concurrent Resolution Providing for Assistance of the Judicial Council in Operation of the State Work Farm.

Which the House has adopted, and your favorable consideration is requested.

C. R. VERRY, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 23.

Rep. Trydahl moved that the House do concur in the Senate amendments to House Bill No. 23, which motion prevailed.

Rep. Trydahl moved that the rules be suspended and that House Bill No. 23 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 76; nays, 19; absent and not voting, 16.

Those voting in the affirmative were:

Allen	Hofstrand	Panko
Anderson	Hogoboom	Peterson, Bottineau
Benno	Holm	Peterson, Ransom
Bergesen	Ireland	Rohde
Bjella	Jennings	Rygg
Black	Johnson, Richland	Sagehorn
Bolmeier	Juhola	Saumur
Braun, Stark	Kindem	Sellens
Bymers	Langley	Semerad
Carlson	Levin	Severson
Coghlan	Lillehaugen	Sharpe
Culver	Lunde	Shure
Dalzell	McInnes	Singleton
Devlin	McIntee	Smart
Dittmer	McIntyre	Starck
Drovdal	Mollet	Stormon
Erickson, Divide	Morland	Swanson
Erickson, Williams	Nelson, Cass	Trydahl
Falconer	Nelson, Ramsey	Twichell
Fitch	Nelson, Sargent	Wambheim
Fitzharris	Nicholsen	Westby
Fleck	Nystrom	Williams, Richland
Haag	Ohnstad	Williams, Stutsman
Halvorson	Olson, Barnes	Wolf, Morton
Haugland	Olson, Bowman	Mr. Speaker
Heckman		

Those voting in the negative were:

Aker	Bubel	Nelson, Steele
Arneson	Fraser	Sandness
Arndt	Gackle	Schwartz
Beede	Gress	Tuff
Belzer	Moe	Welder
Braun, McLean	Morrison	Wolf, McIntosh
Brusseau		

Absent and not voting:

Austad	Fuglestad	Kee
Bingenheimer	Gainor	Larson
Blair	Glas	Myers
Boulden	Haugen	Nelson, Morton
Collette	Johnson, Cass	Schmidt
Crockett		

So the bill passed and the title was agreed to.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following resolutions:

Senate Concurrent Resolution "U." Referring to Extra Work of Comparing and Indexing Permanent Journal of Twenty-Seventh Legislative Assembly— and Appropriation for Same.

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-seventh Legislative Assembly.

Senate Concurrent Resolution "W." Authorizing Extra

Post-session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

Senate Concurrent Resolution "X." A Concurrent Resolution Recommending and Authorizing Dedication of the State Capitol Building and Grounds.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bills No. 109, 110, 111 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Johnson of Richland, Crockett and Trydahl.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following resolution:

Senate Concurrent Resolution "O". A Resolution Requesting Congress to Give Consideration to Need for Appropriations for Roads on Strategic Military Network.

Which the House has adopted.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Which the House has amended.

C. R. VERRY, Chief Clerk.

The committee consisting of Reps. Kee, Johnson of Cass and Schmidt who were appointed to confer on the amendments to House Bill No. 10 reported to the House.

Rep. Johnson of Cass requested that the House revert to the Third Order of Business, which request was granted and Rep. Johnson of Cass moved that the Journal of the Fiftieth Day, February 25th, be corrected as follows:

In the amendments to House Bill No. 10 appearing on page 843, in line 3 from the bottom of the page, strike out the figures "\$68,450.00" and insert in lieu thereof the figures "\$68,550.00".

On page 851, in the amendments to the same bill, line 23 from the bottom of the page, strike out the figures "\$1,825,356.89" and insert in lieu thereof the figures "\$1,834,056.89".

Which motion prevailed.

Rep. Bergesen moved that the House do now recess for a fifteen-minute period, which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

Rep. Smart moved that the Speaker appoint a conference committee to act with a like committee from the Senate on Senate Bill No. 82, which motion prevailed and the Speaker appointed on that committee Reps. Smart, Beede and Nelson of Sargent.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

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, Representatives: Smart, Beede, Nelson of Sargent on Senate Bill No. 82.

C. R. VERRY, Chief Clerk.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 120 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 120, have had the same under consideration and report that they are unable to agree and recommend that a new committee be appointed.

For the Senate:

A. W. FOWLER

E. C. STUCKE

FRED G. AANDAHL.

For the House:

L. K. MORLAND

ANDREW HALVORSON

PETER PETERSON.

Rep. Morland moved that the report be adopted, which motion prevailed and the report was adopted.

And the Speaker appointed as a conference committee to act with a like committee from the Senate on House Bill No. 120, Reps. Sagehorn, Kindem and Bymers.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House refused to concur in the Senate amendment to House Bill No. 120 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Sagehorn, Kindem, Bymers.

C. R. VERRY, Chief Clerk.

Rep. Shure moved that the Speaker appoint a conference committee to act with a like committee from the Senate on Senate Bill Nos. 3, 4, 27 and 34, which motion prevailed and the Speaker appointed on that committee Reps. Severson, Johnson of Richland and McIntyre.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

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, Representatives: Severson,

Johnson of Richland, McIntyre on Senate Bills Nos. 3, 4, 27, 34.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

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, Senators: Brunsdale, Streibel, Dahl, on House Bill 109, 110, 111.

W. J. TROUT, Secretary.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 82 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 82, have had the same under consideration and recommend that the House do concur with the Senate amendment.

For the Senate:

OWINGS
AXEL OLSON
BRAUN.

For the House:

HAUGEN
C. H. BLACK
CARL J. AUSTAD.

Rep. Haugen moved that the report be adopted.

Rep. Rohde moved a substitute motion that House Bill No. 82 be laid on the table, which motion was lost.

The question being on the motion of Rep. Haugen for the adoption of the report of the conference committee that the House do concur in the Senate amendments to House Bill No. 82, the motion prevailed.

Rep. Haugen moved that the rules be suspended and that House Bill No. 82 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 82. A Bill for an Act to Amend and Re-enact Section 3 (d) of Chapter 165 Laws of North Dakota for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel; 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, 66; nays, 38; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Fleck	Ohnstad
Allen	Fuglestad	Olson, Barnes
Arndt	Gackle	Olson, Bowman
Bergesen	Gainor	Peterson, Bottineau
Bingenheimer	Hofstrand	Peterson, Ransom
Bjella	Hogoboom	Rygg
Black	Ireland	Saumur
Blair	Jennings	Sellens

Bolmeier	Johnson, Richland	Severson
Boulden	Juhola	Sharpe
Braun, Stark	Kee	Shure
Brusseau	Kindem	Singleton
Bymers	Langley	Smart
Carlson	Lunde	Stormon
Coghlan	McInnes	Swanson
Culver	Moe	Trydahl
Dalzell	Nelson, Cass	Twichell
Devlin	Nelson, Ramsey	Wambheim
Dittmer	Nelson, Sargent	Westby
Erickson, Williams	Nelson, Steele	Williams, Richland
Fitch	Nicholsen	Williams, Stutsman
Fitzharris	Nystrom	Mr. Speaker
Those voting in the negative were:		
Anderson	Gress	Panko
Arneson	Haag	Rohde
Austad	Halvorson	Sagehorn
Beede	Haugland	Sandness
Belzer	Heckman	Schmidt
Braun, McLean	Larson	Schwartz
Bubel	Levin	Semerad
Collette	Lillehaugen	Starck
Crockett	McIntee	Tuff
Drovdal	McIntyre	Welder
Erickson, Divide	Mollet	Wolf, McIntosh
Falconer	Morrison	Wolf, Morton
Fraser	Nelson, Morton	
Absent and not voting:		
Benno	Holm	Morland
Glas	Johnson, Cass	Myers
Haugen		

So the bill passed and the title was agreed to.

Rep. Rohde moved that the vote by which House Bill No. 82 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Boulden moved that Rep. Austad be given permission to vote on House Bill No. 82, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 1 and the President has appointed as a conference committee to act with a like committee from the House, Senators: Young, Aandahl and Thatcher.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 18 and the President has appointed as a conference committee to act with a like committee from the House, Senators: Stucke, Bridston and Morgan of Walsh.

W. J. TROUT, Secretary.

Rep. Carlson moved that the Speaker appoint a conference

committee to act with a like committee from the Senate on Senate Bill No. 1, which motion prevailed and the Speaker appointed on that committee Reps. Carlson, Johnson of Richland and Schmidt.

Rep. Swanson moved that the Speaker appoint a conference committee to act with a like committee from the Senate on Senate Bill No. 18, which motion prevailed and the Speaker appointed on that committee Reps. Swanson, Severson and Wolf of Morton.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 82.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

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, Representatives: Swanson, Severson and Wolf of Morton, on Senate Bill No. 18.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

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, Representatives: Carlson, Johnson of Richland and Schmidt, on Senate Bill No. 1.

C. R. VERRY, Chief Clerk.

REPORTS OF SELECT COMMITTEES

The Conference Committee on House Bill No. 120 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 120, have had the same under consideration and recommend that the Senate recede from its amendments.

For the Senate:

GUST WOG
HJALMAR NELSON
JOHN J. ADAM

For the House:

E. G. SAGEHORN
C. H. BYMERS
H. N. KINDEM

Rep. Kindem moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

House Bill No. 205. A Bill for an Act Relating to the Election of County Commissioners; Providing That They Be Elected by a Vote at Large in the County; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 6, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "R." A Concurrent Resolution Providing for a Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1941, and Ending June 30, 1943.

Senate Concurrent Resolution "S". A Concurrent Resolution Requesting the Bank of North Dakota with the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet the Emergencies for Funds to Match Federal Grants Under the Social Security Programs or General Relief Requirements.

Which the Senate has adopted and your favorable consideration is requested.

W. J. TROUT, Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 193.

Rep. Blair moved that the House refuse to concur in the Senate amendments to House Bill No. 193, which motion prevailed.

Rep. Blair moved that the Speaker appoint a conference committee to act with a like committee from the Senate on House Bill No. 193, which motion prevailed and the Speaker appointed on that committee Reps. Blair, Twichell and Braun of McLean.

House Bill No. 142.

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 142, which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 142 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building, to Prescribe Rules and Regulations for the Operation and Maintenance of the Same, and Making an Appropriation Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 65; nays, 34; absent and not voting, 12.

Those voting in the affirmative were:

Aker	Erickson, Divide	Nystrom
Allen	Fitch	Olson, Barnes
Arneson	Fitzharris	Olson, Bowman

Arndt	Fleck	Peterson, Ransom
Austad	Fuglestad	Sagehorn
Benno	Gackle	Sandness
Bergesen	Gainor	Saumur
Bingenheimer	Haugland	Schmidt
Black	Heckman	Sellens
Blair	Hofstrand	Severson
Bolmeier	Hogoboom	Sharpe
Boulden	Ireland	Shure
Braun, McLean	Juhola	Singleton
Braun, Stark	Kee	Smart
Brusseau	Kindem	Swanson
Bymers	Langley	Twichell
Carlson	McInnes	Wambheim
Coghlan	Moe	Westby
Collette	Morland	Williams, Richland
Dalzell	Nelson, Cass	Williams, Stutsman
Devlin	Nelson, Steele	Mr. Speaker
Dittmer	Nicholsen	

Those voting in the negative were:

Anderson	Haugen	Ohnstad
Beede	Jennings	Panko
Belzer	Larson	Peterson, Bottineau
Bjella	Levin	Rygg
Bubel	Lillehaugen	Schwartz
Droydal	Lunde	Semerad
Erickson, Williams	McIntee	Starck
Falconer	Mollet	Tuff
Fraser	Morrison	Welder
Gress	Nelson, Morton	Wolf, McIntosh
Haag	Nelson, Ramsey	Wolf, Morton
Halvorson		

Absent and not voting:

Crockett	Johnson, Cass	Nelson, Sargent
Culver	Johnson, Richland	Rohde
Glas	McIntyre	Stormon
Holm	Myers	Trydahl

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 142 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House refused to concur in the Senate amendment to House Bill No. 193 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Blair, Twichell and Braun of McLean.

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15 of Chapter 247 of the Session Laws for the

Year 1939 Relating to the Commitment of Veterans; Appointing the Veterans' Service Commissioner as Special Guardian; Authorizing the Transfer of Veterans to Federal Veterans' Administration Hospitals; Requiring the County Judge to Give Written Notices of the Commitment of Veterans and Declaring an Emergency.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Z-1." A Concurrent Resolution Providing for Assistance of the Judicial Council in Operation of the State Work Farm.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 338. A Bill for an Act to Amend Subsection (3) of Section 5 of Chapter 91 of the 1935 Session Laws as Amended by Chapter 98 of the 1939 Session Laws.

Which the Senate has laid on the table.

W. J. TROUT, Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 161.

Rep. Beede moved that the House do concur in the Senate amendments to House Bill No. 161, which motion prevailed.

Rep. Beede moved that the rules be suspended and that House Bill No. 161 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to Appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 90; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Aker	Fleck	Nystrom
Allen	Fraser	Ohnstad
Anderson	Fuglestad	Olson, Barnes
Arneson	Gackle	Olson, Bowman
Arndt	Gainor	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Benno	Haugen	Rohde
Bergesen	Haugland	Rygg
Bingenheimer	Heckman	Sagehorn
Bjella	Hofstrand	Sandness
Black	Hogoboom	Schmidt
Blair	Ireland	Schwartz
Bolmeier	Jennings	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Sharpe
Brusseau	Kindem	Shure
Bubel	Langley	Singleton
Carlson	Larson	Starck
Coghlan	Lillehaugen	Swanson
Culver	Lunde	Tuff
Dalzell	McIntee	Twichell
Devlin	Moe	Wambheim
Dittmer	Mollet	Welder
Drovdal	Morrison	Westby
Erickson, Divide	Nelson, Cass	Williams, Richland
Erickson, Williams	Nelson, Morton	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Steele	Wolf, Morton
Fitzharris	Nicholsen	Mr. Speaker

Absent and not voting:

Belzer	Holm	Myers
Braun, Stark	Johnson, Cass	Nelson, Sargent
Bymers	Johnson, Richland	Saumur
Collette	Levin	Severson
Crockett	McInnes	Smart
Glas	McIntyre	Stormon
Gress	Morland	Trydahl

So the bill passed and the title was agreed to.

House Bill No. 164.

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 164, which motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 164 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, and to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Fleck	Nystrom
Allen	Fraser	Ohnstad
Anderson	Fuglestad	Olson, Bowman
Arneson	Gackle	Panko
Arndt	Gainor	Peterson, Bottineau
Austad	Haag	Peterson, Ransom
Beede	Halvorson	Rohde
Belzer	Haugen	Rygg
Benno	Haugland	Sagehorn
Bergesen	Heckman	Sandness
Bingenheimer	Hofstrand	Saumur
Bjella	Hogoboom	Schmidt
Black	Ireland	Schwartz
Blair	Jennings	Sellens
Bolmeier	Juhola	Semerad
Boulden	Kee	Sharpe
Braun, McLean	Kindem	Shure
Brusseau	Langley	Singleton
Bubel	Larson	Smart
Bymers	Lillehaugen	Starck
Carlson	Lunde	Stormon
Coghlan	McIntee	Swanson
Collette	Moe	Tuff
Culver	Mollet	Twichell
Dalzell	Morland	Wambheim
Devlin	Morrison	Welder
Dittmer	Nelson, Cass	Westby
Drovdal	Nelson, Morton	Williams, Richland
Erickson, Divide	Nelson, Ramsey	Williams, Stutsman
Erickson, Williams	Nelson, Sargent	Wolf, McIntosh
Falconer	Nelson, Steele	Wolf, Morton
Fitch	Nicholsen	Mr. Speaker
Fitzharris		

Absent and not voting:

Braun, Stark	Johnson, Cass	Myers
Crockett	Johnson, Richland	Olson, Barnes
Glas	Levin	Severson
Gress	McInnes	Trydahl
Holm	McIntyre	

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

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, Senators: Bridston, Drew, Owings, on House Bill No. 193.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the

President has appointed as a new conference committee to act with a like committee from the House, Senators: Wog, Nelson of McKenzie, Adam, on House Bill No. 120.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 38 and the President has appointed as a conference committee to act with a like committee from the House, Senators: Dahl, Young, Ginter.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 118.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "Y." Providing for Congress to Enact Legislation Declaring the Yellowstone River and Part of the Missouri River to Be Non-navigable.

Which the Senate has adopted and your favorable consideration is requested.

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bill:

Senate Concurrent Resolution "T." A Concurrent Resolution Relative to Quadruplets Born to Mr. and Mrs. Nick Brown of Cass County, North Dakota.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to transmit herewith the following bill which the House has passed and your favorable consideration is respectfully requested.

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts.

C. R. VERRY, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Bill No. 46.

Rep. Aker moved that the House do concur in the Senate amendments to House Bill No. 46.

Rep. Shure moved a substitute motion that House Bill No. 46 be indefinitely postponed, which motion was lost.

Rep. Shure moved a substitute motion that the House do not concur in the Senate amendments to House Bill No. 46, which motion was lost.

The question being on the motion of Rep. Aker that the House do concur in the Senate amendments to House Bill No. 46, the motion prevailed.

Rep. Aker moved that the rules be suspended and that House Bill No. 46 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 46. A Bill for an Act Requiring all Counties, Townships, School Districts, Cities, Villages, Park Districts, and All Other Municipal or Quasi-Municipal Corporations Within the State, Which Are Now or May Hereafter Be Authorized to Issue and Sell Bonds for Any Purpose Whatsoever to Offer Such Bonds for Sale to the State and to All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds Before Advertising Said Bonds for Sale or Selling Such Bonds; and Requiring the Sale of Such Bonds to the State or to a State Agency or Department Unless They Can Be Sold Elsewhere at a Lower Rate of Interest, Providing a Penalty for Non-Compliance Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 73; nays, 18; absent and not voting, 20.

Those voting in the affirmative were:

Aker	Fraser	Morrison
Allen	Fuglestad	Nelson, Cass
Anderson	Gackle	Nelson, Ramsey
Arneson	Gainor	Nicholsen
Arndt	Halvorson	Nystrom
Austad	Haugen	Ohnstad
Beede	Haugland	Olson, Bowman
Belzer	Heckman	Peterson, Ransom
Bergesen	Hofstrand	Rygg
Bjella	Hogoboom	Sandness
Black	Ireland	Saumur
Bolmeier	Jennings	Schwartz
Boulden	Juhola	Sharpe
Braun, McLean	Kee	Singleton
Brusseau	Kindem	Swanson
Coghlan	Langley	Tuff
Collette	Larson	Twichell
Culver	Levin	Wambheim
Dalzell	Lillehaugen	Welder
Devlin	Lunde	Westby
Drovdal	McInnes	Williams, Richland
Erickson, Divide	McIntee	Williams, Stutsman
Erickson, Williams	Moe	Wolf, McIntosh
Fitch	Morland	Mr. Speaker
Fitzharris		

Those voting in the negative were:

Bingenheimer	Mollet	Sellens
Eubel	Nelson, Morton	Semerad
Crockett	Olson, Barnes	Shure
Dittmer	Panko	Starck
Falconer	Peterson, Bottineau	Stormon
Haag	Sagehorn	Wolf, Morton

Absent and not voting:

Benno	Gress	Nelson, Steele
Blair	Holm	Rohde
Braun, Stark	Johnson, Cass	Schmidt
Bymers	Johnson, Richland	Severson
Carlson	McIntyre	Smart
Fleck	Myers	Trydahl
Glas	Nelson, Sargent	

So the bill passed and the title was agreed to.

Rep. Wolf of McIntosh moved that the vote by which House Bill No. 46 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Gackle moved that the Speaker appoint a conference committee to act with a like committee from the Senate on House Bill No. 38, which motion prevailed and the Speaker appointed on that committee Reps. Gackle, Gainor and Levin.

House Bill No. 250.

Rep. Bergesen moved that the House do concur in the Senate amendments to House Bill No. 250, which motion prevailed.

Rep. Fitch moved that the rules be suspended and that House Bill No. 250 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 1; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Fuglestad	Nystrom
Allen	Gackle	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beebe	Haugland	Peterson, Ransom
Belzer	Heckman	Rohde
Benno	Hofstrand	Rygg
Bergesen	Hogoboom	Sagehorn
Bingenheimer	Ireland	Sandness
Bjella	Jennings	Saumur
Black	Juhola	Schwartz
Bolmeier	Kee	Sellens

Boulden	Kindem	Sharpe
Braun, McLean	Langley	Shure
Brusseau	Larson	Singleton
Bubel	Levin	Smart
Coghian	Lillehaugen	Starck
Collette	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Tuff
Devlin	McIntyre	Twichell
Dittmer	Moe	Wambheim
Drovdal	Mollet	Welder
Erickson, Divide	Morland	Westby
Erickson, Williams	Morrison	Williams, Richland
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Ramsey	Wolf, Morton
Fleck	Nelson, Sargent	Mr. Speaker
Fraser	Nicholsen	

Those voting in the negative were:

Semerad

Absent and not voting:

Blair	Glas	Myers
Braun, Stark	Gress	Nelson, Steele
Bymers	Holm	Schmidt
Carlson	Johnson, Cass	Severson
Crockett	Johnson, Richland	Trydahl

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

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, Representatives: Gackle, Gainer, Levin, on Senate Bill No. 38.

C. R. VERRY, Chief Clerk.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division of Highway Safety and Police Patrol, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws

for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers. Repeal.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for 1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor; Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 3. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 15. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 107. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and Non-Resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of this Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution "Y." A Concurrent Resolution to Transfer Monies from the Mileage and Per Diem of Members Fund, the Printing Fund and the Miscellaneous Fund to the Mileage and Per Diem Fund of the Officers and Employees.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 102. A Bill for an Act to Establish a

State Industrial Alcohol Plant; Providing for the Management Thereof, and Making an Appropriation Therefor; Constitutionality.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Guinness Patent Butter and to Patent Butter and Cheese.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution "O." A Concurrent Resolution Memorializing Congress to Enact Legislation Giving to the United States District Court of the State of North Dakota Criminal Jurisdiction Within the Limits of the Indian Reservations in the State of North Dakota for the Enforcement of the Criminal Laws and the Punishment of Crimes Committed Therein by Indians Upon Persons of Indian Blood.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 4972, Compiled Laws of North Dakota for the Year 1913, Relating to the Age of Members of Accident and Sickness Insurance Corporations, Associations and Societies.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 90. A Bill for an Act Providing for the Consideration by the State Board of Equalization of Certain Property Valuation in Determining the Value of Public Utilities for Taxing Purposes, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 235 of the 1919 Session Laws, Constituting Section 6076 of the 1925 Supplement.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 147. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation

of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 148. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 149. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for the Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 210. A Bill for an Act to Conserve Crude Petroleum Oil and Natural Gas; to Enlarge the Duties and Authority of the Industrial Commission of North Dakota to Supervise and Control the Oil and Gas Resources of North Dakota; Authorizing the Industrial Commission of North Dakota to Promulgate Rules and Regulations for the Enforcement of the Provisions of the Act for the Purpose of Conserving Oil and Gas; Providing Penalties for the Violation of Certain Provisions of the Act or the Regulations Promulgated Thereunder; Repealing Chapter 184 of the 1929 Session Laws and Chapter 135 of the 1937 Session Laws of North Dakota; Repealing All Laws and Parts of Laws in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 195 of the Session Laws of 1929 Relating to the Opening of Bids, Award of Contract, and Bond Required for Public Buildings.

And the Speaker signed the same in the presence of the House..

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 306. A Bill for an Act to Amend and Re-enact Sub-section (1) of Section 2, Sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, Relating to Electric Cooperative Corporations, Their Powers, Incorporation, Corporate Names, Amendment of By-Laws and Articles of Incorporation, Quorum and Voting Requirements, Qualifications of Directors, Exemptions from Certain Statutory Requirments; and Providing for the Extension of Chapter 115 of the Session Laws of 1937 to Certain Foreign Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit herewith the following bills:

House Concurrent Resolution "Y." A Concurrent Resolution to Transfer Monies from the Mileage and Per Diem of Members Fund, the Printing Fund and the Miscellaneous Fund to the Mileage and Per Diem Fund of the Officers and Employees.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division of Highway Safety and Police Patrol, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers. Repeal.

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for 1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor; Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Bill No. 15. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

House Bill No. 107. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and Non-Resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of this Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

House Bill No. 102. A Bill for an Act to Establish a State Industrial Alcohol Plant; Providing for the Management Thereof, and Making an Appropriation Therefor; Constitutionality.

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota

Relating to Guinness Patent Butter and to Patent Butter and Cheese.

House Concurrent Resolution "O." A Concurrent Resolution Memorializing Congress to Enact Legislation Giving to the United States District Court of the State of North Dakota Criminal Jurisdiction Within the Limits of the Indian Reservations in the State of North Dakota for the Enforcement of the Criminal Laws and the Punishment of Crimes Committed Therein by Indians Upon Persons of Indian Blood.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 4972, Compiled Laws of North Dakota for the Year 1913, Relating to the Age of Members of Accident and Sickness Insurance Corporations, Associations and Societies.

House Bill No. 90. A Bill for an Act Providing for the Consideration by the State Board of Equalization of Certain Property Valuation in Determining the Value of Public Utilities for Taxing Purposes, and Declaring an Emergency.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 235 of the 1919 Session Laws, Constituting Section 6076 of the 1925 Supplement.

House Bill No. 147. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 148. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 149. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for the Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

House Bill No. 210. A Bill for an Act to Conserve Crude Petroleum Oil and Natural Gas; to Enlarge the Duties and Authority of the Industrial Commission of North Dakota to Supervise and Control the Oil and Gas Resources of North Dakota; Authorizing the Industrial Commission of North Dakota to Promulgate Rules and Regulations for the

Enforcement of the Provisions of the Act for the Purpose of Conserving Oil and Gas; Providing Penalties for the Violation of Certain Provisions of the Act or the Regulations Promulgated Thereunder; Repealing Chapter 184 of the 1929 Session Laws and Chapter 135 of the 1937 Session Laws of North Dakota; Repealing All Laws and Parts of Laws in Conflict Herewith.

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 195 of the Session Laws of 1929 Relating to the Opening of Bids, Award of Contract, and Bond Required for Public Buildings.

House Bill No. 306. A Bill for an Act to Amend and Re-enact Sub-section (1) of Section 2, Sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, Relating to Electric Cooperative Corporations, Their Powers, Incorporation, Corporate Names, Amendment of By-Laws and Articles of Incorporation, Quorum and Voting Requirements, Qualifications of Directors, Exemptions from Certain Statutory Requirments; and Providing for the Extension of Chapter 115 of the Session Laws of 1937 to Certain Foreign Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

Rep. Aker moved that the House do now recess until 7:15 P. M., which motion prevailed.

The Speaker called the House to order pursuant to recess taken.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 3
 House Bill No. 7
 House Bill No. 15
 House Bill No. 107
 House Bill No. 108
 House Bill No. 194.
 House Bill No. 62
 House Bill No. 127
 House Bill No. 177
 House Bill No. 208
 House Bill No. 224.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted which motion prevailed, and the report was adopted.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 223
 House Bill No. 221
 House Bill No. 187
 House Bill No. 186
 House Bill No. 167
 House Bill No. 123
 House Bill No. 258
 House Bill No. 191
 House Bill No. 115
 House Bill No. 215
 House Bill No. 211
 House Bill No. 188
 House Bill No. 105
 House Bill No. 249
 House Bill No. 272
 House Bill No. 241
 House Bill No. 237.

Were delivered to the Governor for his approval at the hour of 11:55 o'clock, March 7, 1941.

REP. WAMBHEIM, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 335
 House Bill No. 301
 House Bill No. 273
 House Bill No. 222
 House Bill No. 255
 House Bill No. 245
 House Bill No. 213
 House Bill No. 199
 House Bill No. 184
 House Bill No. 136
 House Bill No. 135
 House Bill No. 116
 House Bill No. 20
 House Bill No. 261.

Were delivered to the Governor for his approval at the hour of 11:55 o'clock March 7, 1941.

REP. WAMBHEIM, Chairman.

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 82 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 82, have had the same under consideration and report that the Senate has concurred in the House amendments.

For the Senate:

A. W. FOWLER
 FRANKLIN PAGE
 E. C. STUCKE

For the House:

W. M. SMART
 A. Z. NELSON
 R. A. BEEDE

Rep. Smart moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Bergesen moved that the vote by which House Bill No. 250 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Concurrent Resolution No. 64.

Rep. Fuglestad moved that the House do concur in the Senate amendments to House Concurrent Resolution No. 64, which motion prevailed.

Rep. Swanson moved that the rules be suspended and that House Concurrent Resolution No. 64 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE RESOLUTION

House Concurrent Resolution No. 64.—A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as Amended by Articles 15 and 26 of the Amendments Thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 65; nays, 33; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Alien	Gainor	Nystrom
Arndt	Haugland	Olson, Barnes
Arneson	Heckman	Peterson, Ransom
Austad	Hofstrand	Rohde
Benno	Hogoboom	Rygg
Bergesen	Ireland	Sagehorn
Bjella	Johnson, Cass	Sandness
Black	Johnson, Richland	Saumur
Blair	Kee	Sellens
Bolmeier	Kindem	Sharpe
Boulden	Langley	Shure
Braun, Stark	Levin	Singleton
Bymers	Lillehaugen	Smart
Coghlan	Lunde	Stormon
Collette	McInnes	Swanson
Culver	Moe	Twichell
Dalzell	Morland	Wambheim
Dittmer	Nelson, Cass	Westby
Falconer	Nelson, Ramsey	Williams, Stutsman
Fitch	Nelson, Sargent	Mr. Speaker
Fitzharris	Nelson, Steele	

Those voting in the negative were:

Anderson	Fraser	Olson, Bowman
Beede	Gress	Panko
Belzer	Haag	Peterson, Bottineau
Bingenheimer	Haugen	Schwartz
Braun, McLean	Jennings	Semerad
Brusseau	Larson	Starck
Buhel	McIntee	Tuff

Crockett	McIntyre	Welder
Drovdal	Mollet	Williams, Richland
Erickson, Divide	Nelson, Morton	Wolf, McIntosh
Erickson, Williams	Ohnstad	Wolf, Morton
Absent and not voting:		
Carlson	Halvorsen	Myers
Devlin	Holm	Schmidt
Fleck	Juhola	Severson
Gackle	Morrison	Trydahl
Glas		

So the bill passed and the title was agreed to.

Rep. Moe moved that the vote by which House Concurrent Resolution No. 64 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 265.

Rep. Fuglestad moved that the House do concur in the Senate amendments to House Bill No. 265.

Rep. Beede moved a substitute motion that the House do not concur in the Senate amendments to House Bill No. 265, which motion prevailed.

Rep. Beede moved that a conference committee be appointed to act with a like committee from the Senate on House Bill No. 265, which motion prevailed and the Speaker appointed on that committee Reps. Fuglestad, Moe and Wolf of Morton.

House Bill No. 10.

Rep. Fitch moved that the House do not concur in the Senate amendments to House Bill No. 10, and that a conference committee be appointed to act with a like committee from the Senate on House Bill No. 10, which motion prevailed and the Speaker appointed on that committee Reps. Kee, Johnson of Cass and Schmidt.

House Bill No. 151.

Rep. Hofstrand moved that the House do concur in the Senate amendments to House Bill No. 151, which motion prevailed.

Rep. Hofstrand moved that the rules be suspended and that House Bill No. 151 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for in Chapter 209, Session Laws of 1939, and Acts Amendatory 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, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Gainor	Nystrom
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Allen	Gress	Ohnstad
Anderson	Haag	Olsen, Barnes
Arneson	Halvorson	Olsen, Bowman
Arndt	Haugen	Panko
Austad	Heckman	Peterson, Bottineau
Beede	Hofstrand	Peterson, Ransom
Belzer	Hogoboom	Rohde
Benno	Ireland	Rygg
Bergesen	Jennings	Sagehorn
Bingenheimer	Johnson, Cass	Sandness
Bjella	Johnson, Richland	Saumur
Black	Juhola	Schmidt
Bolmeier	Kee	Schwartz
Boulden	Kindem	Sellens
Braun, Stark	Langley	Semerad
Brusseau	Larson	Sharpe
Bubel	Levin	Shure
Bymers	Lillehaugen	Singleton
Coghlan	Lunde	Smart
Collette	McInnes	Starck
Crockett	McIntee	Stormon
Culver	McIntyre	Swanson
Dalzell	Moe	Trydahl
Dittmer	Mollet	Tuff
Drovdal	Morland	Twichell
Erickson, Divide	Morrison	Wambheim
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fraser	Nelson, Steele	Wolf, Morton
Fuglestad	Nicholsen	Mr. Speaker

Absent and not voting:

Blair	Fleck	Myers
Braun, McLean	Glas	Severson
Carlson	Haugland	Welder
Devlin	Holm	

So the bill passed and the title was agreed to.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 10 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Johnson of Cass, Kee and Schmidt.
C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 82.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that

the House has refused to concur in the Senate amendment to House Bill No. 265 and the Speaker has appointed a conference committee to act with a like committee from the Senate, Representatives: Fuglestad, Wolf of Morton and Moe.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 117 and asks the return of the bill for a final passage.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

Which the House has indefinitely postponed.

C. R. VERRY, Chief Clerk.

The House continued on the Twelfth Order of Business.

House Bill No. 246.

Rep. Beede moved that the House do concur in the Senate amendments to House Bill No. 246, which motion prevailed.

Rep. Beede moved that the rules be suspended and that House Bill No. 246 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High School Tuition" from \$1,100,000.00 as Therein Provided to \$1,200,000.00, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 3; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arneson	Haugland	Peterson, Bottineau

Austad	Heckman	Peterson, Ransom
Beede	Hofstrand	Rohde
Belzer	Hogoboom	Rygg
Benno	Ireland	Sagehorn
Bergesen	Jennings	Sandness
Bingenheimer	Johnson, Cass	Schmidt
Bjella	Johnson, Richland	Schwartz
Black	Juhola	Sellens
Bolmeier	Kindem	Semerad
Braun, Stark	Langley	Severson
Brusseau	Larson	Sharpe
Bubel	Levin	Shure
Bymers	Lillehaugen	Singleton
Collette	Lunde	Smart
Crockett	McInnes	Starck
Dalzell	McIntee	Stormon
Dittmer	McIntyre	Swanson
Drovdal	Moe	Trydahl
Erickson, Divide	Mollet	Tuff
Erickson, Williams	Morland	Twichell
Falconer	Morrison	Wambheim
Fitch	Nelson, Cass	Welder
Fitzharris	Nelson, Morton	Westby
Fleck	Nelson, Ramsey	Williams, Richland
Fraser	Nelson, Sargent	Williams, Stutsman
Fuglestad	Nelson, Steele	Wolf, McIntosh
Gackle	Nicholsen	Wolf, Morton
Gainor	Nystrom	Mr. Speaker

Gress

Those voting in the negative were:

Arndt	Coghlan	Kee
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Absent and not voting:

Blair	Culver	Myers
Boulden	Devlin	Panko
Braun, McLean	Glas	Saumur
Carlson	Holm	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Lillehaugen moved that the vote by which House Bill No. 246 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 278.

Rep. Beede moved that the House do concur in the Senate amendments to House Bill No. 278, which motion prevailed.

Rep. Beede moved that the rules be suspended and that House Bill No. 278 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 97; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Aker	Haag	Ohnstad
Allen	Halvorson	Olson, Barnes
Anderson	Haugen	Olson, Bowman
Arneson	Haugland	Panko
Arndt	Heckman	Peterson, Bottineau
Austad	Hofstrand	Peterson, Ransom
Beede	Hogoboom	Rohde
Belzer	Ireland	Rygg
Benno	Jennings	Sagehorn
Bergesen	Johnson, Cass	Sandness
Bingenheimer	Johnson, Richland	Saumur
Bjella	Juhola	Schmidt
Black	Kee	Schwartz
Bolmeier	Kindem	Semerad
Boulden	Langley	Severson
Braun, Stark	Larson	Sharpe
Brusseau	Levin	Shure
Bubel	Lillehaugen	Singleton
Coghlan	Lunde	Smart
Collette	McIntee	Starck
Crockett	McIntyre	Stormon
Dalzell	Moe	Swanson
Drovdal	Mollet	Tuff
Erickson, Divide	Morland	Twichell
Erickson, Williams	Morrison	Wambheim
Falconer	Nelson, Cass	Welder
Fitch	Nelson, Morton	Westby
Fitzharris	Nelson, Ramsey	Williams, Richland
Fleck	Nelson, Sargent	Williams, Stutsman
Fraser	Nelson, Steele	Wolf, McIntosh
Fuglestad	Nicholsen	Wolf, Morton
Gainor	Nystrom	Mr. Speaker
Gress		

Absent and not voting:

Blair	Devlin	McInnes
Braun, McLean	Dittmer	Myers
Bymers	Gackle	Sellens
Carlson	Glas	Trydahl
Culver	Holm	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 152.

Rep. Moe moved that the House do concur in the Senate amendments to House Bill No. 152.

Rep. Aker moved a substitute motion that the House do not concur in the Senate amendments to House Bill No. 152, and that a conference committee be appointed to act with a like committee from the Senate on House Bill No. 152, which motion prevailed and the Speaker appointed on that committee Reps. Aker, Nelson of Cass and Schwartz.

House Bill No. 334.

Rep. Bolmeier moved that the House do concur in the

Senate amendments to House Bill No. 334, which motion prevailed.

Rep. Bolmeier moved that the rules be suspended and that House Bill No. 334 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 334. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 67; nays, 31; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Gackle	Nelson, Ramsey
Allen	Gainor	Nelson, Sargent
Arneson	Haag	Nelson, Steele
Arndt	Haugen	Nicholsen
Austad	Haugland	Nystrom
Bergesen	Heckman	Ohnstad
Bjella	Hofstrand	Peterson, Ransom
Black	Hogoboom	Rygg
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Braun, Stark	Johnson, Cass	Schwartz
Carlson	Johnson, Richland	Sharpe
Coghlan	Juhola	Singleton
Culver	Kee	Smart
Dalzell	Kindem	Stormon
Devlin	Langley	Swanson
Dittmer	Levin	Wambheim
Erickson, Divide	Lunde	Westby
Erickson, Williams	McInnes	Williams, Richland
Fitch	Moe	Williams, Stutsman
Fitzharris	Morrison	Wolf, Morton
Fleck	Nelson, Morton	Mr. Speaker
Fuglestad		

Those voting in the negative were:

Anderson	Gress	Peterson, Bottineau
Belzer	Halvorson	Rohde
Bingenheimer	Larson	Sagehorn
Boulden	Lillehaugen	Schmidt
Braun, McLean	McIntee	Sellens
Brusseau	McIntyre	Semerad
Bubel	Mollet	Starck
Crockett	Morland	Tuff
Drovdal	Olson, Bowman	Welder
Falconer	Panko	Wolf, McIntosh
Fraser		

Absent and not voting:

Beede	Holm	Severson
Benno	Myers	Shure
Rymers	Nelson, Cass	Trydahl

Collette Olson, Barnes Twichell
 Glas

So the bill passed and the title was agreed to.

Rep. Dalzell moved that the vote by which House Bill No. 334 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 218.

Rep. Dalzell moved that the House do concur in the Senate amendments to House Bill No. 218, which motion prevailed.

Rep. Dalzell moved that the rules be suspended and that House Bill No. 218 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 218. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the County Manager Form.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 93; nays, 8; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Cass
Allen	Fraser	Nelson, Morton
Anderson	Fuglestad	Nelson, Ramsey
Arneson	Gackle	Nelson, Sargent
Arndt	Gainor	Nicholsen
Austad	Glas	Nystrom
Beede	Gress	Olson, Bowman
Belzer	Haag	Panko
Benno	Halvorson	Peterson, Bottineau
Bergesen	Haugen	Peterson, Ransom
Bingenheimer	Haugland	Rygg
Bjella	Heckman	Sagehorn
Black	Hofstrand	Sandness
Blair	Hogoboom	Saumur
Bolmeier	Ireland	Schmidt
Boulden	Johnson, Cass	Schwartz
Braun, McLean	Johnson, Richland	Severson
Braun, Stark	Juhola	Sharpe
Bymers	Kee	Shure
Carlson	Kindem	Singleton
Coghlan	Langley	Smart
Culver	Larson	Starck
Dalzell	Levin	Stormon
Devlin	Lillehaugen	Swanson
Dittmer	Lunde	Tuff
Drovdal	McInnes	Wambheim
Erickson, Divide	McIntyre	Westby
Erickson, Williams	Moe	Williams, Richland
Falconer	Mollet	Williams, Stutsman
Fitch	Morland	Wolf, Morton
Fitzharris	Morrison	Mr. Speaker

Those voting in the negative were:

Collette	Ohnstad	Welder
Jennings	Rohde	Wolf, McIntosh
McIntee	Semerad	

Absent and not voting:

Brusseau	Myers	Sellens
Bubel	Nelson, Steele	Trydahl
Crockett	Olson, Barnes	Twichell
Holm		

So the bill passed and the title was agreed to.

Rep. Johnson of Richland reported that the conference committee appointed to confer with a like committee from the Senate on Senate Bill No. 1 was unable to agree and moved that the committee be discharged and that a new committee be appointed, which motion prevailed and the Speaker appointed on that committee Reps. Gackle, Culver and Collette.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 142
House Bill No. 161
House Bill No. 164
House Bill No. 46
House Bill No. 250
House Bill No. 151
House Concurrent Resolution No. 64
House Bill No. 246.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 152 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Aker, Schwartz, Nelson of Cass.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, Representatives: Gackle, Culver, Collette, on Senate Bill No. 1.

C. R. VERRY, Chief Clerk.

The House continued on the Twelfth Order of Business.
House Bill No. 288.

Rep. Shure moved that the House do concur in the Senate amendments to House Bill No. 288, which motion prevailed.

Rep. Shure moved that the rules be suspended and that House Bill No. 288 be considered properly engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 288. A Bill for an Act to Amend and Re-enact Subdivision "c" of Division 15 of Section 7 of Chapter 94, Session Laws of 1931; Section 14 of Chapter 94, Session Laws of 1931, as Amended by Chapter 101, Session Laws of 1939; and Section 23 of Chapter 94, Session Laws of 1931,

Providing for Investments by Building and Loan Associations; Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, Banks, Eleemosynary, Educational, Public and Municipal Corporations and Public Officials; and Pertaining to Bonds of Directors, Officers, Agents and Employees.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 69; nays, 23; absent and not voting, 19.

Those voting in the affirmative were:

Aker	Fitch	Nelson, Cass
Allen	Fitzharris	Nelson, Sargent
Arneson	Fleck	Nicholsen
Arndt	Fraser	Nystrom
Austad	Fuglestad	Ohnstad
Beede	Gress	Olson, Barnes
Benno	Haag	Olson, Bowman
Bingenheimer	Haugland	Panko
Bjella	Heckman	Rygg
Black	Ireland	Saumur
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Sharpe
Braun, Stark	Juhola	Shure
Bymers	Kee	Singleton
Carlson	Kindem	Smart
Coghlan	Langley	Swanson
Dalzell	Larson	Wambheim
Devlin	Lunde	Westby
Dittmer	McInnes	Williams, Richland
Drovdal	McIntyre	Williams, Stutsman
Erickson, Divide	Morland	Wolf, McIntosh
Erickson, Williams	Morrison	Mr. Speaker

Those voting in the negative were:

Anderson	Lillehaugen	Schmidt
Belzer	McIntee	Semerad
Braun, McLean	Moe	Starck
Bubel	Mollet	Stormon
Falconer	Nelson, Morton	Tuff
Halvorson	Nelson, Ramsey	Welder
Haugen	Nelson, Steele	Wolf, Morton
Hogoboom	Rohde	

Absent and not voting:

Bergesen	Glas	Peterson, Ransom
Brusseau	Hofstrand	Sagehorn
Collette	Holm	Sandness
Crockett	Levin	Severson
Culver	Myers	Trydahl
Gackle	Peterson, Bottineau	Twichell
Gainor		

So the bill passed and the title was agreed to.

Rep. Shure moved that the vote by which House Bill No. 288 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 270.

Rep. Dalzell moved that the House do concur in the Senate amendments to House Bill No. 270, which motion prevailed.

Rep. Dalzell moved that the rules be suspended and that House Bill No. 270 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 270. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the Short Form of County Managership.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 91; nays, 4; absent and not voting, 16.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Sargent
Allen	Fleck	Nelson, Steele
Anderson	Fraser	Nicholsen
Arndt	Fuglestad	Nystrom
Arneson	Gress	Olson, Barnes
Beede	Haag	Olson, Bowman
Belzer	Halvorson	Panko
Benno	Haugen	Peterson, Bottineau
Bergesen	Haugland	Peterson, Ransom
Bingenheimer	Heckman	Rohde
Bjella	Hofstrand	Rygg
Black	Hogoboom	Sagehorn
Blair	Ireland	Sandness
Bolmeier	Jennings	Saumur
Boulden	Juhola	Schmidt
Braun, McLean	Kee	Schwartz
Braun, Stark	Kindem	Sellens
Brusseau	Langley	Sharpe
Bubel	Larson	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Crockett	McIntee	Tuff
Dalzell	Moe	Twichell
Devlin	Mollet	Wambheim
Dittmer	Morland	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Erickson, Williams	Nelson, Morton	Wolf, Morton
Falconer	Nelson, Ramsey	Mr. Speaker
Fitch		

Those voting in the negative were:

Ohnstad	Welder	Wolf, McIntosh
Semerad		

Absent and not voting:

Austad	Holm	Myers
Collette	Johnson, Cass	Severson
Culver	Johnson, Richland	Shure
Gackle	Levin	Swanson
Gainor	McIntyre	Trydahl
Glas		

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 109 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 109, have had the same under consideration and recommend:

In line 6, strike out the figure "\$330,190.00" and insert in lieu thereof the figures "\$321,090.00".

The Senate recedes this amendment in line 15, leaving the figure of 82,760.00.

The House concurs in the Senate amendment in line 29, leaving the figure of 63,000.00.

Conference Committee submits the further amendment on line 36, strike out the figure 16,000.00 and insert in lieu thereof 15,000.00.

On line 38 change the total maintenance figure to 315,220.00.

On line 54 change figures to 340,970.00

On line 64 change figures to 354,090.00.

On line 67 change figures to 412,090.00.

For the Senate:

C. N. BRUNSDALE

R. M. STREIBEL

C. P. DAHL

For the House:

TARGIE TRYDAHL

W. M. CROCKETT

A. C. JOHNSON

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Crockett moved that the rules be suspended and that House Bill No. 109 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Aker	Fraser	Ohnstad
Allen	Fuglestad	Olson, Barnes
Anderson	Gainor	Olson, Bowman
Arneson	Gress	Panko
Arndt	Haag	Peterson, Bottineau
Austad	Halvorson	Peterson, Ransom
Beede	Haugen	Rohde
Belzer	Haugland	Rygg
Benno	Heckman	Sagehorn
Bergesen	Hofstrand	Sandness
Bingenheimer	Hogoboom	Saumur
Bjella	Ireland	Schwartz
Black	Jennings	Sellens
Blair	Juhola	Semerad

Bolmeier	Kee	Severson
Boulden	Kindem	Sharpe
Braun, McLean	Langley	Shure
Braun, Stark	Larson	Singleton
Brusseau	Levin	Smart
Bubel	Lillehaugen	Starck
Bymers	Lunde	Stormon
Carlson	McInnes	Swanson
Coghlan	McIntee	Trydahl
Crockett	McIntyre	Tuff
Dalzell	Moe	Twichell
Devlin	Morland	Wambheim
Dittmer	Morrison	Welder
Drovdal	Nelson, Cass	Westby
Erickson, Divide	Nelson, Morton	Williams, Richland
Erickson, Williams	Nelson, Ramsey	Williams, Stutsman
Falconer	Nelson, Steele	Wolf, McIntosh
Fitch	Nicholsen	Wolf, Morton
Fitzharris	Nystrom	Mr. Speaker
Fleck		

Absent and not voting:

Collette	Holm	Myers
Culver	Johnson, Cass	Nelson, Sargent
Gackle	Johnson, Richland	Schmidt
Glas	Mollet	

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 110 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 110, have had the same under consideration and recommend:

In Section 1, line 4, strike out the figures "261,252.00" and insert in lieu thereof "260,952.00".

In line 14 the House concurs in Senate amendments.

In line 15 the House concurs in Senate amendments.

In line 17 the House concurs in Senate amendments.

In line 25 the House concurs in Senate amendments.

In line 29 the House concurs in Senate amendments.

In line 33 the Conference Committee agrees on 8,000.00.

In line 34 the House concurs in Senate amendments.

In line 36 the Conference Committee agrees to strike out "General repairs and 6,000.00" and insert in lieu thereof "Carpenter shop, Plumbing shop, gas, oil and auto repairs 4,500.00".

In line 37, strike out "236,152.00" and insert in lieu thereof "228,752.00".

In line 38 the House concurs in Senate amendments.

Lines 40, 41, 42, and 43, the House concurs in Senate amendments.

In line 45 the House concurs in Senate amendments.

In line 46 the House concurs in Senate amendments.

The Conference Committee agrees to add line "46a General repairs on buildings under supervision of the Board of Administration 1,500.00".

In line 48 the Conference Committee agrees to add to the words "Trade School" the following: "maintenance and equipment 4,500.00".

In line 63 the House concurs in Senate amendments.

In line 64 strike out the figures "261,252.00" and insert in lieu thereof "260,952.00".

For the Senate:

C. N. BRUNSDALE
C. P. DAHL
R. M. STREIBEL

For the House:

TARGIE TRYDAHL
A. C. JOHNSON
W. M. CROCKETT

Rep. Rohde moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Rohde moved that the rules be suspended and that House Bill No. 110 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 101; nays, 1; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rohde
Benno	Heckman	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Schwartz
Blair	Johnson, Cass	Sellens
Bolmeier	Johnson, Richland	Semerad
Boulden	Juhola	Severson
Braun, McLean	Kee	Sharpe
Braun, Stark	Kindem	Singleton
Brusseau	Langley	Smart
Bubel	Larson	Starck
Bymers	Levin	Stormon
Carlson	Lunde	Swanson
Coghlan	McInnes	Trydahl
Crockett	McIntee	Tuff
Dalzell	McIntyre	Twichell
Devlin	Mollet	Wambheim
Dittmer	Morland	Welder
Drovdal	Morrison	Westby
Erickson, Divide	Nelson, Cass	Williams, Richland

Erickson, Williams	Nelson, Morton	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fitzharris	Nelson, Steele	Mr. Speaker
Fleck	Nicholsen	

Those voting in the negative were:

Moe

Absent and not voting:

Collette	Glas	Myers
Culver	Holm	Schmidt
Gackle	Lillehaugen	Shure

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 205 and returns herewith the bill.

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate is herewith returning Senate Bill Number 206 which the House has requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

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, Senators: Brant, Streibel and Brunsdale on House Bill No. 2.

W. J. TROUT, Secretary.

Rep. Benno requested that the House revert to the Seventh Order of Business, which request was granted and Rep. Benno moved that the Senate be requested for the return of Senate Concurrent Resolutions Nos. "V" and "W", which motion prevailed.

Rep. Twichell requested that the House be on the Ninth Order of Business, which request was granted and Rep. Twichell sent to the desk House Concurrent Resolution "Z-2" which the Chief Clerk read as follows:

HOUSE CONCURRENT RESOLUTION "Z-2"

Introduced by Representative Twichell

WHEREAS, the new State Capitol, in the commodious chambers of which this Legislative Assembly is convened, was planned and designed, and the construction of which was commenced under the direction and supervision of the original North Dakota Capitol Commission appointed in March 1931 by the Honorable George F. Shafer then Governor of North Dakota, consisting of the Honorable Geo. A. Bangs of Grand Forks, North Dakota, who served as its chairman, the Honorable Fred L. Conklin of Bismarck, North Dakota, who served as its vice-chairman, Honorable G. Angus Fraser,

then Adjutant General of North Dakota, and Major Frank L. Anders, who served as its Secretary; and

WHEREAS, as a result of the careful planning, painstaking labors and rare judgment and wisdom exercised by the members of said Commission between March 1931 and January 1933, during which time the members of said Commission served continuously without financial remuneration, and out State now enjoys the use and benefits of the most modern and up-to-date Capitol in the United States—a building which, for elegance, beauty, utility, durability, convenience and commodious arrangements is unexcelled by any public building in the United States or Canada—a governmental structure which daily commands the admiration of hundreds of visitors from within and without the State, and in which all the people of North Dakota have a justifiable pride;

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

- 1 That Honorable Geo. A. Bangs; Honorable Fred L.
- 2 Conklin, Honorable G. Angus Fraser, and Major Frank
- 2a L. Anders,
- 3 be officially commended for their patriotic and invaluable
- 4 public services rendered to the State of North Dakota in
- 5 designing, planning and inaugurating the construction
- 5a of the
- 6 new State Capitol, and do hereby express to each of them
- 7 the gratitude and appreciation of the members of this
- 8 Legislative Assembly for their unparalleled public service
- 8a to
- 9 this and succeeding generations of North Dakota citizens;
- 9a and
- 10 BE IT FURTHER RESOLVED, that an engrossed
- 10a copy of this
- 11 Resolution, duly certified by the Secretary of State, be
- 12 transmitted to each of the distinguished citizens herein
- 13 commended, by the Governor, together with a letter
- 13a conveying
- 14 the compliments and respects of the members of this
- 15 Legislative Assembly.

Rep. Twichell moved that the House adopt House Concurrent Resolution "Z-2" by a standing vote, which motion prevailed and the Resolution was declared unanimously adopted.

Rep. Fitch moved that the Chief Clerk be instructed to immediately request the Senate to appoint a conference committee to act with a like committee from the House on House Bill No. 51, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to ask the Senate to at once appoint a conference committee on House Bill No. 51.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Which the House has passed unchanged.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

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, Senators: O'Brien, Thatcher, Young, on House Bill No. 10.

W. J. TROUT, Secretary.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 111 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 111, have had the same under consideration and recommend:

House accepts all the Senate amendments.

For the Senate:

C. N. BRUNSDALE

R. M. STREIBEL

C. P. DAHL.

For the House:

TARGIE TRYDAHL

W. M. CROCKETT

A. C. JOHNSON.

Rep. Crockett moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Crockett moved that the rules be suspended and that House Bill No. 111 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 111. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 98; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gainor	Olson, Barnes
Arneson	Gress	Olson, Bowman
Arndt	Haag	Panko
Austad	Halvorson	Peterson, Bottineau
Beede	Haugen	Peterson, Ransom
Belzer	Haugland	Rygg
Benno	Heckman	Sagehorn
Bergesen	Hofstrand	Schmidt
Bingenheimer	Hogoboom	Schwartz

Bjella	Ireland	Sellens
Black	Jennings	Semerad
Bolmeier	Johnson, Cass	Severson
Boulden	Johnson, Richland	Sharpe
Braun, McLean	Kee	Shure
Braun, Stark	Kindem	Singleton
Brusseau	Langley	Smart
Bubel	Larson	Starck
Bymers	Levin	Stormon
Carlson	Lillehaugen	Swanson
Coghlan	Lunde	Trydahl
Crockett	McInnes	Tuff
Dalzell	McIntee	Twichell
Devlin	McIntyre	Wambheim
Dittmer	Moe	Welder
Drovdal	Morland	Westby
Erickson, Divide	Morrison	Williams, Richland
Erickson, Williams	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck	Nicholsen	
Absent and not voting:		
Blair	Holm	Nelson, Steele
Collette	Juhola	Rohde
Culver	Mollet	Sandness
Gackle	Myers	Saumur
Glas		

So the bill passed and the title was agreed to.

Rep. Bergesen requested that the House be on the Seventh Order of Business, which request was granted and Rep. Bergesen moved that the House reconsider its action taken on Senate Bill No. 183, which motion prevailed.

Rep. Bergesen moved that the rules be suspended for the purpose of amending Senate Bill No. 183, which motion prevailed.

Rep. Bergesen moved that Senate Bill No. 183 be amended as follows:

In line 2 of the title, strike out the word "preferred" and insert in lieu thereof the word "general".

In Section 1, line 4, strike out the word "preferred" and insert in lieu thereof the word "general".

In line 7, beginning with the word "which" strike out the balance of the line and insert a period after the word "claim".

Strike out all of lines 8, 9 and 10.

Which motion prevailed.

Rep. Bergesen moved that the rules be suspended and that Senate Bill No. 183 be placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; 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, 74; nays, 27; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fleck	Nystrom
Allen	Fuglestad	Ohnstad
Arneson	Gackle	Olson, Barnes
Arndt	Gainor	Olson, Bowman
Austad	Gress	Panko
Benno	Haugland	Peterson, Ransom
Bergesen	Hofstrand	Rygg
Bjella	Hogoboom	Sandness
Black	Ireland	Saumur
Bolmeier	Jennings	Schmidt
Boulden	Johnson, Richland	Sellens
Braun, McLean	Kindem	Severson
Braun, Stark	Langley	Sharpe
Brusseau	Levin	Shure
Bymers	Lillehaugen	Singleton
Carlson	Lunde	Smart
Coghlan	McInnes	Starck
Crockett	McIntyre	Swanson
Dalzell	Moe	Trydahl
Devlin	Morland	Twichell
Dittmer	Nelson, Cass	Wambheim
Erickson, Williams	Nelson, Morton	Westby
Falconer	Nelson, Sargent	Williams, Stutsman
Fitch	Nelson, Steele	Mr. Speaker
Fitzharris	Nicholsen	

Those voting in the negative were:

Anderson	Halvorson	Rohde
Beede	Heckman	Sagehorn
Belzer	Juhola	Schwartz
Bingenheimer	Larson	Semerad
Bubel	McIntee	Tuff
Drovdal	Mollet	Welder
Erickson, Divide	Morrison	Williams, Richland
Fraser	Nelson, Ramsey	Wolf, McIntosh
Haag	Peterson, Bottineau	Wolf, Morton

Absent and not voting:

Blair	Haugen	Kee
Collette	Holm	Myers
Culver	Johnson, Cass	Stormon
Glas		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Bergesen moved that the vote by which Senate Bill No. 183 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Explanation of vote:

Wolf of McIntosh: The only guy that gets any good out of this is the fellow who never had anything and who never will have anything.

Rep. Gackle reported that the conference committee last appointed to confer with a like committee from the Senate

on Senate Bill No. 1 was unable to agree and moved that the committee be discharged and that a new committee be appointed, which motion prevailed and the Speaker appointed on that new committee Reps. Kee, Swanson and Collette.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, Representatives: Kee, Swanson and Collette on Senate Bill No. 1.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bill which the House has amended:

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

C. R. VERRY, Chief Clerk.

Rep. Bergesen moved that the House reconsider its action taken on Senate Bill No. 141, which motion was lost.

CONSIDERATION OF MESSAGES FROM THE SENATE

House Concurrent Resolution "Z". A Concurrent Resolution Declaring the Legislative Policy of the State of North Dakota With Reference to the Payment of the Principal and Interest of the State's Bonded Indebtedness.

Rep. McInnes moved that the House do concur in the Senate amendment to House Concurrent Resolution "Z", which motion prevailed.

Rep. McInnes moved that the House adopt House Concurrent Resolution "Z" as amended, which motion prevailed.

The House reverted to the Sixth Order of Business.

REPORTS OF SELECT COMMITTEES

The Conference Committee on House Bill No. 193 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 193, have had the same under consideration and recommend: That the Senate recede from its amendment to House Bill No. 193 and agrees to the following: Strike out all of page 3 of the engrossed bill and add in lieu thereof the following:

"Not less than Thirty-five Thousand (\$35,000.00) Dollars and accrued interest at 2 per cent per annum thereof on January 1, 1942, and not less than Fifty Thousand (\$50,000.00) Dollars accrued interest at 2 per cent per annum on each January 1st thereafter until the full obligation is paid."

For the Senate:
J. B. BRIDSTON
G. F. DREW
R. A. OWINGS

For the House:
D. S. BLAIR
L. L. TWICHELL
FRED BRAUN

Rep. Blair moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Aker moved that the rules be suspended and that House Bill No. 193 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 0; absent and not voting, 25.

Those voting in the affirmative were:

Aker	Fraser	Ohnstad
Allen	Fuglestad	Olson, Barnes
Anderson	Gainor	Panko
Arneson	Gress	Peterson, Bottineau
Arndt	Haag	Peterson, Ransom
Austad	Halvorson	Rohde
Beede	Haugland	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Saumur
Bjella	Ireland	Schwartz
Black	Jennings	Sellens
Blair	Johnson, Richland	Semerad
Bolmeier	Juhola	Severson
Braun, McLean	Kindem	Sharpe
Braun, Stark	Langley	Shure
Brusseau	Larson	Singleton
Bubel	Lillehaugen	Starck
Bymers	Lunde	Stormon
Carlson	McInnes	Trydahl
Coghlan	McIntee	Twichell
Dalzell	McIntyre	Wambheim
Devlin	Moe	Welder
Dittmer	Mollet	Westby
Drovdal	Morrison	Williams, Richland
Erickson, Divide	Nelson, Cass	Williams, Stutsman
Falconer	Nelson, Morton	Wolf, McIntosh
Fitch	Nelson, Ramsey	Wolf, Morton
Fitzharris	Nelson, Sargent	Mr. Speaker
Fleck	Nystrom	

Absent and not voting:

Belzer	Haugen	Nelson, Steele
Benno	Heckman	Nicholsen
Boulden	Holm	Olson, Bowman
Collette	Johnson, Cass	Sandness

Crockett	Kee	Schmidt
Culver	Levin	Smart
Erickson, Williams	Morland	Swanson
Gackle	Myers	Tuff
Glas		

So the bill passed and the title was agreed to.

Rep. Twichell moved that the vote by which House Bill No. 193 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Conference Committee on Senate Bill No. 34 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 34, have had the same under consideration and recommend:

Correct line 13 to read line 14 of the engrossed bill and strike out the House amendment \$9,600.00 to read \$9,000.00. Correct line 20 to read line 21 of the engrossed bill and strike out the House amendment \$9,600.00 to read \$9,000.00. In line 33 strike out the House amendment \$132,200.00 and insert in lieu thereof \$133,400.00

For the Senate:

WM. WATT
R. R. MORGAN
WM. A. THATCHER

For the House:

H. G. SEVERSON
JOHN N. McINTYRE
VERNON M. JOHNSON

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 27 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 27, have had the same under consideration and recommend:

The House amendments made in line 3 be stricken out. The House amendments in line 9 be stricken out and that the Senate accept the House amendments in line 10 and 10a, and strike out the House amendments in line 26.

For the Senate:

WM. WATT
R. R. MORGAN
WM. A. THATCHER

For the House:

H. G. SEVERSON
JOHN N. McINTYRE
VERNON M. JOHNSON

Rep. Johnson of Richland moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 4 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 4, have had the same under consideration and recommend:

In line 3 change the House amendment from \$35,650.00 to \$34,650.00 and that the Senate accept the House amendments in lines 19, 25, 28, 30, down to line 38a and in line 38a the figures \$1,500.00 be stricken out and the figures \$500.00 be inserted. The Senate accepts the House amendments

in line 38b. In line 39 change the total to read \$17,950.00. In line 40 change the grand total to read \$34,650.00.

For the Senate:

WM. WATT
R. R. MORGAN
WM. A. THATCHER

For the House:

H. G. SEVERSON
JOHN McINTYRE
VERNON M. JOHNSON

Rep. Severson moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 3 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 3, have had the same under consideration and recommend:

That the House amendment \$40,000.00 be stricken out and the figures \$27,500.00 be inserted.

For the Senate:

WM. WATT
R. R. MORGAN
WM. A. THATCHER

For the House:

H. G. SEVERSON
JOHN N. McINTYRE
VERNON M. JOHNSON

Rep. McIntyre moved that the report be adopted.

Rep. Haugen moved a substitute motion that the report of the conference committee on Senate Bill No. 3 be not adopted, which motion prevailed.

Rep. Haugen moved a new conference committee be appointed to act with a like committee from the Senate on Senate Bill No. 3, which motion prevailed and the Speaker appointed on that new committee Reps. Haugen, McIntyre and Bymers.

The Conference Committee on Senate Bill No. 18 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 18, have had the same under consideration and recommend:

That the Senate do concur in the House amendments.

For the Senate:

J. B. BRIDSTON
E. C. STUCKE
R. R. MORGAN

For the House:

H. R. SWANSON
RICHARD E. WOLF
H. G. SEVERSON

Rep. Swanson moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 2 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 2, have had the same under consideration and recommend:

That the Senate recede its amendments.

For the Senate:

E. H. BRANT
R. M. STREIBEL
C. W. BRUNSDALE

For the House:

E. D. CULVER
A. J. SANDNESS
L. W. BELZER

Rep. Sandness moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 38 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 38, have had the same under consideration and recommend:

In line 12, before the word "patrolmen" insert the figure "20".

For the Senate:

CHAS. A. GINTER
M. R. YOUNG
C. P. DAHL

For the House:

M. W. GACKLE
MAL GAINOR
PALMER LEVIN

Rep. Levin moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 10 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 10, have had the same under consideration and recommend:

After line 445 of the engrossed bill, insert sub-division 18½ and insert line 445b "Salary of State Engineer under State Water Conservation\$4,440.00".

Senate amendment "445c Hydrographic Survey \$3,500.00".

Add a new line 445d, "Total\$7,940.00".

Add to line 551, \$4,440.00.

For the Senate:

H. O'BRIEN
WM. WATT
NELSON of McKenzie

For the House:

A. C. JOHNSON
C. G. KEE
F. SCHMIDT

Rep. Johnson of Richland moved that the report be adopted.

Rep. Fitch moved a substitute motion that the report of the conference committee on House Bill No. 10 be not adopted, which motion prevailed.

Rep. Fitch moved that a new conference committee be appointed to act with a like committee from the Senate on House Bill No. 10, which motion prevailed and the Speaker appointed on that committee Reps. Fitch, Carlson and Severson.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report on House Bill No. 10 and the Speaker has appointed a conference committee to act with a like committee from the Senate, Representatives: Fitch, Carlson and Severson.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House refused to adopt the report on Senate Bill No. 3, and the Speaker has appointed a conference committee to act with a like committee from the Senate, Representatives: Haugen, McIntyre and Bymers.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that

the House has adopted the report of the Conference Committee on House Bill No. 193 and the bill is herewith delivered to you for final action.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the reports of the Conference Committee on:

Senate Bill No. 38
Senate Bill No. 2
Senate Bill No. 18
Senate Bill No. 4
Senate Bill No. 27
Senate Bill No. 34.

And requests the return to the House Senate Bills Nos. 34, 27, 4 and 38.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 278
House Bill No. 334
House Bill No. 218
House Bill No. 288
House Bill No. 4
House Bill No. 270
House Bill No. 109
House Bill No. 110
House Bill No. 111

House Concurrent Resolution "Z".

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 1, and the President has appointed as a new conference committee to act with a like committee from the House, Senators: Morgan of Walsh, Olson of Mountrail and Dahl.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 7, 1941.

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, Senators: Hill, Lavik and Kehoe on House Bill No. 265.

W. J. TROUT, Secretary.

The House reverted to the Fifth Order of Business.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 46
 House Bill No. 164
 House Bill No. 246
 House Bill No. 278
 House Bill No. 289
 House Bill No. 82
 House Bill No. 142
 House Bill No. 307
 House Bill No. 340
 House Bill No. 91
 House Concurrent Resolution No. 63
 House Concurrent Resolution "U"
 House Bill No. 6
 House Bill No. 23
 House Bill No. 165
 House Bill No. 5
 House Bill No. 33.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

MOTIONS AND RESOLUTIONS

The Chief Clerk read:

Senate Concurrent Resolution "P." A Concurrent Resolution Requesting Congress to Amend Social Security Act to Provide Federal Grants to State for Public Assistance on Equalization Basis.

Rep. Beede moved that the House adopt Senate Concurrent Resolution "P", which motion prevailed and the resolution was declared adopted.

The Chief Clerk read:

Senate Concurrent Resolution "R." A Concurrent Resolution Providing for a Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1941, and Ending June 30, 1943.

Rep. Dalzell moved that the House adopt Senate Concurrent Resolution "R".

Rep. Beede moved a substitute motion that Senate Concurrent Resolution "R" be amended as follows:

Strike out the "Therefore Be It Resolved" clause and insert the following clause in lieu thereof:

"THEREFORE, BE IT RESOLVED, that the Public Welfare Board use the sum appropriated by this Legislative Assembly in providing for old age assistance; that the Public Welfare Board is authorized and directed to expend such funds each month as it is necessary to use in excess of the amount contributed by the Federal Government to continue paying old age assistance grants to needy old age assistance clients on the basis of need, providing, however, that not to exceed 75% of the appropriation so made may be expended during the first eighteen months of the biennium."

Which motion prevailed.

Rep. Rohde moved that the House adopt Senate Concurrent

Resolution "R" as amended, which motion prevailed and the resolution was declared adopted.

The Chief Clerk read:

Senate Concurrent Resolution "S". A Concurrent Resolution Requesting the Bank of North Dakota with the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet the Emergencies for Funds to Match Federal Grants Under the Social Security Programs or General Relief Requirements.

Rep. Trydahl moved that the House adopt Senate Concurrent Resolution "S", which motion prevailed and the resolution was declared adopted.

The Chief Clerk read:

Senate Concurrent Resolution "Y." Providing for Congress to Enact Legislation Declaring the Yellowstone River and Part of the Missouri River to Be Non-navigable.

Rep. Morland moved that the House adopt Senate Concurrent Resolution "Y", which motion prevailed and the resolution was declared adopted.

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 1 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred Senate Bill No. 1, have had the same under consideration and recommend:

That the House recedes from its amendments to lines 303 to 316 inclusive and insert in lieu thereof the following:

"303 Director's Salary	\$ 6,400.00
304 Salaries	54,000.00
305 Postage	7,700.00
306 Office Supplies	1,000.00
307 Furniture and Fixtures	750.00
308 Printing	2,000.00
309 Miscellaneous	500.00
310 Travel Expense	500.00
311 Student Supplies	3,000.00
312 Educational Aids	650.00
313 Lessons	7,000.00
314 Contingencies	500.00
315 Rent	6,000.00
316 TOTAL	\$90,000.00"

That the Senate concur in all other amendments.

For the Senate:	For the House:
C. P. DAHL	C. G. KEE
R. R. MORGAN	H. R. SWANSON
AXEL OLSON.	W. A. COLLETTE.

Rep. Olson moved that the report be adopted.

Rep. Olson of Bowman moved that the House do not adopt the report of the Conference Committee on Senate Bill No. 1 and moved that a new conference committee be appointed to act with a like committee from the Senate, which motion prevailed and the Speaker appointed on that committee Reps. Olson of Bowman, Swanson and Dalzell.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has complied with the House request and returns herewith:

Senate Bill No. 4
Senate Bill No. 27
Senate Bill No. 34
Senate Bill No. 38.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to House Bill No. 51, and the President has appointed as a new Conference Committee to act with a like committee from the House, Senators: Young, Olson of McHenry and Fowler.

W. J. TROUT, Secretary.

REPORT OF SELECT COMMITTEE

House of Representatives,
Bismarck, March 7, 1941.

The Conference Committee on House Bill No. 51 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 51, have had the same under consideration and report that the committee is unable to agree and recommend that a new conference committee be appointed and this committee be discharged.

For the Senate:

A. W. FOWLER
M. OLSON
M. R. YOUNG.

For the House:

K. A. FITCH
W. M. CROCKETT
ANDREW HALVORSON.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

And the Speaker appointed as a new conference committee Reps. Bergesen, Lillehaugen and Arndt.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has rejected the report of the Conference Committee on House Bill No. 1, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Olson of Bowman, Swanson and Dalzell.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House rejected the report of the Conference Committee on House Bill No. 51, and the Speaker has appointed as a con-

ference committee to act with a like committee from the Senate, Representatives: Bergesen, Lillehaugen and Arndt.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following Resolutions.

Senate Concurrent Resolution "P." A Concurrent Resolution Requesting Congress to Amend Social Security Act to Provide Federal Grants to State for Public Assistance on Equalization Basis.

Senate Concurrent Resolution "R." A Concurrent Resolution Providing for a Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1941, and Ending June 30, 1943.

Senate Concurrent Resolution "S". A Concurrent Resolution Requesting the Bank of North Dakota with the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet the Emergencies for Funds to Match Federal Grants Under the Social Security Programs or General Relief Requirements.

Senate Concurrent Resolution "Y." Providing for Congress to Enact Legislation Declaring the Yellowstone River and Part of the Missouri River to Be Non-navigable.

Which the House has adopted.

C. R. VERRY, Chief Clerk.

Rep. Severson moved that the rules be suspended and that Senate Bill No. 4 be placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 2; absent and not voting, 29.

Those voting in the affirmative were:

Allen	Fraser	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Panko
Arndt	Gress	Peterson, Bottineau
Zeede	Haag	Peterson, Ransom
Belzer	Heckman	Rohde
Benno	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Ireland	Sellens
Black	Jennings	Severson
Blair	Johnson, Cass	Sharpe
Bolmeier	Juhola	Shure
Boulden	Kee	Singleton
Braun, McLean	Kindem	Smart
Braun, Stark	Larson	Starck
Brusseau	Levin	Stormon

Bubel	Lillehaugen	Trydahl
Bymers	Lunde	Tuff
Carlson	McIntee	Twichell
Coghlan	McIntyre	Wambheim
Crockett	Morland	Westby
Dittmer	Morrison	Williams, Richland
Drovdal	Nelson, Morton	Williams, Stutsman
Erickson, Divide	Nelson, Ramsey	Wolf, McIntosh
Erickson, Williams	Nelson, Sargent	Wolf, Morton
Fitch	Nicholsen	Mr. Speaker
Fitzharris	Nystrom	

Those voting in the negative were:

Falconer	Welder
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Absent and not voting:

Aker	Halvorson	Nelson, Cass
Austad	Haugen	Nelson, Steele
Bergesen	Haugland	Olson, Bowman
Collette	Holm	Sandness
Culver	Johnson, Richland	Saumur
Dalzell	Langley	Schmidt
Devlin	McInnes	Schwartz
Fleck	Moe	Semerad
Fuglestad	Mollet	Swanson
Glas	Myers	

So the bill passed and the title was agreed to.

Rep. Severson moved that the vote by which Senate Bill No. 4 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and that Senate Bill No. 27 be placed on Second Reading and Final Passage as amended, which motion prevailed.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 86; nays, 2; absent and not voting, 23.

Those voting in the affirmative were:

Allen	Fraser	Olson, Barnes
Anderson	Fuglestad	Olson, Bowman
Arneson	Gainor	Panko
Arndt	Haag	Peterson, Bottineau
Austad	Halvorson	Peterson, Ransom
Beede	Haugen	Rygg
Belzer	Heckman	Sagehorn
Benno	Hogoboom	Saumur
Bergesen	Ireland	Schmidt
Bingenheimer	Jennings	Sellens
Bjella	Johnson, Cass	Sharpe
Black	Johnson, Richland	Shure
Blair	Juhola	Singleton
Bolmeier	Kee	Smart
Boulden	Kindem	Starck
Braun, McLean	Langley	Stormon

Braun, Stark	Larson	Swanson
Brusseau	Levin	Trydahl
Coghlan	Lunde	Tuff
Culver	McIntee	Twichell
Dalzell	McIntyre	Wambheim
Devlin	Morland	Welder
Dittmer	Morrison	Westby
Drovdal	Nelson, Morton	Williams, Richland
Erickson, Divide	Nelson, Ramsey	Williams, Stutsman
Erickson, Williams	Nelson, Sargent	Wolf, McIntosh
Falconer	Nicholsen	Wolf, Morton
Fitch	Nystrom	Mr. Speaker
Fitzharris	Ohnstad	

Those voting in the negative were:

Mollet	Rohde
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Absent and not voting:

Aker	Glas	Myers
Bubel	Gress	Nelson, Cass
Bymers	Haugland	Nelson, Steele
Carlson	Hofstrand	Sandness
Collette	Holm	Schwartz
Crockett	Lillehaugen	Semerad
Fleck	McInnes	Severson
Gackle	Moe	

So the bill passed and the title was agreed to.

Rep. Westby moved that the vote by which Senate Bill No. 27 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Twichell moved that the Conference Committee appointed to act on House Bill No. 51 be discharged and House Bill No. 51 be indefinitely postponed, which motion prevailed.

Rep. Johnson of Cass moved that the vote by which House Bill No. 51 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Rep. Johnson of Richland moved that the rules be suspended and that Senate Bill No. 34 be placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 107; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Aker	Fraser	Nystrom
Allen	Fuglestad	Ohnstad
Anderson	Gackle	Olson, Barnes
Arneson	Gainor	Olson, Bowman
Arndt	Gress	Panko
Austad	Haag	Peterson, Bottineau

Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rohde
Benno	Haugland	Rygg
Bergesen	Heckman	Sagehorn
Bingenheimer	Hofstrand	Sandness
Bjella	Hogoboom	Saumur
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Semerad
Braun, McLean	Juhola	Severson
Braun, Stark	Kee	Sharpe
Brusseau	Kindem	Shure
Bubel	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Starck
Coghlan	Lillehaugen	Stormon
Collette	Lunde	Swanson
Crockett	McInnes	Trydahl
Culver	McIntee	Tuff
Dalzell	McIntyre	Twichell
Devlin	Mollet	Wambheim
Dittmer	Morland	Welder
Drovdal	Morrison	Westby
Erickson, Divide	Nelson, Cass	Williams, Richland
Erickson, Williams	Nelson, Morton	Williams, Stutsman
Falconer	Nelson, Ramsey	Wolf, McIntosh
Fitch	Nelson, Sargent	Wolf, Morton
Fitzharris	Nelson, Steele	Mr. Speaker
Fleck	Nicholsen	.

Absent and not voting:

Glas	Moe	Myers
Holm		

So the bill passed and the title was agreed to.

Rep. Levin moved that the rules be suspended and that Senate Bill No. 38 be placed on Second Reading and Final Passage, as amended, which motion prevailed.

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 95; nays, 7; absent and not voting, 9.

Those voting in the affirmative were:

Aker	Fitzharris	Nelson, Steele
Allen	Fraser	Nicholsen
Anderson	Fuglestad	Nystrom
Arneson	Gackle	Ohnstad
Arndt	Gainor	Olson, Barnes
Austad	Haag	Olson, Bowman
Beede	Halvorson	Panko
Belzer	Haugen	Peterson, Bottineau
Benno	Haugland	Peterson, Ransom

Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Brusseau	Ireland	Sandness
Bjella	Jennings	Saumur
Black	Johnson, Cass	Schmidt
Blair	Johnson, Richland	Schwartz
Bolmeier	Juhola	Sellens
Boulden	Kee	Sharpe
Braun, McLean	Kindem	Shure
Braun, Stark	Langley	Singleton
Bymers	Larson	Smart
Carlson	Levin	Stormon
Coghlan	Lillehaugen	Swanson
Collette	Lunde	Trydahl
Culver	McInnes	Twichell
Dalzell	McIntee	Wambheim
Devlin	McIntyre	Westby
Dittmer	Morland	Williams, Richland
Drovdal	Morrison	Williams, Stutsman
Erickson, Divide	Nelson, Cass	Wolf, McIntosh
Erickson, Williams	Nelson, Morton	Wolf, Morton
Falconer	Nelson, Ramsey	Mr. Speaker
Fitch	Nelson, Sargent	

Those voting in the negative were:

Bubel	Semerad	Tuff
Crockett	Starck	Welder
Rohde		

Absent and not voting:

Fleck	Heckman	Mollet
Glas	Holm	Myers
Gress	Moe	Severson

So the bill passed and the title was agreed to.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bills which the House has amended:

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 77. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 221 of the Session Laws of North Dakota for the Year 1935, Providing for the Appointment of Members of the State Board of Public Welfare.

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

C. R. VERRY, Chief Clerk.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 152 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 152, have had the same under consideration and recommend:

That in line 11, on page 2, Section 1 of the bill as amended by the Senate, to read October 1st, 1941, be changed and amended to read December 1st, 1941, and in line 28 on page 3 of Section 1, that the Senate amendment which reads "on or before October 1st, 1941," be changed and amended to read "on or before December 1st, 1941."

For the Senate:

A. W. FOWLER
WALTER TROXEL
WILLIAM KAMRATH.

For the House:

NELSON of Cass
M. S. AKER
SCHWARTZ.

Rep. Nelson of Cass moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Nelson of Cass moved that the rules be suspended and that House Bill No. 152 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 92; nays, 9; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Fleck	Nystrom
Allen	Fraser	Ohnstad
Anderson	Fuglestad	Olson, Barnes
Arneson	Gackle	Olson, Bowman
Arndt	Gainor	Panko
Austad	Haag	Peterson, Bottineau
Beede	Halvorson	Peterson, Ransom
Belzer	Haugen	Rohde
Benno	Haugland	Rygg
Bergesen	Hofstrand	Sagehorn
Bingenheimer	Hogoboom	Sandness
Ejella	Ireland	Saumur
Bolmeier	Johnson, Cass	Schmidt
Boulden	Johnson, Richland	Schwartz
Braun, Stark	Kee	Sellens
Brusseau	Kindem	Semerad
Bubel	Langley	Sharpe
Bymers	Larson	Shure
Coghlan	Levin	Singleton

Collette	Lillehaugen	Smart
Crockett	Lunde	Starck
Culver	McInnes	Stormon
Dalzell	McIntee	Swanson
Devlin	McIntyre	Trydahl
Dittmer	Moe	Twichell
Drovdal	Morland	Williams, Richland
Erickson, Divide	Morrison	Williams, Stutsman
Erickson, Williams	Nelson, Cass	Wolf, McIntosh
Falconer	Nelson, Morton	Wolf, Morton
Fitch	Nelson, Ramsey	Mr. Speaker
Fitzharris	Nelson, Sargent	
Those voting in the negative were:		
Blair	Nelson, Steele	Wambheim
Braun, McLean	Nicholsen	Welder
Juhola	Tuff	Westby
Absent and not voting:		
Black	Heckman	Mollet
Carlson	Holm	Myers
Glas	Jennings	Severson
Gress		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

REPORT OF SELECT COMMITTEE

The Conference Committee on House Bill No. 265 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 265, have had the same under consideration and recommend the adoption of the following amendment:

Strike out Section 7 of House Bill No. 265 as amended by the Senate:

Section 7. Fifty per cent of all money collected hereunder for licenses on amusement devices as defined herein shall be remitted to the State Treasurer and shall be credited to the General Fund of the State and the remaining fifty per cent of such money so collected shall also be paid in to the State Treasurer and shall there be and constitute a separate trust fund to be used and distributed solely for the purpose of paying old age assistance payments as now provided by law.

For the Senate:

A. N. LAVIK
J. J. KEHOE
ED. A. HILL.

For the House:

BEN J. WOLF
PETER MOE
BJORN FUGLESTAD.

Rep. Fuglestad moved that the report be adopted, which motion prevailed and the report was adopted.

Rep. Fuglestad moved that the rules be suspended and that House Bill No. 265 be considered properly re-engrossed and placed on Second Reading and Final Passage, as amended, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 265. A Bill for an Act to License Certain Types of Coin-Operated Amusement Devices and Providing

for the Division and Distribution of the Revenue Derived Therefrom.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 80; nays, 20; absent and not voting, 11.

Those voting in the affirmative were:

Allen	Gackle	Nystrom
Arneson	Haag	Ohnstad
Arndt	Halvorson	Olson, Barnes
Austad	Haugen	Olson, Bowman
Benno	Haugland	Panko
Bergesen	Hofstrand	Peterson, Ransom
Black	Hogoboom	Rohde
Bolmeier	Ireland	Sagehorn
Boulden	Jennings	Sandness
Braun, McLean	Johnson, Richland	Saumur
Braun, Stark	Kee	Schmidt
Brusseau	Kindem	Sellens
Bubel	Langley	Semerad
Bymers	Larson	Sharpe
Carlson	Levin	Singleton
Coghlan	Lunde	Smart
Collette	McInnes	Starck
Crockett	McIntee	Stormon
Dalzell	McIntyre	Swanson
Dittmer	Moe	Twichell
Erickson, Divide	Morland	Wambheim
Erickson, Williams	Morrison	Westby
Falconer	Nelson, Cass	Williams, Stutsman
Fitch	Nelson, Morton	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad	Nicholsen	

Those voting in the negative were:

Aker	Devlin	Schwartz
Anderson	Drovdal	Severson
Beede	Juhola	Shure
Belzer	Lillehaugen	Tuff
Bingenheimer	Nelson, Ramsey	Welder
Bjella	Peterson, Bottineau	Williams, Richland
Blair	Rygg	

Absent and not voting:

Culver	Gress	Mollet
Fleck	Heckman	Myers
Gainor	Holm	Trydahl
Glas	Johnson, Cass	

So the bill passed and the title was agreed to.

Rep. Nelson of Morton moved that the vote by which House Bill No. 265 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the

House has adopted the report of the Conference Committee on House Bill No. 152, and the House returns herewith House Bill No. 152 to the Senate for final passage.

C. R. VERRY, Chief Clerk.

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 265 and returns the bill herewith for final passage by the Senate.

C. R. VERRY, Chief Clerk.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended by the Conference Committee.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has amended by the Conference Committee.

W. J. TROUT, Secretary.

Rep. Bergesen moved that the House reconsider its action whereby the House rejected the report of the conference committee on Senate Bill No. 1, which motion was lost.

REPORT OF STANDING COMMITTEE

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 4
House Bill No. 151
House Bill No. 161

House Bill No. 250

House Concurrent Resolution No. 64.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

Rep. Twichell moved that at the conclusion of the Eighth Order of Business the House stand recessed subject to the call of the Chair, which motion prevailed.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to Appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for in Chapter 209, Session Laws of 1939, and Acts Amendatory Thereto.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution No. 64.—A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as Amended by Articles 15 and 26 of the Amendments Thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 46. A Bill for an Act Requiring all Counties, Townships, School Districts, Cities, Villages, Park Districts, and All Other Municipal or Quasi-Municipal Corporations Within the State, Which Are Now or May Hereafter Be Authorized to Issue and Sell Bonds for Any Purpose whatsoever to Offer Such Bonds for Sale to the State and to All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds Before Advertising Said Bonds for Sale or Selling Such Bonds; and Requiring the Sale of Such Bonds to the State or to a State Agency or Department Unless They Can Be Sold Elsewhere at a Lower Rate of Interest, Providing a Penalty for Non-Compliance Herewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, and to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High School Tuition" from \$1,100,000.00 as Therein Provided to \$1,200,000.00, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 278. A Bill for an Act to Amend and Re-

enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to the National Defense Act of June 3, 1916, as Amended by Later Acts of Congress, and Repealing Chapter 35 of the Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 82. A Bill for an Act to Amend and Re-enact Section 3 (d) of Chapter 165 Laws of North Dakota for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building, to Prescribe Rules and Regulations for the Operation and Maintenance of the Same, and Making an Appropriation Therefor.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3178 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain; Repeal; Declaring an Emergency; and Providing a Penalty.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15 of Chapter 247 of the Session Laws for the Year 1939 Relating to the Commitment of Veterans; Appointing the Veterans' Service Commissioner as Special Guardian;

Authorizing the Transfer of Veterans to Federal Veterans' Administration Hospitals; Requiring the County Judge to Give Written Notices of the Commitment of Veterans and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution No. 63. Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments Thereto, Relating to Future Amendments.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution "U". A Concurrent Resolution Memorializing the Congress of the United States to Maintain a Military Post at Fort Lincoln.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of the State of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws for the Year 1931, and as Amended by Chapter 163 of the Session Laws for the Year 1933, and as Amended by Chapter 185 of the Session Laws for the Year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles That May Be Driven or Moved Upon the Highways of the State of North Dakota; Providing Exemptions; Fixing Fees for the Reg-

istration and Licensing of Motor Vehicles Referred to; Prescribing Penalties for Violation; and Repealing All Acts or Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

And the Speaker signed the same in the presence of the House.

And the Speaker announced that the House would stand recessed subject to the call of the Chair.

And the House stood recessed subject to the call of the Chair.

C. R. VERRY, Chief Clerk.

The Speaker called the House to order pursuant to recess taken subject to the call of the Chair.

Rep. Boulden moved that the Chair appoint a committee of one to inquire of the Senate as to whether or not a conference committee has been appointed on Senate Bill No. 1, which motion prevailed, and the Speaker appointed Rep. Boulden.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 10 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 10 have had the same under consideration and recommend:

In Sub-section 9a after line 153 insert a new line: 153a Printing insurance laws \$1,000.00. Change the total line 154 to \$30,370.00. Sub-section 9b, that the Senate recede from its amendments.

After line 445 of the engrossed bill, insert sub-section 18½ and insert line 445b Salary of State Engineer under State Water Conservation \$4,440.00.

Senate amendment: 445c Hydrographic Survey \$3,500.00. Add a new line 445d Total \$7,940.00. Add to line 551, \$4,440.00.

For the Senate:

WM. A. THATCHER
M. R. YOUNG
HARRY O'BRIEN

For the House:

K. A. FITCH
H. E. SEVERSON
HARRY CARLSON.

Rep. Fitch moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 10.

C. R. VERRY, Chief Clerk.

MOTIONS AND RESOLUTIONS

The Chief Clerk read House Concurrent Resolution "Z-3" as follows:

HOUSE CONCURRENT RESOLUTION "Z-3"

Introduced by Joint Committee on Employment.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING:

That Miles Nelson and Maynard Kitzman, mailing clerks of the House, of the Twenty-seventh Legislative Assembly, be retained for five days after the close of this session to complete sending House Journals of the last days of the session; I. C. Auerbach, proof-reader of the House be retained for two days after the close of the session to finish proofreading the Journals of the House for the last day of this Twenty-seventh Legislative Assembly; and that Arnold Holden and Richard Benoit, pages of the House be retained for two days after the close of the Session for the purpose of wrapping and either mailing or expressing to the members of the House, bill books, Journals, reports and files; and that Earl McInnis, postmaster of the House be retained for two days after the close of the Session for the purpose of disposing of any mail coming in after the close of the session.

BE IT FURTHER RESOLVED, That each of the above named employees, to-wit: Miles Nelson, Maynard Kitzman, as mailing clerks, be paid for said additional five days the sum of \$4.50 per day; and I. C. Auerbach proofreader, be paid the sum of \$5.00 per day for two days; that Arnold Holden and Richard Benoit as pages be paid the sum of \$4.50 per day for said additional two days; that Earl McInnes be paid the sum of \$4.50 per day for two days; all the above to be paid as other legislative expense and paid when the respective claims are verified by the affidavits of said parties herein named, at the completion of such work.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "Z-3", the roll was called and there were ayes, 96; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Aker	Gress	Olson, Barnes
Allen	Haag	Olson, Bowman
Anderson	Halvorson	Panko
Arneson	Haugen	Peterson, Bottineau
Arndt	Haugland	Peterson, Ransom
Austad	Heckman	Rohde
Beede	Hogoboom	Rygg
Belzer	Holm	Sagehorn
Benno	Hofstrand	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Schmidt
Blair	Johnson, Richland	Schwartz
Bolmeier	Juhola	Sellens
Boulden	Kee	Semerad
Braun, McLean	Kindem	Sharpe
Braun, Stark	Langley	Shure
Brusseau	Larson	Singleton
Bubel	Lillehaugen	Smart
Bymers	McIntee	Starck

Carlson	McIntyre	Stormon
Dalzell	Moe	Swanson
Devlin	Mollet	Trydahl
Dittmer	Morland	Tuff
Drovdal	Morrison	Twichell
Erickson, Divide	Nelson, Cass	Wambheim
Erickson, Williams	Nelson, Morton	Welder
Falconer	Nelson, Ramsey	Westby
Fitch	Nelson, Sargent	Williams, Richland
Fitzharris	Nelson, Steele	Williams, Stutsman
Fraser	Nicholsen	Wolf, McIntosh
Fuglestad	Nystrom	Wolf, Morton
Gainor	Ohnstad	Mr. Speaker
Absent and not voting:		
Bergesen	Culver	Levin
Bingenheimer	Fleck	Lunde
Coghlan	Gackle	McInnes
Collette	Glas	Myers
Crockett	Johnson, Cass	Severson

So the resolution was declared passed.

The Chief Clerk read House Concurrent Resolution "Z-4" as follows:

HOUSE CONCURRENT RESOLUTION "Z-4"

Introduced by Joint Committee on Employment.

WHEREAS, A complete record of action upon and disposal of all bills introduced in the House during this Session, should be made available to House and Senate members as quickly as possible; such record to show what bills have been indefinitely postponed, withdrawn or passed, with notation of Journal date and page of amendments thereto;

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That such compilation be at once prepared in a pamphlet similar in size to the House and Senate Journals; that Marie Garske be employed for the House to prepare such compilation immediately. A copy of the same to be mailed as speedily as possible by the House and Senate mailing force to each member of the House and Senate, at the home address thereof.

That the said Marie Garske be and she is retained on this work for the House for the period of three days after the adjournment of this Legislative Assembly, at her present pay; such compensation with the printing expense of such pamphlet and of mailing the same to be charged and paid as legislative expense.

ROLL CALL

The question being on the passage of House Concurrent Resolution "Z-4", the roll was called and there were ayes, 101; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Aker	Gainor	Ohnstad
Allen	Gress	Olson, Barnes
Anderson	Haag	Olson, Bowman
Arneson	Halvorson	Panko

Arndt	Haugen	Peterson, Ransom
Austad	Haugland	Rohde
Beede	Heckman	Rygg
Belzer	Hofstrand	Sagehorn
Benno	Hogoboom	Sandness
Bjella	Holm	Saumur
Black	Ireland	Schmidt
Blair	Jennings	Schwartz
Bolmeier	Johnson, Cass	Sellens
Boulden	Johnson, Richland	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bubel	Larson	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Culver	McIntee	Swanson
Dalzell	McIntyre	Trydahl
Devlin	Moe	Tuff
Dittmer	Mollet	Twichell
Drovdal	Morland	Wambheim
Erickson, Divide	Morrison	Welder
Erickson, Williams	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fuglestad	Nicholsen	Mr. Speaker
Gackle	Nystrom	
Absent and not voting:		
Bergesen	Fraser	Levin
Bingenheimer	Glas	Myers
Collette	Juhola	Peterson, Bottineau
Crockett		

So the resolution was declared passed.

Rep. Benno moved that the House request the Senate for the return of Senate Concurrent Resolutions "V" and "W", which motion prevailed.

The Chief Clerk read House Concurrent Resolution "Z-5" as follows:

HOUSE CONCURRENT RESOLUTION "Z-5"

Introduced by the Committee on Employment.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That W. J. Trout, Secretary of the Senate, and C. R. Verry, Chief Clerk of the House, are hereby authorized, empowered and employed to compare and index the Journal of the Twenty-seventh Legislative Assembly, and to complete the Senate and House Journals and mail out to the members the temporary Journals of the last days of the Session, which have not been delivered to members before the close thereof; the said W. J. Trout, Secretary of the Senate, to employ Ruth Smith, and C. R. Verry, Chief Clerk of the House, to employ Clara A. Kane, to insure that the said work shall be completed within twenty days after the adjournment of the Session.

BE IT FURTHER RESOLVED, That for the services of

the said W. J. Trout, Secretary of the Senate, and C. R. Verry, Chief Clerk of the House, as above set forth, be retained at their present salary, and the assistants to receive desk reporter salaries, all to be paid out of the Legislative expense, and paid when the respective claims are verified by the affidavits of the said W. J. Trout and C. R. Verry, showing completion of such work.

BE IT FURTHER RESOLVED, That the necessary postage for mailing out the copies of temporary Journals, as aforesaid, be furnished to the Secretary of the Senate and the said Chief Clerk of the House as part of the Legislative expenses of this Session.

ROLL CALL

The question being on the passage of House Concurrent Resolution "Z-5", the roll was called and there were ayes, 107; nays, 0; absent and not voting, 4.

Those voting in the negative were:

Aker	Gackle	Nystrom
Allen	Gainor	Ohnstad
Anderson	Gress	Olson, Barnes
Arneson	Haag	Olson, Bowman
Arndt	Halvorson	Panko
Austad	Haugen	Peterson, Bottineau
Beede	Haugland	Peterson, Ransom
Belzer	Heckman	Rohde
Benno	Hofstrand	Rygg
Bergesen	Hogboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Culver	McInnes	Swanson
Dalzell	McIntee	Trydahl
Devlin	McIntyre	Tuff
Dittmer	Moe	Twichell
Drovdal	Mollet	Wambheim
Erickson, Divide	Morland	Welder
Erickson, Williams	Morrison	Westby
Falconer	Nelson, Cass	Williams, Richland
Fitch	Nelson, Morton	Williams, Stutsman
Fitzharris	Nelson, Ramsey	Wolf, McIntosh
Fleck	Nelson, Sargent	Wolf, Morton
Fraser	Nelson, Steele	Mr. Speaker
Fuglestad	Nicholsen	

Absent and not voting:

Bingenheimer	Glas	Myers
Crockett		

So the resolution was declared passed.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House requests the return of Senate Concurrent Resolutions "V" and "W".

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to transmit herewith the following resolutions:

House Concurrent Resolution "Z-3". Providing for Employment of Necessary Help Following Adjournment of the Legislative Session.

House Concurrent Resolution "Z-4". A Resolution Providing for a Compilation Showing Action Taken on All House Bills.

House Concurrent Resolution "Z-5". Providing for the Indexing of the Senate and House Journals.

Which the House has passed and your favorable consideration is respectfully requested.

C. R. VERRY, Chief Clerk.

Rep. Fitch moved that the rules be suspended and that House Bill No. 10 be considered properly re-engrossed and placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF HOUSE BILL

House Bill No. 10. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for All of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 100; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Allen	Gainor	Nystrom
Anderson	Gress	Ohnstad
Arneson	Haag	Olson, Barnes
Arndt	Halvorson	Olson, Bowman
Austad	Haugen	Panko
Beede	Heckman	Peterson, Ransom
Belzer	Hofstrand	Rohde
Benno	Hogoboom	Rygg
Bergesen	Holm	Sagehorn
Bjella	Ireland	Sandness
Black	Jennings	Saumur

Blair	Johnson, Cass	Schmidt
Bolmeier	Johnson, Richland	Schwartz
Boulden	Juhola	Sellens
Braun, McLean	Kee	Semerad
Braun, Stark	Kindem	Severson
Brusseau	Langley	Sharpe
Bubel	Larson	Shure
Carlson	Lillehaugen	Singleton
Coghlan	Lunde	Smart
Collette	McInnes	Starck
Culver	McIntee	Stormon
Dalzell	McIntyre	Swanson
Devlin	Moe	Trydahl
Dittmer	Mollet	Tuff
Drovdal	Morland	Twichell
Erickson, Divide	Morrison	Wambheim
Erickson, Williams	Nelson, Cass	Welder
Falconer	Nelson, Morton	Westby
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fraser	Nelson, Steele	Wolf, Morton
Fuglestad	Nicholsen	Mr. Speaker
Gackle		
Absent and not voting:		
Aker	Fleck	Myers
Bingenheimer	Glas	Peterson, Bottineau
Bymers	Haugland	Williams, Richland
Crockett	Levin	

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Rep. Fitch moved that the vote by which House Bill No. 10 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-Seventh Legislative Assembly.

Senate Concurrent Resolution "W." Authorizing Extra Post-session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

Which the House has requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee Report on House Bills Nos. 10, 110 and 109 and has passed the same.

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 10.

Which the House has passed as amended by the Conference Committee.

C. R. VERRY, Chief Clerk.

Rep. Aker moved that the House reconsider its action taken on Senate Concurrent Resolutions "V" and "W", which motion prevailed.

Rep. Crockett requested that the House be on the Seventh Order of Business, which request was granted and Rep. Crockett moved that the Assistant Sergeant-at-Arms be instructed to call and bring to the House Mr. Gaylord Conrad to appear before the House investigation committee appointed to confer on the printing of House Bill No. 289, which motion prevailed.

Rep. Aker moved that Senate Concurrent Resolutions "V" and "W" be placed on the calendar, which motion prevailed.

The Chief Clerk read:

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-Seventh Legislative Assembly.

ROLL CALL

The question being on the final passage of Senate Concurrent Resolution "V", the roll was called and there were ayes, 104; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Aker	Gackle	Ohnstad
Allen	Gainor	Olson, Barnes
Anderson	Gress	Olson, Bowman
Arneson	Haag	Panko
Arndt	Halvorson	Peterson, Bottineau
Austad	Haugen	Peterson, Ransom
Beede	Haugland	Rohde
Belzer	Heckman	Rygg
Benno	Hofstrand	Sagehorn
Bergesen	Hogoboom	Sandness
Bjella	Ireland	Saumur
Black	Jennings	Schwartz
Blair	Johnson, Cass	Schmidt
Bolmeier	Johnson, Richland	Sellens
Boulden	Juhola	Semerad
Braun, McLean	Kee	Severson
Braun, Stark	Kindem	Sharpe
Brusseau	Langley	Shure
Bubel	Larson	Singleton
Bymers	Lillehaugen	Smart
Carlson	Lunde	Starck
Coghlan	McInnes	Stormon
Collette	McIntee	Swanson
Culver	McIntyre	Trydahl
Dalzell	Moe	Tuff

Devlin	Mollet	Twichell
Dittmer	Morland	Wambheim
Drovdal	Morrison	Welder
Erickson, Divide	Nelson, Cass	Westby
Falconer	Nelson, Morton	Williams, Richland
Fitch	Nelson, Ramsey	Williams, Stutsman
Fitzharris	Nelson, Sargent	Wolf, McIntosh
Fleck	Nelson, Steele	Wolf, Morton
Fraser	Nicholsen	Mr. Speaker
Fuglestad	Nystrom	

Absent and not voting:

Bingenheimer	Glas	Levin
Crockett	Holm	Myers
Erickson, Williams		

So the Resolution was declared passed.

The Chief Clerk read:

Senate Concurrent Resolution "W." Authorizing Extra Post-session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

ROLL CALL

The question being on the passage of Senate Concurrent Resolution "W", the roll was called and there were ayes, 109; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Aker	Fuglestad	Nicholsen
Allen	Gackle	Nystrom
Anderson	Gainor	Ohnstad
Arneson	Gress	Olson, Barnes
Arndt	Haag	Olson, Bowman
Austad	Haugen	Panko
Beede	Halvorson	Peterson, Bottineau
Belzer	Haugland	Peterson, Ransom
Benno	Heckman	Rohde
Bergesen	Hofstrand	Rygg
Bingenheimer	Hogoboom	Sagehorn
Bjella	Holm	Sandness
Black	Ireland	Saumur
Blair	Jennings	Schmidt
Bolmeier	Johnson, Cass	Schwartz
Boulden	Johnson, Richland	Sellens
Braun, McLean	Juhola	Semerad
Braun, Stark	Kee	Severson
Brusseau	Kindem	Sharpe
Bubel	Langley	Shure
Bymers	Larson	Singleton
Carlson	Levin	Smart
Coghlan	Lillehaugen	Starck
Collette	Lunde	Stormon
Crockett	McInnes	Swanson
Culver	McIntee	Trydahl
Dalzell	McIntyre	Tuff
Devlin	Moe	Twichell
Dittmer	Mollet	Wambheim
Drovdal	Morland	Welder
Erickson, Divide	Morrison	Westby
Erickson, Williams	Nelson, Cass	Williams, Richland

Falconer	Nelson, Morton	Williams, Stutsman
Fitch	Nelson, Ramsey	Wolf, McIntosh
Fitzharris	Nelson, Sargent	Wolf, Morton
Fleck	Nelson, Steele	Mr. Speaker
Fraser		

Absent and not voting:

Glas	Myers
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So the resolution was declared passed.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 109
 House Bill No. 288
 House Concurrent Resolution "Z-1"
 House Bill No. 110
 House Bill No. 218
 House Bill No. 334.

And find the same correctly enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES FROM THE SENATE

Senate Chamber,
 Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 10.

W. J. TROUT, Secretary.
 Senate Chamber,
 Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Z-5". Providing for the Indexing of the Senate and House Journals.

Which the Senate has indefinitely postponed.

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House of Representatives,
 Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following resolutions which the House has passed unchanged:

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-seventh Legislative Assembly.

Senate Concurrent Resolution "W." Authorizing Extra Post-session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORTS

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 270

House Concurrent Resolution "Z-2".

And find the same correctly enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 288. A Bill for an Act to Amend and Re-enact Subdivision "c" of Division 15 of Section 7 of Chapter 94, Session Laws of 1931; Section 14 of Chapter 94, Session Laws of 1931, as Amended by Chapter 101, Session Laws of 1939; and Section 23 of Chapter 94, Session Laws of 1931, Providing for Investments by Building and Loan Associations; Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, Banks, Eleemosynary, Educational, Public and Municipal Corporations and Public Officials; and Pertaining to Bonds of Directors, Officers, Agents and Employees.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution "Z-1." A Concurrent Resolution providing for Assistance of the Judicial Council in Operation of the State Work Farm.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 218. A Bill for an Act Providing for an

Optional Form of County Government to Be Known as the County Manager Form.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 334. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 270. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the Short Form of County Managership.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Concurrent Resolution "Z-2". A Resolution Commending Members of the Original North Dakota Capitol Commission on Their Services.

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit herewith the following bills and resolutions:

House Concurrent Resolution "U". A Concurrent Resolution Memorializing the Congress of the United States to maintain a military post at Fort Lincoln.

House Concurrent Resolution No. 63. Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments Thereto, Relating to Future Amendments.

House Concurrent Resolution "Z-1." A Concurrent Resolution providing for Assistance of the Judicial Council in Operation of the State Work Farm.

House Concurrent Resolution "Z-2". A Resolution Commending Members of the Original North Dakota Capitol Commission on Their Services.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers. Repeal.

House Bill No. 270. A Bill for an Act Providing for an

Optional Form of County Government to Be Known as the Short Form of County Managership.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for in Chapter 209, Session Laws of 1939, and Acts Amendatory Thereto.

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

House Bill No. 218. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the County Manager Form.

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

House Bill No. 334. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly.

House Concurrent Resolution No. 64.—A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as Amended by Articles 15 and 26 of the Amendments Thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum.

House Bill No. 46. A Bill for an Act Requiring all Counties, Townships, School Districts, Cities, Villages, Park Districts, and All Other Municipal or Quasi-Municipal Corporations Within the State, Which Are Now or May Hereafter Be Authorized to Issue and Sell Bonds for Any Purpose What-

soever to Offer Such Bonds for Sale to the State and to All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds Before Advertising Said Bonds for Sale or Selling Such Bonds; and Requiring the Sale of Such Bonds to the State or to a State Agency or Department Unless They Can Be Sold Elsewhere at a Lower Rate of Interest, Providing a Penalty for Non-Compliance Herewith.

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, and to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High School Tuition" from \$1,100,000.00 as Therein Provided to \$1,200,000.00, and Declaring an Emergency.

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to the National Defense Act of June 3, 1916, as Amended by Later Acts of Congress, and Repealing Chapter 35 of the Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

House Bill No. 82. A Bill for an Act to Amend and Re-enact Section 3 (d) of Chapter 165 Laws of North Dakota for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel; and Declaring an Emergency.

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building, to Prescribe Rules and Regulations for the Operation and Maintenance of the Same, and Making an Appropriation Therefor.

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3178 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain; Repeal; Declaring an Emergency; and Providing a Penalty.

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15 of Chapter 247 of the Session Laws for the Year 1939 Relating to the Commitment of Veterans; Appointing the Veteran's Service Commissioner as Special Guardian; Authorizing the Transfer of Veterans to Federal Veteran's Administration Hospitals; Requiring the County Judge to Give Written Notices of the Commitment of Veterans and Declaring an Emergency.

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of the State of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws for the Year 1931, and as Amended by Chapter 163 of the Session Laws for the Year 1933, and as Amended by Chapter 185 of the Session Laws for the Year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles That May Be Driven or Moved Upon the Highways of the State of North Dakota; Providing Exemptions; Fixing Fees for the Registration and Licensing of Motor Vehicles Referred to; Prescribing Penalties for Violation; and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 33. A Bill for an Act to Require the Filing of a Farm Lease Containing a Reservation of Title to Crop in the Lessor and Providing for a Waiver of Rights to the Lessor Upon Failure to File Such Lease.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

Rep. Haugen requested that the House be on the Seventh Order of Business, which request was granted and Rep. Haugen moved that the House accept the report of the conference committee previously objected to on Senate Bill No. 3, which motion prevailed.

Rep. McIntyre moved that the conference committee on Senate Bill No. 3 be discharged, which motion prevailed.

Rep. Haugen moved that the rules be suspended and that Senate Bill No. 3 be placed on Second Reading and Final Passage as amended, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 102; nays, 3; absent and not voting, 6.

Those voting in the affirmative were:

Aker	Fleck	Nelson, Morton
Allen	Fraser	Nelson, Sargent
Anderson	Fuglestad	Nelson, Steele
Arneson	Gackle	Nicholsen
Arndt	Gainor	Nystrom
Austad	Gress	Ohnstad
Beede	Haag	Olson, Barnes
Belzer	Halvorson	Olson, Bowman
Benno	Haugen	Panko
Bergesen	Haugland	Peterson, Bottineau
Bingenheimer	Heckman	Peterson, Ransom
Bjella	Hofstrand	Rohde
Black	Hogoboom	Rygg
Blair	Holm	Sagehorn
Bolmeier	Ireland	Sandness
Boulden	Jennings	Saumur
Braun, McLean	Johnson, Cass	Schmidt
Braun, Stark	Johnson, Richland	Sellens
Brusseau	Juhola	Semerad
Bubel	Kee	Severson
Bymers	Kindem	Sharpe
Carlson	Langley	Singleton
Coghlan	Larson	Smart
Collette	Levin	Starck
Crockett	Lillehaugen	Stormon
Culver	Lunde	Swanson
Dalzell	McInnes	Trydahl
Dittmer	McIntee	Tuff
Drovdal	McIntyre	Twichell
Erickson, Divide	Moe	Wambheim
Erickson, Williams	Mollet	Welder
Falconer	Morland	Westby
Fitch	Morrison	Williams, Stutsman
Fitzharris	Nelson, Cass	Mr. Speaker

Those voting in the negative were:

Schwartz	Wolf, McIntosh	Wolf, Morton
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Absent and not voting:

Devlin	Myers	Shure
Glas	Nelson, Ramsey	Williams, Richland

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Rep. Westby moved that the vote by which Senate Bill No. 3 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 3, and have passed the bill.

C. R. VERRY, Chief Clerk.

Rep. Benno moved that the Speaker appoint a conference committee of three to act with a like committee from the

Senate on employment for work to be done following the adjournment of the Session, which motion prevailed and the Speaker appointed on that committee Reps. Benno, Crockett and Dalzell.

Rep. Twichell moved that the Senate be notified that the House has appointed a conference committee on employment and that the Senate is requested to also appoint a conference committee to act with the House committee on employment for work to be done following the adjournment of Session, which motion prevailed.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Z-3". Providing for Employment of Necessary Help Following Adjournment of the Legislative Session.

House Concurrent Resolution "Z-4". A Resolution Providing for a Compilation Showing Action Taken on All House Bills.

Which the Senate has passed unchanged.

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

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, Representatives: Benno, Dalzell and Crockett to handle the matter of employment.

C. R. VERRY, Chief Clerk.

Rep. Crockett presented the following report:

Mr. Speaker: Your Committee on Investigation as to the Printing of House Bill No. 289 has made its investigation and report as follows:

On February 11th, Representative Severson announced that a re-codified Military Code would be introduced and that because of its length, arrangements had been made to have it mimeographed. He moved that the bill be not printed, which motion prevailed. That the bill was not introduced until Saturday, February 15th; that the printer, Gaylord Conrad, instead of getting the bill in its usual course from the desk, got it from one of the stenographers who was writing up the calendar, and that he urged her to give this bill to him immediately because of its size, on the plea that he could get his men to work on this bill and not wait for the smaller bills; that he immediately proceeded to have this bill printed ahead of many other bills that had prior numbers, that were smaller; that he is reported to have made statements to various individuals to the effect that the law required that all bills be printed and that he was going to print the bill regardless of the action of the House; that he consulted one of the members of this commission with reference to the right of the House to order a bill not printed and that he was advised that the House had that right; that after the printing of the bill and the discussion which result-

ed, he volunteered to the stenographer that he would not reveal her name or bring her into the matter.

From all the circumstances and the facts ascertained by this committee, we are of the opinion that the printer proceeded with the printing of House Bill 289 knowing that the House had ordered it not to be printed, and that he did so in violation of such resolution of the House; the amount of the bill as ascertained by the State Printer is \$214.36.

We therefore recommend that this bill be not paid.

W. M. CROCKETT, Chm.

A. C. JOHNSON

A. R. BERGESEN.

Rep. Johnson of Cass moved the adoption of the report submitted by the committee on the printing of House Bill No. 289, and moved that the same be printed in the Journal, which motion prevailed.

Rep. Crockett moved that the committee be now discharged, which motion prevailed.

Rep. Morland moved that the joint committee on State Bonded Indebtedness be now discharged, which motion prevailed.

Rep. Morland moved that the House recess subject to the call of the Chair, which motion prevailed.

MESSAGES FROM THE SENATE

Senate Chamber,

Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has appointed a committee of three to act with a like committee from the House on the matter of Employment, Senators Flatt, Olson of Mountrail and Raschko.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber,

Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to limit Expense of Supervising and Col-

lecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts.

Which the Senate has passed.

W. J. TROUT, Secretary,
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 265. A Bill for an Act to License Certain Types of Coin-Operated Amusement Devices and Providing for the Division and Distribution of the Revenue Derived Therefrom.

Which the Senate has passed as amended by Conference Committee.

W. J. TROUT, Secretary,
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Concurrent Resolution "Z-5".

W. J. TROUT, Secretary,
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to inform you that the Senate has receded from its amendments on House Bill No. 2.

W. J. TROUT Secretary.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to send herewith House Concurrent Resolution "Z-5" which the Senate has requested.

C. R. VERRY, Chief Clerk.

Rep. Swanson moved that the conference committee appointed to act with a like committee from the Senate on Senate Bill No. 1 be now discharged, which motion prevailed.

SIGNING OF BILLS

The Chief Clerk announced the Speaker was about to sign:

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative

Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 152

House Bill No. 193.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Rep. Wambheim moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced the Speaker was about to sign:

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced the Speaker was about to sign:

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts in Conflict Herewith.

And the Speaker signed the same in the presence of the House.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Rev-

enues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Z-5". Providing for the Indexing of the Senate and House Journals.

Which the Senate has adopted.

W. J. TROUT, Secretary.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 7, 1941.

To the House of Representatives of
the State of North Dakota:

This is to notify you that I have today approved:

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

House Bill No. 140. A Bill for an Act Providing for the Bonding of Deputy County Officials and Declaring an Emergency.

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Dis-

tricts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

House Bill No. 212. A Bill for an Act to Provide for Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal.

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department.

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral Expenses of Representative Edward Rieker of Kidder County; and Declaring an Emergency.

House Bill No. 336. A Bill for an Act Making an Appropriation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

And the same have been filed with the Secretary of State.

JOHN MOSES, Governor.

STANDING COMMITTEE REPORT

The Committee on Enrollment and Engrossment made the following report:

Mr. Speaker: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

House Bill No. 2
House Bill No. 10
House Bill No. 111
House Bill No. 120
House Bill No. 265.

And find the same correctly Enrolled.

REP. WAMBHEIM, Chairman.

Representative Wambheim moved that the report be adopted which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 2. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 10. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government and for All of the Sub-divisions 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.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 111. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 265. A Bill for an Act to License Certain Types of Coin-Operated Amusement Devices and Providing for the Division and Distribution of the Revenue Derived Therefrom.

And the Speaker signed the same in the presence of the House.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 186. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between April 1, 1941 and June 30, 1943; Repealing All Acts and

Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 119. A Bill for an Act Amending and Re-enacting Section 2 of Article II, Chapter 164 of the Session Laws of 1933 Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby; Providing Safety and Sanitary Regulations for the Operation of Motor Propelled Vehicles Used for the Purpose of Transporting Persons and Property for Compensation Over Any Public Highway; Providing for the Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof.

Senate Bill No. 130. A Bill for an Act Defining Citizens of the State of North Dakota; Providing for a Judicial Proceeding for the Establishment of Citizenship for the State of North Dakota; And Repealing Section 13 of the 1913 Compiled Laws of the State of North Dakota.

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

Senate Bill No. 108. A Bill for an Act to Prescribe Uniform Rules of Practice for Administrative Agencies; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

Senate Bill No. 123. A Bill for an Act to Amend and Re-enact Section 8793 of the Compiled Laws of North Dakota, Relating to Petitions for Conveyance of Real Estate Sold on Contracts, and Contents of Petition and Decree, and Declaring an Emergency.

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 2, 4, 5, 6, 7, 8, 9, 12 and 17, of Chapter 232,

Laws of North Dakota for 1937, as amended by Chapter 215, Laws of 1939, the Same Being Known as the North Dakota Unemployment Compensation Law; Providing for Definitions of the Terms Used in Said Act; Providing a Definition of Agricultural Labor; Providing for Included and Excluded Services; Providing for the Payment of Contributions Into an Unemployment Compensation Fund; Providing for Contribution Rates Based Upon a System of Experience Rating; Providing for the payment of benefits to Unemployed Individuals and Specifying the Amount and Duration Thereof; Providing Conditions of Eligibility for Benefits; Providing for the Disqualification of Individuals Under Certain Circumstances; Providing the Procedure for making Claims for Benefits and the Determination Thereof; Providing Procedure for Appeals; Providing for the Period, Election and Termination of Coverage for Employers; Providing for a System of Reciprocal Arrangements With Other States and With the United States; Providing Penalties for Violations of the Unemployment Compensation Law; Providing Prohibiting the Disclosure of Information; Providing for the Reimbursement of Funds in Certain Circumstances.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

Senate Bill No. 18. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and as Amended by Chapter 254 of the Session Laws of 1937.

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact § 1179 of the Compiled Laws for 1913 Relating to Powers of School Districts to Admit Pupils from Other Districts Providing for Payment of Tuition.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Counties in This State in Counties Where Tax Levies Upon Taxable Real and Personal Property Have Been Declared Null and Void and Vacated by Courts of Competent Jurisdiction to Meet and Make Proper Tax Levies Upon the Property So Involved for the Year or Years in Which Such Tax Levies Have Been Vacated; Providing for the Giving of Notice of Such Meeting to the Owners of Such Property or Their Successors in Interest; the Levying and Extension of Taxes Upon Such Property; Making Such Taxes a Lien Upon Such Property and Further Providing that All General Statutes Relating to Due and Delinquent Taxes and the Collection Thereof Shall Be Applicable to the Tax Levies Made Under the Provisions of This Act.

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as

Amended by Act Approved May 24, 1934, and Acts Amendatory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 3352 of the Compiled Laws of 1913, to Authorize the Registration of Warrants Issued by Taxing Districts Not Paid for Want of Funds; Limiting the Rate of Interest of Registered Warrants; Requiring Notice for Presentation for Payment Thereof; and Declaring an Emergency.

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of Animals, to the Glanders and Dourine Fund, to the Bovine Tuberculosis Fund and to the Bangs Disease Fund.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 177. A Bill for an Act to Amend and Re-enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and Non-Resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of this Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

House Bill No. 102. A Bill for an Act to Establish a State Industrial Alcohol Plant; Providing for the Management Thereof, and Making an Appropriation Therefor; Constitutionality.

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Quinness Patent Butter and to Patent Butter and Cheese.

House Concurrent Resolution "Y". A Concurrent Resolution to Transfer Monies from the Mileage and Per Diem of Members Fund, the Printing Fund and the Miscellaneous

Fund to the Mileage and Per Diem Fund of the Officers and Employees.

House Bill No. 14. A Bill for an Act Making an Appropriation for the Expenses and Administration of the Public Contractors License Department.

House Bill No. 107. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 148, Laws of 1931, Relative to Trespassing While Hunting.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, Relating to Wolf and Coyote Bounty and Declaring an Emergency.

Senate Bill No. 155. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission; and Declaring an Emergency.

Senate Bill No. 166. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation

to Carry Out the Purposes of This Act, and Declaring an Emergency.

Senate Bill No. 90. A Bill for an Act to Appropriate Seven Thousand, Five Hundred (\$7,500.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Co-operation with the United States in the Control of Such Predatory Animals; and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 24. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Senate Bill No. 195. A Bill for an Act Declaring Assessments of Taxable Property in Excess of the Full and True Value in Money Void; Providing for Administrative and Judicial Review of Valuations of Individual or Classes of Taxable Property and the Equalization of Valuations Between Assessment Districts Within and Among the Several Counties of the State, and Prescribing Procedure for Such Review; Providing for the Annual Meetings of the State Board of Equalization to Assess and Equalize Taxable Property, Fixing the Time When Real, Personal and Other Taxes Become Due and Delinquent with Penalties; Prescribing the Time for the Levy of State Taxes, and the Fixation of the Mill Rate for State Purposes; Providing That the Act Operate Prospectively Only; Repealing Subdivision 7 of Section 1, Chapter 276 of the Session Laws of 1931, Chapter 225 of the Session Laws of 1939, Section 2141a of the 1925 Supplement to the Compiled Laws of 1913, Chapter 246 of the Session Laws of 1937 and Chapter 233 of the Session Laws of 1939, and Declaring an Emergency.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Repeal, and Declaring an Emergency.

Senate Bill No. 192. A Bill for an Act Providing for the Payment of Final Judgments Obtained by the State or Any Agency, Bureau, Department or Officer Thereof Against Any County; Limiting the Amount of Tax That Can Be Levied and Extended in Any One Year; Creating a Special

Fund Therefor and Providing for the Disbursement of Such Fund.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259 of the Session Laws of 1937; Being and Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol, and Alcoholic Beverages in the State of North Dakota; Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues from Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act, Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Senate Bill No. 184. A Bill for an Act to Create a Governmental Reform Commission; Providing for the Number of Its Members; Their Appointment and Qualifications; the Term of Office and Filling of Vacancies; Providing for its Organization; Prescribing Its Powers and Duties; Providing for an Appropriation; and Declaring an Emergency.

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Sections 92 and 93 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Printing and Distribution of the Legislative Manual or North Dakota Blue Book.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws of 1935, and Declaring an Emergency.

Senate Bill No. 182. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

Senate Bill No. 212. A Bill for an Act Relating to National and State Defense, Providing for the Establishment of a State Council of Defense and Prescribing the Powers and Duties Thereof; and Declaring an Emergency.

Senate Concurrent Resolution "G." A Concurrent Resolution Memorializing Congress to Pass Legislation to Enable the Federal Government to Increase the Loan Value on Grains and Farm Products at Least 25%.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 30. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 234 of the Session Laws of North

Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax, and Declaring an Emergency.

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 245 of the Session Laws of North Dakota for the Year 1939, Relating to Bounty for Tree Planting.

Senate Bill No. 140. A Bill for an Act Authorizing the Sale by Executors, Administrators and Guardians of Estates of Oil, Gas and Mineral Interests in Land, Providing for the Procedure Relative to Such Sales, and Declaring an Emergency.

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter 121 of the Laws of 1931, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

Senate Bill No. 167. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil Basis and Providing for the Distribution of an Emergency Fund and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Reports; Repealing Chapter 209 of the Session Laws of 1939 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 172. A Bill for an Act Defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise Below Actual Cost for the Purpose of Having the Effect of Injuring Competitors or Destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the Provisions Thereof.

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-Seventh Legislative Assembly.

Senate Concurrent Resolution "W." Authorizing Extra Journals of Twenty-seventh Legislative Assembly and Stating Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing

and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing Penalties.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

Senate Bill No. 31. A Bill for an Act Making an Appropriation to the Code Revision Commission.

Senate Bill No. 118. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 142 of the Session Laws of 1921, Chapter 222 of the Session Laws of 1925, and Chapter 286 of the Session Laws of 1935; Subsection "C" of Section 3 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 260 of the Session Laws of 1929 and Chapter 286 of the Session Laws of 1935; Paragraph "o" of Subsection "G" of Section 1 of Chapter 251 of the Session Laws of 1939; Section 15 of Chapter 162 of the Session Laws of 1919; Section 16 of Chapter 162 of the Session Laws of 1919; and Chapter 351 of the Session Laws of 1923, Being Section 396a29 of the 1925 Supplement.

Senate Bill No. 189. A Bill for an Act Making an Appropriation to Pay for a Portion of the Cost of Constructing a New Highway Approach to the Great Northern Railway Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Declaring an Emergency.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Chapter 236 of the Session Laws of 1937. An Act to Provide for the Assessment of Car Line Companies, Express Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Subsection (E) of Chapter 279 of the Session Laws of 1931, the Same Being an Amendment of Section 2166 C. L. 1913 as Amended by Section 3 of Chapter 241 of the Session Laws of 1929, Relating to Collection of Personal Property Taxes by County Sheriff, and Declaring an Emergency.

Senate Bill No. 159. A Bill for an Act Amending and Re-enacting Chapter 147, Laws of 1939, Permitting the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial, and Domestic Purposes, Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Licensing Purchasers and Dealers; and Providing Conditions for Licensing; and Providing Penalties for the Violations of This Act.

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 201. A Bill for an Act Specifying the Duties of the Clerks of the District Court and of the County Court with Increased Jurisdiction Relating to the Furnishing of Information to the State Registrar of Vital Statistics.

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 202. A Bill for an Act Providing for Proof of Birth, the Correction of Birth Records, the Issuance by the State Registrar of Vital Statistics of a Certification of the Record of the Proof of Birth, Providing that All Records of State Registrar of Vital Statistics are Confidential, Repealing Chapter 109 of the Session Laws for the Year 1939 and Declaring an Emergency.

Senate Concurrent Resolution "O". A Resolution Requesting Congress to Give Consideration to Need for Appropriations for Roads on Strategic Military Network.

Senate Concurrent Resolution "S." A Concurrent Resolution Requesting the Bank of North Dakota with the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet the Emergencies for Funds to Match Federal Grants Under the Social Security Programs or General Relief Requirements.

Senate Concurrent Resolution "P." A Concurrent Resolution Requesting Congress to Amend Social Security Act to Provide Federal Grants to State for Public Assistance on Equalization Basis.

Senate Concurrent Resolution "Y." Providing for Congress to Enact Legislation Declaring the Yellowstone River

Senate Bill No. 32. A Bill for an Act to Provide for the

Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from which Paid; Providing for the Payment of Said Collection into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Bill No. 204. A Bill for an Act to Make an Appropriation to Pay Expenses Resulting from the Death of Honorable Max Rabinovich, Member of the State Board of Pardons, While Away from His Home in the Performance of His Official Duties.

Senate Bill No. 111. A Bill for an Act Appropriating the Sum of \$16,291.58 out of the Special Bridge Fund of the State to Walsh County, North Dakota, and the State Highway Fund, and Apportioning Such Appropriation and Declaring an Emergency.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 276 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 97 of the Laws of North Dakota for the Year 1919 Relating to the Contingent Fund at State Institutions.

Senate Bill No. 37. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota: Providing for Reports and Deductions.

Senate Bill No. 26. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

Which the President has signed and your signature is respectfully requested.

W. J. TROUT, Secretary.
Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return:

House Bill No. 270. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the Short Form of County Managership.

House Bill No. 218. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the County Manager Form.

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, and to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to Appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

House Bill No. 288. A Bill for an Act to Amend and Re-enact Subdivision "c" of Division 15 of Section 7 of Chapter 94, Session Laws of 1931; Section 14 of Chapter 94, Session Laws of 1931, as Amended by Chapter 101, Session Laws of 1939; and Section 23 of Chapter 94, Session Laws of 1931, Providing for Investments by Building and Loan Associations; Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, Banks, Eleemosynary, Educational, Public and Municipal Corporations and Public Officials; and Pertaining to Bonds of Directors, Officers, Agents and Employees.

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Declaring an Emergency.

House Bill No. 46. A Bill for an Act Requiring all Counties, Townships, School Districts, Cities, Villages, Park Districts, and All Other Municipal or Quasi-Municipal Corporations Within the State, Which Are Now or May Hereafter Be Authorized to Issue and Sell Bonds for Any Purpose whatsoever to Offer Such Bonds for Sale to the State and to All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds Before Advertising Said Bonds for Sale or Selling Such Bonds; and Requiring the Sale of Such Bonds to the State or to a State Agency or Department Unless They Can Be Sold Elsewhere at a Lower Rate of Interest, Providing a Penalty for Non-Compliance Herewith.

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High

School Tuition" from \$1,100,000.00 as Therein Provided to \$1,200,000.00, and Declaring an Emergency.

House Concurrent Resolution "Z-1." A Concurrent Resolution providing for Assistance of the Judicial Council in Operation of the State Work Farm.

House Concurrent Resolution No. 64.—A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as Amended by Articles 15 and 26 of the Amendments Thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum.

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for in Chapter 209, Session Laws of 1939, and Acts Amendatory Thereto.

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to the National Defense Act of June 3, 1916, as Amended by Later Acts of Congress, and Repealing Chapter 35 of the Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939.

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

House Bill No. 334. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly.

House Bill No. 82. A Bill for an Act to Amend and Re-enact Section 3 (d) of Chapter 165 Laws of North Dakota for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel; and Declaring an Emergency.

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building, to Prescribe Rules and Regulations for the Operation and Maintenance of the Same, and Making an Appropriation Therefor.

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3178 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain; Repeal; Declaring an Emergency; and Providing a Penalty.

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15 of Chapter 247 of the Session Laws for the Year 1939 Relating to the Commitment of Veterans; Appointing the Veterans' Service Commissioner as Special Guardian; Authorizing the Transfer of Veterans to Federal Veterans' Administration Hospitals; Requiring the County Judge to Give Written Notices of the Commitment of Veterans and Declaring an Emergency.

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Which the President has signed.

W. J. TROUT, Secretary.

SIGNING OF BILLS

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "S." A Concurrent Resolution Requesting the Bank of North Dakota with the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet the Emergencies for Funds to Match Federal Grants Under the Social Security Programs or General Relief Requirements.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 26. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota: Providing for Reports and Deductions.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 37. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 276 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 97 of the Laws of North Dakota for the Year 1919 Relating to the Contingent Fund at State Institutions.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 111. A Bill for an Act Appropriating the Sum of \$16,291.58 out of the Special Bridge Fund of the State to Walsh County, North Dakota, and the State Highway Fund, and Apportioning Such Appropriation and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 204. A Bill for an Act to Make an Appropriation to Pay Expenses Resulting from the Death of Honorable Max Rabinovich, Member of the State Board of Pardons, While Away from His Home in the Performance of His Official Duties.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 32. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from which Paid; Providing for the Payment of Said Collection into the Special Fund in the State Treasury; Providing for Repeal of Acts.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "Y." Providing for Congress to Enact Legislation Declaring the Yellowstone River and Part of the Missouri to Be Non-navigable.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision

and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing Penalties.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "W." Authorizing Extra Post-session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-Seventh Legislative Assembly.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 172. A Bill for an Act Defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise Below Actual Cost for the Purpose of Having the Effect of Injuring Competitors or Destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the Provisions Thereof.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 167. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil Basis and Providing for the Distribution of an Emergency Fund and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Reports; Repealing Chapter 209 of the Session Laws of 1939 and All Acts or Parts of Acts in Conflict Therewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter 121 of the Laws of 1931, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 140. A Bill for an Act Authorizing the Sale by Executors, Administrators and Guardians of Estates of Oil, Gas and Mineral Interests in Land, Providing for the Procedure Relative to Such Sales, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 245 of the Session Laws of North Dakota for the Year 1939, Relating to Bounty for Tree Planting.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 30. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 31. A Bill for an Act Making an Appropriation to the Code Revision Commission.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 118. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 142 of the Session Laws of 1921, Chapter 222 of the Session Laws of 1925, and Chapter 286 of the Session Laws of 1935; Subsection "C" of Section 3 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 260 of the Session Laws of 1929 and Chapter 286 of the Session Laws of 1935; Paragraph "o" of Subsection "G" of Section 1 of Chapter 251 of the Session Laws of 1939; Section 15 of Chapter 162 of the Session Laws of 1919; Section 16 of Chapter 162 of the Session Laws of 1919; and Chapter 351 of the Session Laws of 1923, Being Section 396a29 of the 1925 Supplement.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 189. A Bill for an Act Making an Appropriation to Pay for a Portion of the Cost of Constructing a New Highway Approach to the Great Northern Railway Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Chapter 236 of the Session Laws of 1937. An Act

to Provide for the Assessment of Car Line Companies, Express Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Subsection (E) of Chapter 279 of the Session Laws of 1931, the Same Being an Amendment of Section 2166 C. L. 1913 as Amended by Section 3 of Chapter 241 of the Session Laws of 1929, Relating to Collection of Personal Property Taxes by County Sheriff, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 159. A Bill for an Act Amending and Re-enacting Chapter 147, Laws of 1939, Permitting the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial, and Domestic Purposes, Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Licensing Purchasers and Dealers; and Providing Conditions for Licensing; and Providing Penalties for the Violations of This Act.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 186. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between April 1, 1941 and June 30, 1943; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 119. A Bill for an Act Amending and Re-enacting Section 2 of Article II, Chapter 164 of the Session Laws of 1933 Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby; Providing Safety and Sanitary Regulations for the Operation of Motor Propelled Vehicles Used for the Purpose of Transporting Persons and Property for Compensation Over Any Public Highway; Providing for the Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 130. A Bill for an Act Defining Citizens of the State of North Dakota; Providing for a Judicial Proceeding for the Establishment of Citizenship for the State of North Dakota; And Repealing Section 13 of the 1913 Compiled Laws of the State of North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 108. A Bill for an Act to Prescribe Uniform Rules of Practice for Administrative Agencies; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 123. A Bill for an Act to Amend and Re-enact Section 8793 of the Compiled Laws of North Dakota, Relating to Petitions for Conveyance of Real Estate Sold on Contracts, and Contents of Petition and Decree, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 2, 4, 5, 6, 7, 8, 9, 12 and 17, of Chapter 232, Laws of North Dakota for 1937, as amended by Chapter 215, Laws of 1939, the Same Being Known as the North Dakota Unemployment Compensation Law; Providing for Definitions of the Terms Used in Said Act; Providing a Definition of Agricultural Labor; Providing for Included and Excluded Services; Providing for the Payment of Contributions Into an Unemployment Compensation Fund; Providing for Contribution Rates Based Upon a System of Experience Rating; Providing for the payment of benefits to Unemployed Individuals and Specifying the Amount and Duration Thereof; Providing Conditions of Eligibility for Benefits; Providing for the Disqualification of Individuals Under Certain Circumstances; Providing the Procedure for making Claims for Benefits and the Determination Thereof; Providing Procedure for Appeals; Providing for the Period, Election and Termination of Coverage for Employers; Providing for a System of Reciprocal Arrangements With Other States and With the United States; Providing Penalties for Violations of the Unemployment Compensation Law; Providing Prohibiting the Disclosure of Information; Providing for the Reimbursement of Funds in Certain Circumstances.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General

Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 18. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and as Amended by Chapter 254 of the Session Laws of 1937.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact § 1179 of the Compiled Laws for 1913 Relating to Powers of School Districts to Admit Pupils from Other Districts Providing for Payment of Tuition.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Counties in This State in Counties Where Tax Levies Upon Taxable Real and Personal Property Have Been Declared Null and Void and Vacated by Courts of Competent Jurisdiction to Meet and Make Proper Tax Levies Upon the Property So Involved for the Year or Years in Which Such Tax Levies Have Been Vacated; Providing for the Giving of Notice of Such Meeting to the Owners of Such Property or Their Successors in Interest; the Levying and Extension of Taxes Upon Such Property; Making Such Taxes a Lien Upon Such Property and Further Providing that All General Statutes Relating to Due and Delinquent Taxes and the Collection Thereof Shall Be Applicable to the Tax Levies Made Under the Provisions of This Act.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as Amended by Act Approved May 24, 1934, and Acts Amendatory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 3352 of the Compiled Laws of 1913, to Authorize the Registration of Warrants Issued by Taxing Districts Not Paid for Want of Funds; Limiting the Rate of Interest of Registered Warrants; Requiring Notice for Presentation for Payment Thereof; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of Animals, to the Glanders and Dourine Fund, to the Bovine Tuberculosis Fund and to the Bangs Disease Fund.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 212. A Bill for an Act Relating to National and State Defense, Providing for the Establishment of a State Council of Defense and Prescribing the Powers and Duties Thereof; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 182. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws of 1935, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Sections 92 and 93 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Printing and Distribution of the Legislative Manual or North Dakota Blue Book.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "G." A Concurrent Resolution Memorializing Congress to Pass Legislation to Enable the Federal Government to Increase the Loan Value on Grains and Farm Products at Least 25%.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 184. A Bill for an Act to Create a Governmental Reform Commission; Providing for the Number of Its Members; Their Appointment and Qualifications; the Term of Office and Filling of Vacancies; Providing for its Organization; Prescribing Its Powers and Duties; Providing for an Appropriation; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259 of the Session Laws of 1937; Being and Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol, and Alcoholic Beverages in the State of North Dakota; Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues from Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act, Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 192. A Bill for an Act Providing for the Payment of Final Judgments Obtained by the State or Any Agency, Bureau, Department or Officer Thereof Against Any County; Limiting the Amount of Tax That Can Be Levied and Extended in Any One Year; Creating a Special Fund Therefor and Providing for the Disbursement of Such Fund.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Repeal, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 195. A Bill for an Act Declaring Assessments of Taxable Property in Excess of the Full and True Value in Money Void; Providing for Administrative and Judicial Review of Valuations of Individual or Classes of Taxable Property and the Equalization of Valuations Between Assessment Districts Within and Among the Several Counties of the State, and Prescribing Procedure for Such Review; Providing for the Annual Meetings of the State Board of Equalization to Assess and Equalize Taxable Property, Fixing the Time When Real, Personal and Other Taxes Become Due and Delinquent with Penalties; Prescribing the Time for the Levy of State Taxes, and the Fixation of the Mill Rate for State Purposes; Providing That the Act Operate Prospectively Only; Repealing Subdivision 7 of Section 1, Chapter 276 of the Session Laws of 1931, Chapter 225 of the Session Laws of 1939, Section 2141a of the 1925 Supplement to the Compiled Laws of 1913, Chapter 246 of the Session Laws of 1937 and Chapter 233 of the Session Laws of 1939, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 24. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 90. A Bill for an Act to Appropriate Seven Thousand, Five Hundred (\$7,500.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals

and Birds; to Authorize Co-operation with the United States in the Control of Such Predatory Animals; and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 166. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 155. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, Relating to Wolf and Coyote Bounty and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 129. A Bill for an Act to Amend and Re-act Section 17 of Chapter 148, Laws of 1931, Relative to Trespassing While Hunting.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 201. A Bill for an Act Specifying the Duties of the Clerks of the District Court and of the County Court with Increased Jurisdiction Relating to the Furnishing of Information to the State Registrar of Vital Statistics.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "O". A Resolution Requesting Congress to Give Consideration to Need for Appropriations for Roads on Strategic Military Network.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 202. A Bill for an Act Providing for Proof of Birth, the Correction of Birth Records, the Issuance by the State Registrar of Vital Statistics of a Certification of the Record of the Proof of Birth, Providing that All Records of State Registrar of Vital Statistics are Confidential, Repealing Chapter 109 of the Session Laws for the Year 1939 and Declaring an Emergency.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign:

Senate Concurrent Resolution "P." A Concurrent Resolution Requesting Congress to Amend Social Security Act to Provide Federal Grants to State for Public Assistance on Equalization Basis.

And the Speaker signed the same in the presence of the House.

MESSAGES TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 212. A Bill for an Act Relating to National and State Defense, Providing for the Establishment of a State Council of Defense and Prescribing the Powers and Duties Thereof; and Declaring an Emergency.

Senate Bill No. 182. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws of 1935, and Declaring an Emergency.

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Sections 92 and 93 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Printing and Distribution of the Legislative Manual or North Dakota Blue Book.

Senate Concurrent Resolution "G." A Concurrent Resolution Memorializing Congress to Pass Legislation to Enable the Federal Government to Increase the Loan Value on Grains and Farm Products at Least 25%.

Senate Bill No. 184. A Bill for an Act to Create a Governmental Reform Commission; Providing for the Number

of Its Members; Their Appointment and Qualifications; the Term of Office and Filling of Vacancies; Providing for its Organization; Prescribing Its Powers and Duties; Providing for an Appropriation; and Declaring an Emergency.

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259 of the Session Laws of 1937; Being and Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol, and Alcoholic Beverages in the State of North Dakota; Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues from Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act, Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Senate Bill No. 192. A Bill for an Act Providing for the Payment of Final Judgments Obtained by the State or Any Agency, Bureau, Department or Officer Thereof Against Any County; Limiting the Amount of Tax That Can Be Levied and Extended in Any One Year; Creating a Special Fund Therefor and Providing for the Disbursement of Such Fund.

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Repeal, and Declaring an Emergency.

Senate Bill No. 195. A Bill for an Act Declaring Assessments of Taxable Property in Excess of the Full and True Value in Money Void; Providing for Administrative and Judicial Review of Valuations of Individual or Classes of Taxable Property and the Equalization of Valuations Between Assessment Districts Within and Among the Several Counties of the State, and Prescribing Procedure for Such Review; Providing for the Annual Meetings of the State Board of Equalization to Assess and Equalize Taxable Property, Fixing the Time When Real, Personal and Other Taxes Become Due and Delinquent with Penalties; Prescribing the Time for the Levy of State Taxes, and the Fixation of the Mill Rate for State Purposes; Providing That the Act Operate Prospectively Only; Repealing Subdivision 7 of Section 1, Chapter 276 of the Session Laws of 1931, Chapter 225 of the Session Laws of 1939, Section 2141a of the 1925 Supplement to the Compiled Laws of 1913, Chapter 246 of the Session Laws of 1937 and Chapter 233 of the Session Laws of 1939, and Declaring an Emergency.

Senate Bill No. 24. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Senate Bill No. 90. A Bill for an Act to Appropriate Seven Thousand, Five Hundred (\$7,500.00) Dollars for the Biennium to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Co-operation with the United States in the Control of Such Predatory Animals; and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 166. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

Senate Bill No. 155. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission; and Declaring an Emergency.

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, Relating to Wolf and Coyote Bounty and Declaring an Emergency.

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 148, Laws of 1931, Relative to Trespassing While Hunting.

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil

Conservation Committee or the Activities of the State Soil Conservation Districts.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

House of Representatives,

Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

Senate Bill No. 201. A Bill for an Act Specifying the Duties of the Clerks of the District Court and of the County Court with Increased Jurisdiction Relating to the Furnishing of Information to the State Registrar of Vital Statistics.

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

Senate Concurrent Resolution "O". A Resolution Requesting Congress to Give Consideration to Need for Appropriations for Roads on Strategic Military Network.

Senate Bill No. 202. A Bill for an Act Providing for Proof of Birth, the Correction of Birth Records, the Issuance by the State Registrar of Vital Statistics of a Certification of the Record of the Proof of Birth, Providing that All Records of State Registrar of Vital Statistics are Confidential, Repealing Chapter 109 of the Session Laws for the Year 1939 and Declaring an Emergency.

Senate Concurrent Resolution "P." A Concurrent Resolution Requesting Congress to Amend Social Security Act to Provide Federal Grants to State for Public Assistance on Equalization Basis.

Senate Concurrent Resolution "S." A Concurrent Resolution Requesting the Bank of North Dakota with the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet the Emergencies for Funds to Match Federal Grants Under the Social Security Programs or General Relief Requirements.

Senate Bill No. 26. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota: Providing for Reports and Deductions.

Senate Bill No. 37. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 276 of the Compiled Laws of North Dakota for

the Year 1913 as Amended by Chapter 97 of the Laws of North Dakota for the Year 1919 Relating to the Contingent Fund at State Institutions.

Senate Bill No. 111. A Bill for an Act Appropriating the Sum of \$16,291.58 out of the Special Bridge Fund of the State to Walsh County, North Dakota, and the State Highway Fund, and Apportioning Such Appropriation and Declaring an Emergency.

Senate Bill No. 204. A Bill for an Act to Make an Appropriation to Pay Expenses Resulting from the Death of Honorable Max Rabinovich, Member of the State Board of Pardons, While Away from His Home in the Performance of His Official Duties.

Senate Bill No. 32. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from which Paid; Providing for the Payment of Said Collection into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Senate Concurrent Resolution "Y." Providing for Congress to Enact Legislation Declaring the Yellowstone River and Part of the Missouri to Be Non-navigable.

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing Penalties.

Senate Concurrent Resolution "W." Authorizing Extra Post-Session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-Seventh Legislative Assembly.

Senate Bill No. 172. A Bill for an Act Defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise Below Actual Cost for the Purpose of Having the Effect of Injuring Competitors or Destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the Provisions Thereof.

Senate Bill No. 167. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil Basis and Providing for the Distribution of an Emergency Fund and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Reports; Repealing Chapter 209 of the Session Laws

of 1939 and All Acts or Parts of Acts in Conflict Therewith.

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter 121 of the Laws of 1931, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

Senate Bill No. 140. A Bill for an Act Authorizing the Sale by Executors, Administrators and Guardians of Estates of Oil, Gas and Mineral Interests in Land, Providing for the Procedure Relative to Such Sales, and Declaring an Emergency.

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 245 of the Session Laws of North Dakota for the Year 1939, Relating to Bounty for Tree Planting.

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax, and Declaring an Emergency.

Senate Bill No. 30. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

Senate Bill No. 31. A Bill for an Act Making an Appropriation to the Code Revision Commission.

Senate Bill No. 118. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 142 of the Session Laws of 1921, Chapter 222 of the Session Laws of 1925, and Chapter 286 of the Session Laws of 1935; Subsection "C" of Section 3 of Chapter 162 of the Session Laws of 1919 as Amended by

Chapter 260 of the Session Laws of 1929 and Chapter 286 of the Session Laws of 1935; Paragraph "o" of Subsection "G" of Section 1 of Chapter 251 of the Session Laws of 1939; Section 15 of Chapter 162 of the Session Laws of 1919; Section 16 of Chapter 162 of the Session Laws of 1919; and Chapter 351 of the Session Laws of 1923, Being Section 396a29 of the 1925 Supplement.

Senate Bill No. 189. A Bill for an Act Making an Appropriation to Pay for a Portion of the Cost of Constructing a New Highway Approach to the Great Northern Railway Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Declaring an Emergency.

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Chapter 236 of the Session Laws of 1937. An Act to Provide for the Assessment of Car Line Companies, Express Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Subsection (E) of Chapter 279 of the Session Laws of 1931, the Same Being an Amendment of Section 2166 C. L. 1913 as Amended by Section 3 of Chapter 241 of the Session Laws of 1929, Relating to Collection of Personal Property Taxes by County Sheriff, and Declaring an Emergency.

Senate Bill No. 159. A Bill for an Act Amending and Re-enacting Chapter 147, Laws of 1939, Permitting the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial, and Domestic Purposes, Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Licensing Purchasers and Dealers; and Providing Conditions for Licensing; and Providing Penalties for the Violations of This Act.

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.
House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 186. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between April 1, 1941 and June 30, 1943; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Senate Bill No. 119. A Bill for an Act Amending and Re-enacting Section 2 of Article II, Chapter 164 of the Session Laws of 1933 Providing for the Supervision and Regulation

of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby; Providing Safety and Sanitary Regulations for the Operation of Motor Propelled Vehicles Used for the Purpose of Transporting Persons and Property for Compensation Over Any Public Highway; Providing for the Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof.

Senate Bill No. 130. A Bill for an Act Defining Citizens of the State of North Dakota; Providing for a Judicial Proceeding for the Establishment of Citizenship for the State of North Dakota; And Repealing Section 13 of the 1913 Compiled Laws of the State of North Dakota.

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a Preferred Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

Senate Bill No. 108. A Bill for an Act to Prescribe Uniform Rules of Practice for Administrative Agencies; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

Senate Bill No. 123. A Bill for an Act to Amend and Re-enact Section 8793 of the Compiled Laws of North Dakota, Relating to Petitions for Conveyance of Real Estate Sold on Contracts, and Contents of Petition and Decree, and Declaring an Emergency.

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 2, 4, 5, 6, 7, 8, 9, 12 and 17, of Chapter 232, Laws of North Dakota for 1937, as amended by Chapter 215, Laws of 1939, the Same Being Known as the North Dakota Unemployment Compensation Law; Providing for Definitions of the Terms Used in Said Act; Providing a Definition of Agricultural Labor; Providing for Included and Excluded

Services; Providing for the Payment of Contributions Into an Unemployment Compensation Fund; Providing for Contribution Rates Based Upon a System of Experience Rating; Providing for the payment of benefits to Unemployed Individuals and Specifying the Amount and Duration Thereof; Providing Conditions of Eligibility for Benefits; Providing for the Disqualification of Individuals Under Certain Circumstances; Providing the Procedure for making Claims for Benefits and the Determination Thereof; Providing Procedure for Appeals; Providing for the Period, Election and Termination of Coverage for Employers; Providing for a System of Reciprocal Arrangements With Other States and With the United States; Providing Penalties for Violations of the Unemployment Compensation Law; Providing Prohibiting the Disclosure of Information; Providing for the Reimbursement of Funds in Certain Circumstances.

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

Senate Bill No. 18. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and as Amended by Chapter 254 of the Session Laws of 1937.

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact § 1179 of the Compiled Laws for 1913 Relating to Powers of School Districts to Admit Pupils from Other Districts Providing for Payment of Tuition.

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Counties in This State in Counties Where Tax Levies Upon Taxable Real and Personal Property Have Been Declared Null and Void and Vacated by Courts of Competent Jurisdiction to Meet and Make Proper Tax Levies Upon the Property So Involved for the Year or Years in Which Such Tax Levies Have Been Vacated; Providing for the Giving of Notice of Such Meeting to the Owners of Such Property or Their Successors in Interest; the Levying and Extension of Taxes Upon Such Property; Making Such Taxes a Lien Upon Such Property and Further Providing that All General Statutes Relating to Due and Delinquent Taxes and the Collection Thereof Shall Be Applicable to the Tax Levies Made Under the Provisions of This Act.

Senate Bill No. 82. A Bill for an Act Authorizing Municipalities to Make Agreements for the Adjustment and Composition of Their Indebtedness; Authorizing State Officers and Boards Controlling Funds Invested in Municipal Securities, to Enter Into Debt Adjustment and Composition Agreements; Authorizing Municipalities to Institute Proceedings to Secure Debt Compositions Pursuant to Sections 78, 79, 80, 81, 82 and 83 of the Act of Congress of July 1, 1898, as Amended by Act Approved May 24, 1934, and Acts Amendatory Thereof and Supplementary Thereto; Authorizing the Issuance of Bonds for the Funding and Refunding of Municipal Debts; and Declaring an Emergency.

Senate Bill No. 78. A Bill for an Act to Amend and Re-

enact Section 3352 of the Compiled Laws of 1913, to Authorize the Registration of Warrants Issued by Taxing Districts Not Paid for Want of Funds; Limiting the Rate of Interest of Registered Warrants; Requiring Notice for Presentation for Payment Thereof; and Declaring an Emergency.

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of Animals, to the Glanders and Dourine Fund, to the Bovine Tuberculosis Fund and to the Bangs Disease Fund.

Which the Speaker has signed.

C. R. VERRY, Chief Clerk.

MESSAGE FROM THE SENATE

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 306. A Bill for an Act to Amend and Re-enact Sub-section (1) of Section 2, Sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, Relating to Electric Cooperative Corporations, Their Powers, Incorporation, Corporate Names, Amendment of By-Laws and Articles of Incorporation, Quorum and Voting Requirements, Qualifications of Directors, Exemptions from Certain Statutory Requirments; and Providing for the Extension of Chapter 115 of the Session Laws of 1937 to Certain Foreign Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 195 of the Session Laws of 1929 Relating to the Opening of Bids, Award of Contract, and Bond Required for Public Buildings.

House Bill No. 210. A Bill for an Act to Conserve Crude Petroleum Oil and Natural Gas; to Enlarge the Duties and Authority of the Industrial Commission of North Dakota to Supervise and Control the Oil and Gas Resources of North Dakota; Authorizing the Industrial Commission of North Dakota to Promulgate Rules and Regulations for the Enforcement of the Provisions of the Act for the Purpose of Conserving Oil and Gas; Providing Penalties for the Violation of Certain Provisions of the Act or the Regulations Promulgated Thereunder; Repealing Chapter 184 of the 1929 Session Laws and Chapter 135 of the 1937 Session Laws of North Dakota; Repealing All Laws and Parts of Laws in Conflict Herewith.

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for the Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

House Bill No. 149. A Bill for an Act Making an Approp-

riation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

House Bill No. 148. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, for Disbursement by the Public Welfare Board in Providing Public Assistance to the Needy Blind and to Dependent Children, and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

House Bill No. 147. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 235 of the 1919 Session Laws, Constituting Section 6076 of the 1925 Supplement.

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 4972, Compiled Laws of North Dakota for the Year 1913, Relating to the Age of Members of Accident and Sickness Insurance Corporations, Associations and Societies.

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division of Highway Safety and Police Patrol, Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway

Department Which Evidence Such Transfers; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution of Potatoes in Closed Containers. Repeal.

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for 1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor; Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

House Bill No. 3. A Bill for an Act Making an Appropriation for the Operation and Maintenance of the State Hail Insurance Department.

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

House Concurrent Resolution "O". A Concurrent Resolution Memorializing Congress to Enact Legislation Giving to the United States District Court of the State of North Dakota Criminal Jurisdiction Within the Limits of the Indian Reservations in the State of North Dakota for the Enforcement of the Criminal Laws and the Punishment of Crimes Committed Therein by Indians Upon Persons of Indian Blood.

House Concurrent Resolution No. 63. Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments Thereto, Relating to Future Amendments.

House Concurrent Resolution "U". A Concurrent Resolution Memorializing the Congress of the United States to maintain a military post at Fort Lincoln.

Which the President has signed.

W. J. TROUT, Secretary.

REPORT OF STANDING COMMITTEES

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 335
 House Bill No. 301
 House Bill No. 273
 House Bill No. 222
 House Bill No. 255
 House Bill No. 245
 House Bill No. 213
 House Bill No. 199
 House Bill No. 184
 House Bill No. 136
 House Bill No. 135
 House Bill No. 116
 House Bill No. 20
 House Bill No. 261
 House Bill No. 120
 House Bill No. 111.

Were delivered to the Governor for his approval at the hour of 11:50 o'clock P. M., March 7, 1941.

REP. WAMBHEIM, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 62
 House Bill No. 127
 House Bill No. 177
 House Bill No. 208
 House Bill No. 224
 House Bill No. 3
 House Bill No. 7
 House Bill No. 15
 House Bill No. 107
 House Bill No. 108
 House Bill No. 194
 House Bill No. 102
 House Bill No. 128

House Concurrent Resolution No. 63.

Were delivered to the Governor for his approval at the hour of 11:55 o'clock P. M., March 7, 1941.

REP. WAMBHEIM, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 2
 House Bill No. 10
 House Bill No. 270
 House Bill No. 218
 House Bill No. 164
 House Bill No. 109
 House Bill No. 161
 House Bill No. 288
 House Bill No. 250
 House Bill No. 46
 House Bill No. 4
 House Bill No. 246
 House Concurrent Resolution No. 64

House Bill No. 151
 House Bill No. 289
 House Bill No. 110
 House Bill No. 278
 House Bill No. 334
 House Bill No. 82
 House Bill No. 142
 House Bill No. 307
 House Bill No. 340
 House Bill No. 91
 House Bill No. 6
 House Bill No. 23.

Were delivered to the Governor for his approval at the hour of 11:50 o'clock P. M., March 7, 1941.

REP. WAMBHEIM, Chairman.

MESSAGES FROM THE SENATE

Senate Chamber,
 Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 22. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

House Bill No. 114. A Bill for an Act to Amend and Re-enact Section 11105 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 130 of the 1939 Session Laws of the State of North Dakota, Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

House Bill No. 122. A Bill for an Act Making an Appropriation for Payment of an Emergency Expenditure by the North Dakota National Guard in Connection with the Organization of Two Extra Battalions of 155 m.m. by Order of the War Department and Declaring an Emergency.

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 118, Laws 1929 Relative to the Posting of Butterfat Prices at Creamery and Cream Stations and Other Places of Business Purchasing Such Products From the Public.

House Bill No. 150. A Bill for an Act Making a Deficiency Appropriation for Assistance to the Needy Aged for the Balance of the Biennial Period Ending June 30, 1941, and Declaring an Emergency.

House Bill No. 277. A Bill for an Act to Establish a Marketing Bureau Within the Department of Agriculture and Labor of the State of North Dakota and Defining Its Functions.

House Bill No. 299. A Bill for an Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, Relating to the State Board of Architecture.

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 200b12 and Section 200b14 of the 1925 Supplement to the Compiled Laws of North Dakota; Providing

for the Cancellation of Liability of the State Bonding Fund for Acts of Employees and Furnishing of Other Bonds; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

House Bill No. 19. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

House Bill No. 206. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Mill and Elevator Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Mill and Elevator Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Sections 4, 18, and 21 of Chapter 211 of the Session Laws for 1937, Pertaining to the Duties of the State Agency, the Confidential Character of Old Age Assistance Records, and the Distribution of Amounts Recovered from the Estates of Recipients of Old Age Assistance.

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Leases; to Permit Longer Leases to Cooperative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts.

House Bill No. 337. A Bill for an Act to Amend and Re-enact Section 53, Chapter 3, Article 4, Political Code, Compiled Laws of 1913, Relating to the Printing of Journals of Each Branch of the Legislative Assembly.

House Bill No. 137. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Mailing Bureau in the Capitol Building, for the Use of State Officers, Departments or Agencies, and to Prescribe Rules and Regulations for the General Use and Management of the Same; and Establishing a Board of Administration Postage Revolving Fund; and Making an Appropriation for the Establishment, Maintenance and Operation of the Same.

House Bill No. 103. A Bill for an Act Appropriating the Sum of \$27,845.92 to the State Highway Commissioner Out of Any Funds in the State Treasury Available to the State Highway Department for the Purpose of Paying a Judgment That May Be Obtained by the Northern Improvement Company, of Fargo, North Dakota.

House Concurrent Resolution "Z-2". A Resolution Commending Members of the Original North Dakota Capitol Commission on Their Services.

Which the President has signed.

W. J. TROUT, Secretary.

Senate Chamber,
Bismarck, March 7, 1941.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 265. A Bill for an Act to License Certain Types of Coin-Operated Amusement Devices and Providing for the Division and Distribution of the Revenue Derived Therefrom.

House Bill No. 10. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government and for All of the Sub-divisions Thereof, and for Public Schools, Specifying the Amount and Time for which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein, and Declaring an Emergency.

House Bill No. 2. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

House Bill No. 111. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of the State of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws for the Year 1931, and as Amended by Chapter 163 of the Session Laws for the Year 1933, and as Amended by Chapter 185 of the Session Laws for the year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles That May Be Driven or Moved Upon the Highways of the State of North Dakota; Providing Exemptions; Fixing Fees for the Registration and Licensing of Motor Vehicles Referred to; Prescribing Penalties for Violation; and Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 33. A Bill for an Act to Require the Filing of a Farm Lease Containing a Reservation of Title to Crop in the Lessor and Providing for a Waiver of Rights by the Lessor Upon Failure to File Such Lease.

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937 as Amended by Chapter 177 of the Session Laws of North Dakota for the Year 1939, Relating to Pensions for Policemen and Dependents in Cities Now, or Hereafter, Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

House Bill No. 168. A Bill for an Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supplying and Delivering Water for Irrigation Purposes, or for Domestic Use, to Its Members or Stockholders, Providing That the Shares of Stock in Such Corporations May Be Appurtenant to Certain Lands, Prescribing the Rights and

Powers of Such Corporations; Providing for the Transferability of Stock Therein and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 200. A Bill for an Act to Provide for the Levying of Dues or Assessments Upon Members in Non-Stock Corporations, and Declaring an Emergency.

House Bill No. 202. A Bill for an Act Providing for the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm, Providing for the Commitment and Transfer of Prisoners Thereto, and Their Care and Supervision Therein; Making an Appropriation for the Establishment and Maintenance of Said Institution; Repealing All Acts or Parts of Acts in Conflict Herewith.

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

House Bill No. 263. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and by Chapter 283 of the Laws of 1935; Repealing All Acts; and Declaring an Emergency.

House Bill No. 286. A Bill for an Act Authorizing the Board of University and School Lands to Sell Lands Belonging to the Permanent School or Institutional Funds But Not a Part of the Federal Grant Lands to Bona Fide Farmers, Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 5631 of the 1913 Compiled Laws of North Dakota, Relating to Descent of Homestead Estate and Exemption; Repealing Section 5632 of the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

House Bill No. 303. A Bill for an Act Requiring Departmental Budgets and Biennial Reports by the State Highway Commissioner and Repealing All Acts and Parts of Acts in Conflict Herewith.

House Bill No. 323. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159, Session Laws of 1927, Relating to the Department of State Highways.

House Bill No. 332. A Bill for an Act Declaring a Land Use Policy Relative to Agricultural Lands Obtained by the County on Tax Deed Proceedings, and Empowering the Board of County Commissioners to Conform to Such Policy in the Sale and Lease of Such Lands. Declaring an Emergency.

House Bill No. 16. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

House Bill No. 17. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

House Bill No. 18. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

House Bill No. 21. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Which the President has signed.

W. J. TROUT, Secretary.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, March 7, 1941.

Mr. President: I have the honor to return:

Senate Concurrent Resolution "Q." A Concurrent Resolution Requesting Governor John Moses to Place Special Protection on Upland Game Birds for 1941 and 1942 as an Aid in Grasshopper Eradication.

Which the House has adopted.

C. R. VERRY, Chief Clerk.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

House Bill No. 72
House Bill No. 90
House Bill No. 138
House Bill No. 147
House Bill No. 148
House Bill No. 149
House Bill No. 157
House Bill No. 210
House Bill No. 231
House Bill No. 306
House Bill No. 22
House Bill No. 114
House Bill No. 122
House Bill No. 251
House Bill No. 150
House Bill No. 227
House Bill No. 299
House Bill No. 328
House Bill No. 19
House Bill No. 206
House Bill No. 5
House Bill No. 163
House Bill No. 337
House Bill No. 137
House Bill No. 103
House Bill No. 265
House Bill No. 165
House Bill No. 33
House Bill No. 156
House Bill No. 168
House Bill No. 200
House Bill No. 202
House Bill No. 240

House Bill No. 263
House Bill No. 286
House Bill No. 297
House Bill No. 303
House Bill No. 323
House Bill No. 332
House Bill No. 16
House Bill No. 17
House Bill No. 18
House Bill No. 21
House Bill No. 193
House Bill No. 152.

Were delivered to the Governor for his approval at the hour of 11:55 o'clock P. M., March 7, 1941.

REP. WAMBHEIM, Chairman.

A committee from the Senate notified the House that the Senate had completed its business and was about to adjourn sine die.

Rep. Aker moved that the Speaker appoint a committee of three to notify the Senate that the House has completed its business and is about to adjourn sine die, which motion prevailed and the Speaker appointed on that committee Reps. Aker, Beede and Swanson.

Rep. Morland moved that the Senate appoint a committee of three to notify the Governor that the House has completed its business and is about to adjourn sine die, which motion prevailed and the Speaker appointed on that committee Reps. Morland, Saumur and Falconer.

Rep. Beede moved that the House stand on the Eighth Order of Business, which motion prevailed.

Rep. Morland reported to the House that the committee appointed to notify the Governor that the House had completed its business and was about to adjourn sine die had performed its mission and moved that the committee be discharged, which motion prevailed.

Rep. Aker reported to the House that the committee appointed to notify the Senate that the House had completed its business and was ready to adjourn sine die had performed its mission and moved that the committee be discharged, which motion prevailed.

Rep. Twichell: Mr. Speaker, is there any more business coming before this Legislative Assembly?

Mr. Speaker: The business is completed.

Rep. Twichell: I move that the House of Representatives of the Twenty-Seventh Legislative Assembly do now adjourn sine die.

Which motion prevailed.

And the Twenty-Seventh Legislative Assembly stood adjourned.

C. R. VERRY, Chief Clerk.

INDEX

INDEX TO MEMBERS

AKER

Committees, 7, 50, 92.
Committee Reports, 425, 1356.
Bills, 69, 121, 122, 143, 170, 172, 201, 400, 430, 454, 455, 458.
Motions, 58, 165, 178, 249, 286, 287, 316, 318, 393, 425, 429,
444, 451, 518, 531, 556, 561, 615, 651, 801, 805, 925, 967,
971, 1012, 1067, 1070, 1110, 1181, 1239, 1262, 1298, 1305,
1308, 1310, 1311, 1321, 1328, 1343, 1371, 1431.
Speech—Explanation of vote, 449, 666, 1116.
Conference Committee, 1328.

ALLEN

Committees, 50.
Bills, 105, 192, 193.
Motions, 618.

ANDERSON

Committees, 9, 50, 192.
Committee reports, 350.
Bills, 98, 104, 295, 336, 361, 432, 433, 434.
Motions, 491, 622, 848, 962, 1120, 1183, 1193.

ARNESON

Committees, 50.
Bills, 193.
Motions, 156, 366, 568, 610, 722, 1013, 1035, 1210.

ARNDT

Committees, 50.
Committee reports, 238, 239, 426.
Bills, 124, 400.
Motions, 486, 493, 524, 677, 978.
Conference Committee, 1350.

AUSTAD

Committees, 50, 1260.
Committee reports, 629, 1302.
Bills, 162.

BEEDE

Committees, 10, 50, 92, 340.
Committee reports, 219, 836, 1322.

II**INDEX**

Bills, 104, 105, 161, 201, 208, 223, 296, 315, 337, 399, 432, 454, 692.

Resolutions, 203, 1296.

Motions, 4, 21, 89, 125, 148, 157, 191, 203, 219, 232, 255, 269, 278, 284, 321, 323, 328, 350, 353, 377, 463, 480, 483, 525, 535, 541, 560, 561, 568, 577, 578, 595, 629, 682, 722, 774, 779, 834, 872, 873, 896, 926, 933, 963, 964, 976, 999, 1009, 1012, 1013, 1032, 1035, 1073, 1078, 1120, 1167, 1199, 1261, 1272, 1307, 1324, 1326, 1327, 1348, 1431.

Explanation of vote, 88, 146, 598, 730, 791.

Conference committee, 429, 1301.

Point of Order, 835.

BELZER

Committees, 50.

Committee reports, 754, 1345.

Bills, 142, 178, 205, 399, 420, 455.

Motions, 218, 428, 480, 519, 526, 534, 613, 614, 885, 1272, 1274.

Conference Committee, 1272.

BENNO

Committee, 9, 44, 50.

Committee reports, 119, 275, 284, 288, 312, 332, 341, 426, 559, 560, 621, 622.

Bills, 75, 98, 110, 124, 143, 241, 373, 398, 399, 400, 401, 423.

Resolutions, 256, 362.

Motions, 7, 9, 14, 20, 69, 74, 79, 103, 140, 169, 213, 250, 284, 312, 332, 362, 534, 610, 691, 693, 730, 732, 921, 965, 1003, 1042, 1083, 1106, 1337, 1367, 1379,

Explanation of vote, 669.

Conference Committee, 1380.

Chair, 1042.

BERGESEN

Committees, 50, 252, 305.

Committee reports, 684, 720, 743, 970, 1287, 1381.

Bills, 94, 114, 115, 142, 161, 162, 171, 172, 179, 200, 223, 241, 314, 315, 338, 399, 402, 419, 433, 434, 453, 459.

Resolutions, 140, 455, 457, 629, 678, 1296.

Motions, 90, 100, 112, 140, 141, 153, 178, 184, 202, 217, 239, 247, 252, 286, 287, 288, 312, 321, 349, 387, 391, 393, 414, 418, 425, 427, 428, 471, 480, 494, 601, 654, 677, 787, 788, 800, 835, 842, 853, 874, 883, 885, 903, 907, 934, 938, 976, 988, 1002, 1037, 1038, 1045, 1046, 1097, 1101, 1164, 1167, 1189, 1190, 1191, 1192, 1194, 1195, 1196, 1232, 1244, 1263, 1265, 1296, 1297, 1300, 1312, 1323, 1340, 1341, 1342, 1359.

Explanation of vote, 185, 247, 351, 473, 479.

Conference Committee, 567, 1232, 1350.

Chair, 247, 1097.

BINGENHEIMER

Committees, 50.

Committee reports, 425.

Bills, 98, 430.
Motions, 168, 315, 393, 394, 533, 566, 619, 731, 972.
Explanation of vote, 351.

BJELLA

Committees, 50.
Committee reports, 1289.
Bills, 294, 315.
Motions, 77, 366, 568, 607, 683.
Conference Committee, 1148.

BLACK

Committees, 50.
Committee reports, 1302.
Bills, 195.
Motions, 22, 316.
Conference Committee, 1260.

BLAIR

Committees, 50.
Committee reports, 286, 464, 610.
Bills, 98, 180, 314, 326, 336, 361.
Resolutions, 443.
Motions, 148, 156, 180, 198, 218, 307, 311, 409, 427, 428, 464,
556, 567, 684, 693, 718, 721, 907, 1080, 1090, 1127, 1128,
1193, 1305, 1343.
Explanation of vote, 146, 802.
Conference Committee, 1201, 1305.
Chair, 307.

BOLMEIER

Committees, 10, 23, 48, 50.
Committee reports, 45, 140, 249, 350, 427, 428, 464, 485, 683,
684, 751, 836, 931.
Bills, 172, 208, 692, 751.
Motions, 9, 15, 54, 176, 202, 216, 218, 230, 234, 237, 241, 252,
268, 274, 286, 311, 489, 491, 525, 526, 535, 683, 762, 831,
881, 966, 976, 990, 1007, 1010, 1078, 1092, 1106, 1297, 1328,
1329.

BOULDEN

Committees, 50.
Committee reports, 212, 231, 557, 613, 629, 978.
Bills, 180, 241, 293, 430, 692.
Motions, 250, 311, 490, 557, 561, 568, 580, 613, 989, 1002,
1161, 1162, 1303, 1364.

BRAUN of McLean

Committees, 50, 508.
Committee reports, 629.
Bills, 314, 320, 373, 420.
Motions, 81, 92, 95, 186, 535, 614, 786, 927.

Explanation of vote, 80, 91, 358, 473, 586, 773, 883.
Conference Committee, 1305.

BRAUN of Stark

Committees, 50.
Committee reports, 629,
Bills, 361.
Motions, 330.

BRUSSEAU

Committees, 10, 50.
Committee reports, 57, 754.
Bills, 87, 114, 172, 180, 314, 420, 458.
Resolutions, 156, 397.
Motions, 82, 178, 205, 237, 316, 328, 404, 418, 461, 473, 615,
845, 1006, 1012.
Chair, 418.

BUBEL

Committees, 50.
Committee reports, 288, 754.
Bills, 114, 171, 172, 205, 336.
Motions, 169, 213, 232, 288, 312, 494, 526, 613, 614, 615, 652,
1070, 1106.

BYMERS

Committees, 50.
Committee reports, 219, 426, 1206, 1304.
Bills, 171, 222, 223, 400, 420, 454.
Motions, 85, 174, 463, 559, 738, 775, 1070, 1109, 1147, 1231.
Explanation of vote, 185, 264, 427, 850.
Conference Committee, 1301, 1305.

CARLSON

Committees, 10, 50, 508.
Committee reports, 57, 288, 487, 629, 1146, 1182, 1364.
Bills, 80.
Motions, 10, 523, 556, 619, 1013, 1077, 1121, 1303.
Conference Committee, 1304, 1346.

COGLAN

Committees, 9, 50.
Committee reports, 629.
Bills, 47, 455.
Resolutions, 344.
Motions, 394, 568, 684, 754, 939.

COLLETTE

Committees, 50.
Committee reports, 1145, 1349.
Bills, 143, 398, 399, 454, 719.
Motions, 622, 641, 643, 972, 1000, 1094, 1121.
Conference Committee, 1331, 1342.

CROCKETT

Committees, 17, 23, 50, 567.

Committee reports, 350, 426, 1336, 1339, 1350, 1381.

Bills, 81, 83, 104, 106, 114, 122, 222, 223, 258, 314, 361, 399, 400, 419, 420, 423, 430, 433, 455, 457, 458.

Resolutions, 1081.

Motions, 4, 67, 70, 104, 180, 218, 231, 257, 265, 291, 311, 312, 316, 340, 341, 366, 367, 383, 409, 453, 489, 490, 491, 492, 525, 526, 565, 567, 583, 601, 608, 613, 614, 652, 670, 685, 733, 752, 755, 777, 807, 812, 834, 866, 820, 871, 872, 922, 931, 934, 964, 974, 993, 1004, 1008, 1037, 1067, 1087, 1116, 1130, 1131, 1148, 1181, 1199, 1209, 1231, 1234, 1245, 1298, 1334, 1339, 1371, 1381.

Explanation of vote, 146, 245, 247, 580, 612, 657, 773, 776, 884, 1117.

Conference Committee, 1232, 1285, 1291, 1380.

Chair, 1004.

CULVER

Committees, 50, 415.

Committee reports, 487, 1145, 1345.

Bills, 361, 399, 400, 401.

Resolutions, 191.

Motions, 120, 141, 216, 275, 344, 608, 721, 742, 752, 754, 771, 1002, 1003, 1015, 1272.

Explanation of vote, 774.

Conference Committee, 1272, 1331.

Chair, 216.

DALZELL

Committees, 9, 50.

Committee reports, 275, 350, 396, 484, 488, 493, 683, 973.

Bills, 75, 80, 105, 114, 172, 336, 434.

Motions, 19, 100, 119, 311, 341, 396, 489, 491, 493, 527, 560, 619, 623, 682, 771, 790, 932, 973, 1013, 1032, 1110, 1142, 1266, 1297, 1330, 1333, 1348.

Explanation of vote, 649.

Conference Committee, 378, 1349, 1380.

DEVLIN

Committees, 50.

Committee reports, 396.

Bills, 75, 114, 320.

Motions, 206, 332, 762.

Explanation of vote, 80, 186, 198.

Conference Committee, 378.

DITTMER

Committees, 50.

Motions, 493, 523, 561, 683, 1012.

DROVDAL

Committees, 50.

VI**INDEX**

Bills, 114, 295, 361, 419.
Motions, 541, 565, 600, 653, 969, 970, 1042.

ERICKSON of Divide

Committees, 50.
Committee reports, 368.
Bills, 98, 171, 172, 257.
Motions, 485, 533, 535, 683, 836, 881, 931, 974, 1036, 1096,
1156.

ERICKSON of Williams

Committees, 50.
Bills, 171, 373.
Motions, 833.

FALCONER

Committees, 50.
Committee reports, 350, 754, 1190, 1232.
Bills, 98, 250, 257, 258, 314, 353, 373, 398, 420, 423, 454.
Motions, 7, 8, 15, 168, 175, 185, 213, 340, 349, 392, 513, 524,
534, 610, 611, 685, 754, 851, 940, 1110, 1190.
Explanation of vote, 146, 281, 473, 649, 657, 774, 866.
Conference Committee, 1136.

FITCH

Committees, 9, 50, 125.
Committee reports, 140, 168, 169, 177, 213, 288, 310, 311,
366, 392, 428, 429, 494, 533, 534, 613, 614, 615, 632, 682,
754, 1106, 1109, 1182, 1190, 1291, 1350, 1364.
Bills, 81, 94, 98, 142, 171, 172, 178, 214, 233, 241, 295, 398,
399, 402, 419, 420, 423, 430.
Resolutions, 1081.
Motions, 4, 6, 8, 9, 10, 12, 13, 16, 18, 22, 24, 67, 91, 92, 94,
118, 124, 139, 140, 144, 153, 183, 211, 219, 239, 248, 250,
257, 265, 286, 324, 327, 328, 330, 340, 350, 358, 378, 395,
396, 409, 429, 442, 451, 461, 463, 516, 545, 548, 565, 566,
587, 618, 619, 622, 629, 682, 727, 732, 743, 755, 774, 787,
795, 800, 812, 847, 865, 872, 881, 886, 890, 918, 919, 921,
931, 1019, 1031, 1033, 1081, 1082, 1100, 1109, 1158, 1161,
1167, 1182, 1190, 1192, 1224, 1230, 1231, 1261, 1262, 1284,
1291, 1298, 1312, 1324, 1338, 1346, 1350, 1364, 1369, 1370.
Explanation of vote, 290, 477, 543, 549.
Conference Committees, 1136, 1291, 1346.
Chair, 94, 175, 183, 545, 587, 613, 743, 755, 833, 842, 1167.

FITZHARRIS

Committees, 50.
Committee reports, 629.
Resolutions, 344.

FLECK

Committees, 50.
Committee reports, 629.

Bills, 141, 142, 171, 178, 214, 241, 294, 295, 400, 434, 1201.
Motions, 684.
Conference Committee, 1201.

FRASER

Committees, 50.
Committee reports, 288, 754.
Bills, 399.
Motions, 311, 613, 614.

FUGELSTAD

Committees, 50, 75.
Committee reports, 288, 488, 619, 622, 754, 1357.
Bills, 63, 75, 121, 122, 208, 352, 398, 401, 430, 433, 454.
Motions, 100, 169, 177, 213, 231, 288, 352, 481, 493, 570, 614,
618, 622, 754, 886, 887, 888, 889, 1323, 1324, 1357.
Explanation of vote, 146, 786, 802.
Conference committee, 1324.
Chair, 482.

GACKLE

Committees, 50.
Committee reports, 754, 1146, 1346.
Bills, 124, 143, 276, 401, 430.
Motions, 120, 275, 366, 395, 522, 524, 753, 971, 1106, 1121,
1142, 1157, 1312.
Conference Committee, 1312, 1331, 1341.

GAINOR

Committees, 50.
Committee reports, 1346.
Bills, 114, 293.
Motions, 1001.
Conference Committee, 1312.

GLAS

Committees, 50.
Bills, 124, 250, 314, 320, 353, 420.
Resolutions, 156.

GRESS

Committees, 50.
Bills, 361.
Resolutions, 141, 397.

HAAG

Committees, 50.
Committee reports, 487, 1146.
Bills, 98, 105, 124, 401.
Resolutions, 157.
Motions, 312, 866, 907, 1146.
Explanation of vote, 850.

HALVORSON

Committees, 9, 11, 50.
Committee reports, 350, 1291, 1301, 1350.
Bills, 75, 106, 314, 400, 431, 454.
Resolutions, 156, 120.
Motions, 166, 196, 532, 791.
Explanation of vote, 802.
Conference Committee, 1272, 1291.

HAUGEN

Committees, 50.
Committee reports, 524, 1302.
Bills, 276, 420, 454.
Resolutions, 1296.
Motions, 275, 395, 502, 525, 581, 613, 636, 648, 795, 963, 984, 998, 1013, 1033, 1086, 1128, 1133, 1142, 1193, 1201, 1302, 1345, 1378.
Explanation of vote, 265, 474, 916.
Conference Committee, 1260, 1345.

HAUGLAND

Committees, 17, 50.
Committee reports, 156, 167, 350, 366, 368, 492, 568, 617, 1012.
Bills, 98, 110, 115, 124, 161, 179, 241, 315, 361, 399, 400, 423, 432, 433.
Resolutions, 256.
Motions, 97, 218, 234, 381, 406, 488, 493, 614, 618, 676, 693, 846, 866, 964, 965, 973, 1224, 1260.
Explanation of vote, 186.

HECKMAN

Committees, 1, 50.
Committee reports, 487, 1145.
Bills, 338, 420.
Motions, 610, 1012.
Explanation of vote, 148.

HOFSTRAND

Committees, 50.
Committee reports, 286, 287, 288, 463, 675, 971, 972, 973, 1011, 1287, 1289.
Bills, 111, 205, 431, 433, 434, 454.
Resolutions, 455, 457.
Motions, 86, 281, 332, 370, 987, 982, 1101, 1192, 1260, 1287, 1289, 1324.
Conference Committee, 1148, 1192.

HOGOBOOM

Committees, 50.
Committee reports, 238, 239, 754.
Bills, 83.
Motions, 167, 213, 614, 1274, 1275.
Explanation of vote, 358.

HOLM

- Committees, 50.
- Committee reports, 85, 217, 218, 275, 287, 310, 366, 370, 524, 616, 754, 939, 964.
- Bills, 193, 195, 294, 431, 454.
- Motions, 217, 288, 310, 366, 463, 675, 968, 1085.
- Explanation of vote, 80, 471, 587.

IRELAND

- Committees, 7, 50.
- Committee reports, 310, 332, 394, 523, 530, 565, 568, 972.
- Bills, 98, 114, 257, 294, 315, 337, 420, 421.
- Resolutions, 372.
- Motions, 166, 180, 202, 311, 487, 489, 728, 1148.

JENNINGS

- Committees, 50.
- Bills, 178, 205, 314.
- Motions, 370.

A. C. JOHNSON, of Cass

- Committees, 50, 567.
- Committee reports, 250, 530, 629, 1013, 1065, 1146, 1161, 1339, 1346, 1381.
- Bills, 94, 223, 326, 337, 373, 374, 435, 456, 557, 692.
- Motions, 74, 79, 82, 94, 176, 182, 185, 278, 330, 435, 486, 487, 521, 523, 553, 566, 567, 570, 683, 754, 762, 771, 776, 791, 795, 832, 842, 845, 849, 850, 915, 928, 929, 930, 1082, 1285, 1300, 1353, 1381.
- Explanation of vote, 80.
- Conference Committee, 1324.

VERNON M. JOHNSON, of Richland

- Committees, 10, 50.
- Committee reports, 187, 350, 487, 1136, 1146, 1190, 1285, 1344, 1345.
- Bills, 179, 208, 315, 353, 454, 455, 458, 557, 692, 751.
- Motions, 45, 120, 187, 275, 313, 370, 487, 489, 513, 521, 535, 566, 583, 635, 720, 735, 740, 752, 815, 867, 909, 923, 965, 1087, 1265, 1331, 1344, 1346, 1352, 1353.
- Speech, 318.
- Explanation of vote, 91.
- Conference Committee, 1301, 1304.

JUHOLA

- Committees, 50.
- Committee reports, 238, 239, 629.
- Bills, 87, 105, 114, 208, 314, 423.
- Resolutions, 156, 372.
- Motions, 82, 196, 203, 238, 239, 368, 493, 530, 566, 881, 1107, 1294.
- Explanation of vote, 300, 843, 851, 978, 1200.

KEE

- Committee, 19, 50, 923.
- Committee reports, 487, 1146, 1346, 1349.
- Bills, 208, 223, 276.
- Resolutions, 74.
- Motions, 74, 531, 568, 753, 972, 1011, 1145.
- Conference Committee, 1324, 1342.

KINDEM

- Committees, 50.
- Committee reports, 288, 426, 754, 1304.
- Bills, 111, 454.
- Resolutions, 204.
- Motions, 204, 255, 611, 615, 1070, 1106, 1304.
- Conference Committee, 1301.

LANGLEY

- Committees, 50.
- Committee reports, 629.
- Bills, 454.
- Motions, 463, 610, 971, 973, 1065, 1127.
- Explanation of vote, 471.

LARSON

- Committees, 50.
- Committee reports, 487, 1145.
- Bills, 87, 172, 314, 320, 420, 422, 458.
- Resolutions, 156.

LEVIN

- Committees, 7, 10, 50, 270.
- Committee reports, 1346.
- Bills, 114, 178, 431, 454, 719.
- Resolutions, 203.
- Motions, 6, 23, 49, 101, 184, 275, 443, 485, 683, 799, 802, 1346, 1354.
- Conference Committee, 1312.
- Chair, 101.

LILLEHAUGEN

- Committees, 1, 19, 50.
- Committee reports, 238, 239.
- Bills, 114, 320, 421, 431, 433, 454.
- Resolutions, 120.
- Motions, 4, 263, 287, 489, 503, 524, 622, 796, 1011, 1327.
- Explanation of vote, 146, 186, 247, 358, 471, 587, 666, 724, 883.
- Conference Committee, 1350.

LUNDE

- Committees, 50.
- Committee reports, 67, 70, 77, 82, 86, 93, 96, 102, 108, 113, 118, 139, 154, 165, 176, 194, 206, 211, 220, 237, 253, 273,

286, 290, 317, 339, 350, 368, 395, 436, 466, 495, 535, 570, 619, 693, 772, 835, 896, 916, 939, 978, 1015, 1125, 1182, 1295.

Motions, 68, 86, 96, 102, 108, 113, 118, 139, 177, 194, 206, 211, 220, 237, 253, 274, 290, 317, 368, 395, 436, 466, 495, 531, 535, 560, 570, 619, 693, 792, 835, 896, 917, 939, 979, 1016, 1125, 1182, 1295.

McINNES

Committees, 23, 50.

Committee reports, 54, 97, 238, 239, 396.

Bills, 692.

Resolutions, 203, 1197.

Motions, 23, 44, 83, 97, 168, 240, 363, 367, 484, 526, 532, 533, 683, 694, 816, 1177, 1197, 1342.

Conference Committee, 378.

Chair, 83, 363, 694, 702, 816, 1177, 1199.

McINTYRE

Committees, 50.

Committee reports, 1145, 1182, 1344, 1345.

Bills, 114, 337, 398, 400, 401, 420.

Resolutions, 156.

Motions, 1, 332, 370, 559, 560, 621, 1011, 1012, 1145, 1287, 1345, 1378.

Speech, 512.

Conference Committee, 1301; 1345.

McINTEE

Committees, 50.

Committee reports, 238, 239, 1145.

Bills, 398, 401.

MOE

Committees, 50.

Committee reports, 425, 1357.

Bills, 114, 121, 122, 430, 455.

Motions, 77, 107, 393, 394, 492, 542, 618, 619, 622, 665, 668, 751, 843, 886, 887, 965, 1015, 1196, 1324, 1328.

Explanation of vote, 80, 147, 186, 239, 299, 348, 358, 474, 598, 666.

Conference Committee, 1324.

MOLLET

Committees, 50.

Bills, 111, 171, 205, 314, 320, 338, 420.

Motions, 11, 187, 270, 316, 394, 452, 583, 635, 643, 646, 751, 884, 931, 934, 940, 1132.

Explanation of vote, 477.

MORLAND

Committees, 11, 19, 50.

Committee reports, 85, 97, 151, 175, 212, 216, 219, 231, 255,

309, 330, 426, 436, 463, 485, 486, 493, 560, 561, 610, 611, 675, 677, 917, 931, 973, 974, 978, 1008, 1009, 1070, 1145, 1301.

Bills, 83, 161, 258, 336, 337, 399, 420.

Motions, 13, 44, 47, 48, 58, 66, 82, 84, 86, 95, 96, 101, 107, 117, 139, 149, 169, 194, 197, 205, 229, 253, 257, 273, 283, 284, 285, 290, 307, 310, 324, 380, 381, 387, 390, 464, 467, 486, 490, 494, 513, 526, 545, 561, 580, 584, 623, 634, 654, 663, 693, 778, 808, 879, 917, 920, 1106, 1296, 1301, 1349, 1381, 1431.

Explanation of vote, 245, 580, 612.

Conference Committee, 1272.

Chair, 880.

MORRISON

Committees, 50, 392, 415.

Committee reports, 409, 494.

Bills, 87, 105, 205, 208, 362, 398, 433, 457.

Motions, 392, 916.

Speech, 511.

Conference Committee, 923.

MYERS

Committees, 50, 252, 429.

Committee reports, 219, 256, 305, 368, 426.

Bills, 87, 105, 114, 172, 205, 208, 214, 320, 326, 337, 361, 398, 419, 420, 422, 432, 454.

Resolutions, 140, 156, 203.

Motions, 4, 10, 49, 60, 90, 157, 187, 204, 229, 299, 313, 340, 367, 373, 392, 395, 409, 443, 463.

Explanation of vote, 149, 281, 384, 387, 414.

OTIS NELSON of Cass

Committees, 10, 14, 50.

Committee reports, 19, 97, 231, 332, 426, 487, 488, 532, 565, 1356.

Bills, 172, 293.

Motions, 10, 216, 287, 288, 309, 427, 560, 569, 579, 610, 677, 751, 762, 771, 796, 797, 882, 1125, 1154, 1181, 1356.

Conference committee, 1328.

W. M. NELSON of Morton

Committees, 50.

Committee reports, 238, 239, 629.

Bills, 205, 214, 296, 423.

Motions, 238, 1220, 1358.

ALFRED NELSON of Ramsey

Committees, 50.

Committee reports, 238, 239, 629.

Bills, 222, 373.

A. Z. NELSON of Sargent

Committees, 50.

Committee reports, 238, 239, 1322.
 Motions, 89, 206, 265, 493, 532, 533, 682.
 Conference committee, 1301.
 Chair, 265.

STEVEN NELSON of Steele

Committees, 50.
 Committee reports, 1287.
 Motions, 743, 970, 972, 1287.
 Explanation of vote, 168.
 Conference committee, 1192.

NICHOLSEN

Committees, 50.
 Committee reports, 238, 239.
 Motions, 538, 916.

NYSTROM

Committees, 50.
 Committee reports, 332, 972, 1002.
 Bills, 115, 142, 296, 421.
 Resolutions, 372.
 Motions, 168, 217, 238, 239, 404, 524, 530, 532, 533, 972, 1069,
 1203.

OHNSTAD

Committees, 50, 57.
 Committee reports, 73, 288, 350, 368, 754.
 Bills, 142, 162, 398, 420, 454.
 Motions, 65, 70, 154, 183, 244, 614, 1073, 1078.
 Conference committee, 1201.

OLSON of Barnes

Committees, 50.
 Bills, 142, 171, 179, 208, 222, 294.
 Motions, 170, 199, 218, 250, 332, 425, 427, 443, 476, 488, 514,
 1003.
 Conference committee, 923.

OLSON of Bowman

Committees, 19, 50.
 Committee reports, 275, 560, 676, 964, 965, 976, 1224.
 Bills, 83, 171, 200, 337, 373.
 Resolutions, 120.
 Motions, 63, 66, 112, 194, 260, 308, 339, 464, 1040, 1349.
 Conference committee, 1349.

PANKO

Committees, 50.
 Bills, 98, 143, 172, 353, 373, 401, 420, 422, 458.
 Motions, 250, 275, 286, 309, 311, 560, 596, 614, 796, 976,
 1021, 1022, 1071, 1149, 1211, 1292.
 Explanation of vote, 186.

XIV**INDEX****PETERSON of Bottineau**

- Committees, 50.
- Committee reports, 288, 426, 754, 1291.
- Bills, 399, 401.
- Motions, 151, 310, 332, 392, 463, 486, 754, 931, 974.
- Conference committee, 1272, 1301.

PETERSON of Ransom

- Committees, 50.
- Motions, 964, 970, 1069.

RIEKER

- Committees, 50.
- Committee reports, 256.
- Bills, 105, 172, 362.
- Death of, 392.
- Committee, 395.
- Capitol Bldg. Flag, 406.
- Funeral, 409.
- Joint Memorial service, 415.

RHODE

- Committees, 1, 23, 50, 392, 415, 508.
- Committee reports, 409.
- Bills, 111, 114, 171, 314, 320, 336, 420, 422, 632.
- Resolutions, 156.
- Motions, 76, 170, 249, 345, 392, 393, 409, 415, 443, 484, 495, 502, 504, 507, 565, 580, 581, 599, 607, 640, 642, 645, 659, 864, 907, 934, 938, 971, 990, 999, 1003, 1010, 1012, 1015, 1041, 1082, 1091, 1106, 1127, 1129, 1135, 1181, 1203, 1278, 1280, 1282, 1283, 1302, 1303, 1336, 1348.

RYGG

- Committees, 50.
- Committee reports, 219, 426.
- Bills, 400.
- Motions, 618.

SAGEHORN

- Committees, 50.
- Committee reports, 238, 239, 426, 1206, 1304.
- Bills, 400.
- Motions, 175, 973, 978, 1130.
- Conference committee, 1301.

SANDNESS

- Committees, 50.
- Committee reports, 1345.
- Bills, 83, 98, 105, 115, 124, 400, 401, 421.
- Motions, 44, 120, 237, 286, 341, 488, 525, 611, 809, 890, 993, 1032, 1284, 1295, 1345.
- Conference committee, 1272.

SAUMER

- Committees, 10, 50.
- Committee reports, 57, 238, 239, 350, 524, 691, 718, 751.
- Bills, 179, 180, 200, 336, 361, 454.
- Motions, 57, 89, 212, 217, 343, 491, 565, 581, 611, 660, 692, 751, 835, 974, 978, 985, 1045, 1067.
- Explanation of vote, 552, 553.

SCHMIDT

- Committees, 50.
- Committee reports, 487, 1145, 1346.
- Bills, 373.
- Motions, 742, 785, 1120, 1121.
- Conference committee, 1304, 1324.

SCHWARTZ

- Committees, 7, 50.
- Committee reports, 219, 256, 426, 1356.
- Bills, 87, 105, 326, 400, 432, 434, 454.
- Resolutions, 156.
- Motions, 93, 868.
- Explanation of vote, 347.
- Conference committee, 1328.

SELLENS

- Committees, 50, 252, 305, 678.
- Committee reports, 71, 754, 762, 1069.
- Bills, 83, 142, 294, 361, 423, 434.
- Motions, 140, 219, 256, 366, 367, 392, 532, 678, 682, 923, 1109, 1133, 1272.

SEMERAD

- Committees, 50.
- Committee reports, 350.
- Bills, 114, 171, 205.
- Resolutions, 397.
- Motions, 164, 244, 341, 1266, 1267.

SEVERSON

- Committees, 50.
- Committee reports, 206, 250, 309, 428, 487, 493, 1146, 1344, 1364.
- Resolutions, 120.
- Motions, 276, 291, 428, 609, 741, 1003, 1011, 1281, 1291, 1345, 1351, 1352.
- Conference committee, 1301, 1304, 1345, 1346.

SHARPE

- Committees, 50, 57.
- Committee reports, 73, 250, 426, 610, 629, 686, 1003.
- Bills, 121, 122, 142, 208, 214, 294, 399, 401.
- Motions, 341, 395, 560, 784, 931, 1008.

SHURE

- Committees, 50, 92, 192.
- Committee reports, 169, 170, 218, 249, 250, 315, 316, 393, 394, 425, 427, 1206.
- Bills, 94, 171, 201, 208, 258, 276, 433.
- Motions, 74, 114, 168, 170, 175, 203, 212, 216, 219, 310, 316, 330, 367, 368, 429, 444, 461, 463, 472, 477, 480, 519, 527, 530, 531, 583, 645, 675, 682, 693, 728, 729, 831, 832, 900, 969, 971, 972, 976, 978, 1008, 1015, 1036, 1037, 1038, 1070, 1119, 1272, 1298, 1301, 1311, 1332.
- Explanation of vote, 414, 447, 647, 667, 1001.
- Conference committee, 429.

SINGLETON

- Committees, 50, 57.
- Committee reports, 73, 487, 1146.
- Bills, 114, 124.
- Motions, 69, 73, 565, 740, 787, 1011, 1013.
- Explanation of vote, 802.

SMART

- Committees, 50, 429.
- Committee reports, 350, 1322.
- Bills, 98, 110, 115, 124, 180, 195, 276, 277, 338, 420, 423.
- Resolutions, 256.
- Motions, 7, 97, 119, 140, 167, 169, 195, 199, 256, 316, 332, 429, 524, 525, 579, 602, 603, 604, 616, 617, 652, 654, 655, 686, 964, 1012, 1118, 1167, 1301, 1322.
- Explanation of vote, 653.
- Conference committee, 1301.

STARCK

- Committees, 50.
- Committee reports, 629.
- Bills, 82, 114, 172, 205, 258, 294, 337, 353, 373, 374, 398, 401.
- Motions, 119, 250, 284, 491, 559, 596, 605, 622, 925, 1106, 1110, 1197, 1295.
- Explanation of vote, 851.

STORMON

- Committees, 23, 50.
- Committee reports, 168, 287, 310, 367, 368, 444, 484, 527, 530, 531, 533, 682, 971, 972, 1146.
- Bills, 258, 294, 402, 433, 434.
- Resolutions, 203.
- Motions, 23, 161, 570, 664, 1081, 1132, 1240, 1260.

SWANSON

- Committees, 23, 50.
- Committee reports, 58, 426, 1345, 1349.
- Bills, 75, 98, 142, 222, 276, 399, 400, 423.
- Motions, 64, 69, 77, 80, 92, 98, 101, 107, 118, 139, 145, 164, 184, 191, 211, 218, 220, 231, 275, 286, 300, 309, 316, 330,

332, 367, 379, 391, 419, 426, 435, 436, 443, 453, 463, 464, 466, 494, 513, 559, 594, 595, 605, 607, 611, 622, 643, 654, 657, 670, 693, 701, 711, 718, 730, 771, 834, 874, 917, 931, 940, 963, 969, 986, 990, 1003, 1009, 1012, 1015, 1050, 1070, 1101, 1120, 1134, 1149, 1176, 1207, 1253, 1298, 1304, 1323, 1345, 1349.

Speech, 284.

Explanation of vote, 88, 186, 587, 802.

Conference committee, 1304, 1342, 1349.

Chair, 607, 1149.

SYMINGTON, Mr. Speaker

Bills, 80, 326.

Resolutions, 140.

TRYDAHL

Committees, 50.

Committee reports, 78, 82, 93, 120, 275, 370, 395, 486, 487, 521, 522, 523, 608, 609, 719, 721, 739, 740, 741, 742, 762, 771, 836, 928, 929, 930, 1002, 1003, 1011, 1012, 1087, 1120, 1121, 1142, 1146, 1157, 1336, 1339.

Bills, 180, 193, 435, 456, 458, 557.

Motions, 4, 10, 12, 24, 64, 94, 276, 330, 353, 370, 502, 812, 813, 961, 1006, 1012, 1014, 1027, 1087, 1088, 1094, 1260, 1275, 1276, 1277, 1279, 1282, 1284, 1298, 1349.

Speech, 1285.

Explanation of vote, 850, 985.

Conference committee, 429, 1285.

Governmental survey commission, 1284, Elected to.

TUFF

Committees, 50.

Bills, 87, 105, 114, 142, 192, 193, 353.

Motions, 260, 367, 532, 650, 965.

TWICHELL

Committees, 10, 50, 270.

Committee reports, 93, 119, 120, 166, 168, 217, 218, 234, 274, 275, 311, 340, 341, 350, 488, 489, 490, 491, 525, 526, 527, 560, 610, 611, 622, 685, 686, 754, 836, 931, 932, 973, 974, 1010, 1013, 1015, 1065, 1067, 1142, 1164, 1203.

Bills, 94, 106, 171, 296, 338, 361, 458.

Resolutions, 455, 629, 1337.

Motions, 4, 43, 45, 54, 57, 89, 91, 93, 104, 107, 120, 139, 149, 153, 174, 175, 199, 210, 246, 251, 276, 301, 302, 306, 322, 327, 347, 350, 360, 378, 385, 386, 387, 407, 423, 453, 526, 553, 554, 594, 607, 630, 633, 653, 701, 771, 796, 814, 815, 832, 834, 842, 844, 852, 863, 869, 874, 886, 924, 963, 964, 967, 974, 979, 980, 1020, 1030, 1078, 1125, 1147, 1176, 1190, 1194, 1235, 1236, 1241, 1276, 1285, 1297, 1306, 1338, 1344, 1353, 1360, 1380, 1431.

Explanation of vote, 100, 144, 186, 501, 798.

Conference committee, 1305.

Excused from voting, 427.

WAMBHEIM

Committees, 50.

Committee reports, 85, 97, 103, 156, 170, 204, 212, 214, 219, 249, 257, 290, 307, 312, 341, 350, 365, 366, 394, 395, 425, 453, 460, 485, 520, 569, 594, 612, 618, 670, 692, 714, 739, 807, 836, 849, 859, 868, 872, 928, 948, 970, 994, 1014, 1051, 1105, 1146, 1162, 1182, 1246, 1248, 1272,, 1321, 1322, 1348, 1360, 1373, 1374, 1383, 1385, 1425, 1426, 1431.

Bills, 296, 421, 430.

Motions, 85, 97, 103, 145, 156, 204, 212, 219, 235, 249, 264, 276, 290, 307, 312, 341, 366, 394, 395, 425, 444, 452, 460, 485, 507, 520, 560, 569, 613, 670, 683, 692, 714, 726, 739, 807, 836, 848, 859, 869, 872, 928, 970, 971, 1013, 1045, 1051, 1105, 1182, 1246, 1248, 1263, 1321, 1348, 1360, 1373, 1374, 1383, 1385.

Chair, 452.

WELDER

Committees, 50.

Committee reports, 350.

Bills, 98, 124, 171, 172.

Resolutions, 157.

Motions, 167, 248, 341, 410, 442, 532, 611, 632, 635, 685, 686, 725, 910, 971, 1011.

Explanation of vote, 198, 384, 410, 850, 851.

WESTBY

Committees, 17, 50.

Committee reports, 350, 629.

Bills, 142, 250, 419, 454.

Motions, 4, 17, 60, 150, 259, 267, 307, 311, 325, 326, 365, 606, 654, 684, 751, 854, 890, 1201, 1208, 1287, 1353, 1379.

Explanation of vote 91, 778.

Chair, 326.

WILLIAMS of Richland

Committees, 50.

Committee reports, 219, 256, 426.

Bills, 114, 326, 352.

Motions, 348, 488, 506, 515, 580, 586, 611, 647, 789, 1116.

Explanation of vote, 147, 272, 347, 471, 587, 598, 850, 1117.

WILLIAMS of Stutsman

Committees, 50.

Committee reports, 219.

Motions, 247.

WOLF of McIntosh

Committees, 50, 1148.

Committee reports, 487, 629, 1145, 1289, 1357.

Bills, 124, 172, 373, 420, 422.

Resolutions, 157.

Motions, 175, 330, 370, 450, 481, 494, 561, 585, 607, 610, 613,

629, 647, 831, 938, 971, 979, 994, 1037, 1106, 1155, 1312.
Explanation of vote, 174, 186, 850, 852, 1341.

WOLF of Morton

Committees, 50, 1304.

Committee reports, 425, 1345.

Bills, 124, 172, 205, 373, 374.

Motions, 608.

Conference committee, 1324.

GENERAL INDEX

ADJOURNMENT:

SINE DIE, 1431.

BOARD OF ADMINISTRATION, 13, 14.

CALL OF HOUSE, 1045.

CHAIR:

Decision appealed from, 833.

CONVENING, 1.

COMMUNICATIONS, 1, 54, 59, 77, 86, 96, 102, 108, 114, 139,
165, 177, 206, 211, 220, 237, 253, 274, 293, 317, 339, 467,
495, 496, 896, 979, 1016, 1296.

CODE REVISION COMMISSION, 70, 92, 98.

CHIEF CLERK, 7, 21.

LETTER: Mrs. Louis Enders and family, 443.

ELECTION OF, 8.

OATH, 8.

COMMITTEES:

Joint, 52, 71.

Select, 4, 79, 97, 103, 269, 395, 409, 429, 1203.

Standing, 50.

Temporary, 378, 381.

Reports, 16, 17, 19, 45, 48, 54, 58, 64, 70, 72, 77, 82, 84, 85, 86,
93, 96, 97, 102, 108, 113, 118, 119, 120, 139, 140, 151, 154,
157, 165, 166, 167, 168, 169, 170, 175, 176, 177, 187, 194, 204,
206, 211, 212, 213, 214, 216, 217, 218, 219, 220, 231, 234,
237, 238, 239, 249, 250, 253, 255, 256, 257, 273, 274, 275,
286, 287, 288, 290, 307, 309, 310, 312, 315, 316, 317, 330,
331, 332, 339, 340, 341, 350, 365, 366, 367, 368, 370, 392,
394, 395, 425, 426, 427, 428, 429, 436, 444, 675, 739, 771,
772, 803, 848, 868, 871, 896, 916, 917, 928, 929, 930, 931,
932, 938, 939, 948, 970, 971, 972, 973, 974, 978, 979, 1006,
1008, 1009, 1010, 1012, 1013, 1015, 1037, 1038, 1051, 1065,
1067, 1069, 1070, 1105, 1142, 1157, 1161, 1164, 1190, 1203,
1224, 1295, 1347, 1348, 1373.

GAVEL, Presentation of, 318.

GOVERNOR, 24.

Message of, 25.

Oath of office, 25.

Messages from, 54, 97, 125, 620, 621, 711, 782, 1037, 1096,
1223, 1384.

Messages to, 195, 214, 257, 341, 342, 478, 507, 653, 994, 1096,
1146, 1272, 1322, 1384, 1425, 1426, 1430, 1431.

GOVERNMENTAL SURVEY COMMISSION:

Nomination, 1284.

Election, 1284—Rep. Targie Trydahl.

JOURNALS, 9, 19, 60, 66.

JOINT SESSION, 23, 24, 125.

LINCOLN'S BIRTHDAY, 678.

Gettysburg Address, 340.

MEMORIALS, 305, 319, 512.

COMMITTEE:

Resolutions adopted, 74, 141, 204, 214, 678.

MEMBERS, 1.

Resigned, 44, 54.

Seats, 101.

Death of:

Edward Rieker, 392, 395, 406, 409, 415, 467.

Memorial service, 484, 508.

Funeral, 494.

MILEAGE AND PER DIEM, 10, 54, 60.

Committee, 10.

Report, 54.

OATH OF OFFICE:

Representatives, 4.

Speaker, 7.

OFFICERS AND EMPLOYES:

Per diem, 21, 313, 362.

Nominations and elections, 4, 6, 7, 9, 10, 11, 12, 21, 25, 46, 47, 62, 66, 68, 74, 79, 103, 284, 312, 1379.

Oath of office 9, 10, 11, 12, 21, 25, 47, 62, 66, 68, 74, 84, 91, 104, 285, 345.

Resignation, 284, 312.

PHOTOGRAPHS, 18, 69, 72.

PRINTING, 71, (as to H. B. 289), 567, 1371, (Report of Select Comm.) 1380.

RESOLUTIONS, 45, 74, 80, 455, 457.

RULES:

Permanent, 12, 251.

Suspension of, 566, 578, 607, 651, 652, 655, 728, 732, 784, 787, 788, 800, 812, 831, 842, 845, 872, 918, 920, 921, 923, 925, 966, 968, 979, 1014, 1019, 1021, 1032, 1035, 1082, 1087, 1189, 1191, 1193, 1195, 1196, 1207, 1235, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1272, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1285, 1286, 1289, 1291, 1296, 1298, 1302, 1305, 1307, 1308, 1311, 1323, 1324, 1326, 1327, 1329,

1330, 1331, 1333, 1334, 1336, 1339, 1340, 1351, 1352, 1353,
1354, 1356, 1357, 1378.

SPEAKER:

Nomination of, 4.
Election of, 6.
Oath of, 7.
Ruling by, 154, 852.

SUPPLIES, 19.

TELEPHONES, 61.

MESSAGES FROM THE SENATE: 24, 58, 72, 86, 93, 109,
110, 112, 113, 116, 119, 121, 140, 151, 152, 176, 195, 200, 207,
208, 213, 221, 254, 272, 273, 292, 296, 305, 319, 333, 335, 358,
368, 378, 380, 402, 403, 429, 441, 442, 452, 467, 468, 498,
499, 500, 519, 536, 537, 573, 574, 636, 637, 654, 712, 713, 779,
836, 837, 838, 839, 890, 892, 893, 917, 918, 919, 922, 923, 924,
948, 949, 950, 965, 967, 969, 980, 981, 982, 983, 1002, 1006,
1016, 1019, 1046, 1047, 1048, 1049, 1073, 1085, 1086, 1088,
1094, 1095, 1100, 1101, 1105, 1121, 1122, 1123, 1124, 1132,
1135, 1146, 1147, 1154, 1155, 1156, 1161, 1186, 1188, 1190,
1211, 1212, 1213, 1214, 1215, 1216, 1217, 1224, 1225, 1232,
1243, 1244, 1254, 1255, 1256, 1257, 1258, 1294, 1302, 1303,
1304, 1306, 1307, 1309, 1310, 1337, 1339, 1347, 1350, 1359,
1370, 1373, 1380, 1381, 1382, 1384, 1386, 1389, 1392, 1395,
1396, 1422, 1426, 1428.

MESSAGES TO THE SENATE: 47, 62, 95, 97, 103, 111, 113,
119, 140, 155, 165, 166, 194, 212, 222, 240, 241, 255, 270, 271,
303, 304, 305, 308, 314, 317, 318, 342, 343, 347, 359, 371, 378,
381, 437, 438, 439, 441, 464, 465, 469, 496, 497, 500, 538, 539,
571, 572, 638, 639, 714, 715, 716, 717, 718, 780, 854, 855, 856,
857, 858, 893, 894, 895, 950, 951, 952, 953, 969, 994, 995, 996,
997, 998, 999, 1022, 1023, 1024, 1056, 1058, 1059, 1060, 1061,
1062, 1074, 1110, 1111, 1112, 1113, 1132, 1154, 1176, 1184,
1186, 1201, 1202, 1208, 1221, 1226, 1232, 1245, 1246, 1247,
1292, 1293, 1299, 1300, 1301, 1304, 1305, 1310, 1313, 1325,
1326, 1337, 1338, 1346, 1347, 1350, 1355, 1358, 1359, 1364,
1369, 1371, 1373, 1375, 1379, 1380, 1382, 1383, 1413, 1416,
1430.

NORTH DAKOTA COUNTY COMMISSIONERS' ASSOCIATION: 158:

RECORD OF HOUSE BILLS IN THE HOUSE

House Bill No. 1—(Coghlan)

House Bill No. 1. A Bill for an Act to Validate Certain Proceedings Heretofore Taken to Fund or Refund County Indebtedness and Bonds Issued Thereunder and Declaring an Emergency.

Introduction, first reading, 47.
Reference, 47, 107.
Reported back, 85.
Amended, 85, 1019.
General Orders, 94.
Engrossed, 97.
Second reading, 99, 885, 1019.
Passed, 886, 1020.
Indefinitely postponed, 100, 366.
Emergency clause, 886, 1020.
Other action, 366, 885, 886, 1020.
Forwarded to Senate, 893, 1073.
Returned by Senate, 1019, 1122.
Senate action, 1019.
Conference committee, 1350.
Enrolled, 366, 1051.
Signed by Speaker, 1057.
Forwarded to Governor, 1146.

House Bill No. 2—(Committee on Appropriations)

House Bill No. 2. A Bill for an Act Making an Appropriation for the Operation, Maintenance and Miscellaneous Expenses of the Poultry Improvement Board.

Introduction, first reading, 62.
Reference, 62, 353.
Withdrawn 313.
Re-introduced, 353.
Reported back, 486.
Amended, 486, 1215.
General Orders, 546.
Engrossed, 569.
Second reading, 599.
Passed, 600.
Other action, 1337.
Forwarded to Senate, 716.
Returned by Senate, 1215, 1428.
Senate action, 1215, 1382.
Conference committee, 1272, 1345.
Enrolled, 1335.
Signed by Speaker, 1385.
Forwarded to Governor, 1425.

House Bill No. 3—(Committee on Appropriations)

House Bill No. 3. A Bill for an Act Making an Appropria-

tion for the Operation and Maintenance of the State Hail Insurance Department.

Introduction, first reading, 62.
 Reference, 63.
 Reported back, 609.
 Amended, 609, 1211.
 General orders, 702.
 Engrossed, 739.
 Second reading, 783, 1281.
 Passed, 784, 1282.
 Other action, 1281, 1282, 1293.
 Forwarded to Senate, 857, 1319.
 Returned by Senate, 1211, 1424.
 Senate action, 1211.
 Enrolled, 1321.
 Signed by Speaker, 1314.
 Forwarded to Governor, 1425.

House Bill No. 4—(Committee on Appropriations)

House Bill No. 4. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Fire and Tornado Fund.

Introduction, first reading, 63.
 Reference, 63.
 Reported back, 609.
 Amended, 609, 1211.
 General orders, 702.
 Engrossed, 739.
 Second reading, 778, 1279.
 Passed, 778, 1280.
 Other action, 1279, 1347.
 Forwarded to Senate, 857, 1376.
 Returned to Senate, 1211, 1397.
 Senate action, 1211.
 Enrolled, 1359.
 Signed by Speaker, 1360.
 Forwarded to Governor, 1425.

House Bill No. 5—(Committee on Appropriations)

House Bill No. 5. A Bill for an Act Making an Appropriation for the Purpose of Operating and Maintaining the State Bonding Fund.

Introduction, first reading, 63.
 Reference, 63.
 Reported back, 78.
 Amended, 78, 83, 1211.
 Engrossed, 85.
 Second reading, 87.
 Passed, 88, 1281.
 Other action, 1280, 1281, 1293.
 Forwarded to Senate, 95.
 Returned by Senate, 1211, 1427.
 Senate action, 1211.
 Enrolled, 1348.
 Signed by Speaker, 1364.
 Forwarded to Governor, 1430.

House Bill No. 6—(Committee on Appropriations)

House Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the Bank of North Dakota.

Introduction, first reading, 63.
 Reference, 63.
 Reported back, 395.
 Amended, 1215.
 Second reading, 447, 1283.
 Passed, 447, 1283.
 Other action, 1282, 1283, 1293.
 Forwarded to Senate, 468, 1378.
 Returned by Senate, 1215, 1399.
 Senate action, 1215.
 Enrolled, 1348.
 Signed by Speaker, 1363.
 Forwarded to Governor, 1426.

House Bill No. 7—(Committee on Appropriation)

House Bill No. 7. A Bill for an Act Making an Appropriation for the General Maintenance and Operation of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Introduction, first reading, 63.
 Reference, 63.
 Reported back, 275.
 Amended, 1211.
 Second reading, 302, 1275.
 Passed, 303, 1276.
 Other action, 1275, 1276, 1293.
 Forwarded to Senate, 318, 1319.
 Returned by Senate, 1211, 1424.
 Senate action, 1211.
 Enrolled, 1321.
 Signed by Speaker, 1314.
 Forwarded to Governor, 1425.

House Bill No. 8—(Committee on Appropriations)

House Bill No. 8. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of the Maintenance and Operation of the State of North Dakota Doing Business as the North Dakota Mill and Elevator Association.

Introduction, first reading, 63.
 Reference, 63.
 Reported back, 120.
 Second reading, 143.
 Passed, 144, 982.
 Other action, 144.
 Forwarded to Senate, 155, 1024.
 Returned by Senate, 982, 1124.
 Senate action, 982.
 Enrolled, 1013.
 Signed by Speaker, 1017.
 Forwarded to Governor, 1146.

House Bill No. 9—(Fugelstad, by request)

House Bill No. 9. A Bill for an Act to Amend and Re-enact Subdivision 31 of Section 3514, Compiled Laws of 1913,

Relating to Compensation to Sheriff for Boarding Prisoners, and Validating Payments Heretofore Made.

- Introduction, first reading, 63.
- Reference, 63.
- Reported back, 140.
- Indefinitely postponed, 140.

House Bill No. 10—(Committee on Appropriations)

House Bill No. 10. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government and for All of the Sub-divisions 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, 66.
- Reference, 66.
- Reported back, 762.
- Amended, 762, 830, 1244, 1300, 1364.
- General orders, 822.
- Engrossed, 872.
- Second reading, 873, 1369.
- Passed, 874, 1370.
- Emergency clause, 874, 1370.
- Other action, 874, 1300, 1364, 1369, 1370.
- Forwarded to Senate, 895, 1371.
- Returned to Senate, 1244, 1428.
- Senate action, 1244, 1370.
- Conference committee, 1324, 1339, 1346, 1364, 1373.
- Enrolled, 1385.
- Signed by Speaker, 1386.
- Forwarded to Governor, 1425.

House Bill No. 11—(Aker)

House Bill No. 11. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 5 of the 1937 Session Laws, as Amended by Chapter 14 of the 1939 Session Laws.

- Introduction, first reading, 69.
- Reference, 69.
- Reported back, 97, 486.
- Amended, 486.
- Indefinitely postponed, 97.

House Bill No. 12—(Gackle, by request)

House Bill No. 12. A Bill for an Act to Authorize the Board of Administration to Dismantle the Brick Plant at the State Penitentiary and to Dispose of or Use the Materials and Equipment Thereof in the Penitentiary, and Repealing Certain Sections.

- Introduction, first reading, 69.
- Reference, 69.
- Reported back, 93.
- Amended, 93.
- General orders, 101.
- Engrossed, 103.

Second reading, 106.
 Passed, 107.
 Emergency clause, 107.
 Other action, 107.
 Forwarded to Senate, 111, 212.
 Returned by Senate, 195, 213.
 Senate action, 195.
 Enrolled, 204.
 Signed by Speaker, 205.
 Forwarded to Governor, 214.
 Approved by Governor, 620.

House Bill No. 13—(Committee on Appropriations)

House Bill No. 13. A Bill for an Act Making an Appropriation for the Expenses and Administration of Foreign Corporation Department.

Introduction, first reading, 74.
 Reference, 74.
 Reported back, 93, 771.
 Indefinitely postponed, 771.
 Other action, 94, 771.

House Bill No. 14—(Committee on Appropriations)

House Bill No. 14. A Bill for an Act Making an Appropriation for the Expenses and Administration of the Public Contractors License Department.

Introduction, first reading, 74.
 Reference, 74.
 Reported back, 762.
 Indefinitely postponed, 762.
 Other action, 94.

House Bill No. 15—(Committee on Appropriations)

House Bill No. 15. A Bill for an Act Making an Appropriation for Administration and Expenses for the Liquor Control Act.

Introduction, first reading, 74.
 Reference, 74.
 Reported back, 523.
 Amended, 523, 1211.
 General orders, 588.
 Engrossed, 612.
 Second reading, 642, 1278.
 Passed, 643, 1279.
 Other action, 643, 1278, 1293.
 Forwarded to Senate, 717, 1319.
 Returned by Senate, 1211.
 Senate action, 1211.
 Enrolled, 1321.
 Signed by Speaker, 1315.
 Forwarded to Governor, 1425.

House Bill No. 16—(Committee on Appropriations)

House Bill No. 16. A Bill for an Act Making an Appropriation for the Enforcement and Administration of the Attorney General Licensing Department.

Introduction, first reading, 74.
 Reference, 74.
 Reported back, 608.

Amended, 608.
 General orders, 703.
 Engrossed, 739.
 Second reading, 784.
 Passed 785, 1213.
 Forwarded to Senate, 857, 1269.
 Returned by Senate, 1213, 1429.
 Senate action, 1213.
 Enrolled, 1248.
 Signed by Speaker, 1248.
 Forwarded to Governor, 1431.

House Bill No. 17—(Committee on Appropriations)

House Bill No. 17. A Bill for an Act Making an Appropriation to Defray the Expenses for the Bee Keepers Act.

Introduction, first reading, 74.
 Reference, 74.
 Reported back, 523.
 Amended, 523.
 General orders, 588.
 Engrossed, 612.
 Second reading, 641.
 Passed, 642, 1213.
 Forwarded to Senate, 717, 1269.
 Returned by Senate, 1213, 1430.
 Senate action, 1213.
 Enrolled, 1248.
 Signed by Speaker, 1249.
 Forwarded to Governor, 1431.

House Bill No. 18—(Committee on Appropriations)

House Bill No. 18. A Bill for an Act Making an Appropriation for the Salaries and Expenses of the Certification Division.

Introduction, first reading, 74.
 Reference, 75.
 Reported back, 522.
 Amended, 522.
 General orders, 588.
 Engrossed, 612.
 Second reading, 640.
 Passed, 641, 1213.
 Other action, 641.
 Forwarded to Senate, 717, 1269.
 Returned by Senate, 1213, 1430.
 Senate action, 1213.
 Enrolled, 1248.
 Signed by Speaker, 1249.
 Forwarded to Governor, 1431.

House Bill No. 19—(Committee on Appropriations)

House Bill No. 19. A Bill for an Act Making an Appropriation for Operation and Maintenance of the Auto Transportation Division.

Introduction, first reading, 75.
 Reference, 75.
 Reported back, 522.
 Amended, 522.

General orders, 587.
 Engrossed, 612.
 Second reading, 639.
 Passed, 640, 1213.
 Other action, 640.
 Forwarded to Senate, 717, 1269.
 Returned by Senate, 1213, 1427.
 Senate action, 1213.
 Enrolled, 1248.
 Signed by Speaker, 1250.
 Forwarded to Governor, 1430.

House Bill No. 20—(Committee on Appropriation)

House Bill No. 20. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Scale Inspection Division.

Introduction, first reading, 75.
 Reference, 75.
 Reported back, 521.
 Amended, 521, 1082.
 General orders, 587.
 Engrossed, 612.
 Second reading, 635, 1082.
 Passed, 636, 1083.
 Other action, 1082, 1083, 1110.
 Forwarded to Senate, 717.
 Returned by Senate, 1081, 1082, 1113.
 Senate action, 1082, 1187.
 Enrolled, 1105.
 Signed by Speaker, 1102.
 Forwarded to Governor, 1272.

House Bill No. 21—(Committee on Appropriations)

House Bill No. 21. A Bill for an Act Making an Appropriation for Salaries and Expenses of the Livestock Division (Dealers).

Introduction, first reading, 75.
 Reference, 75.
 Reported back, 608.
 Second reading, 660.
 Passed, 661, 1213.
 Forwarded to Senate, 715, 1269.
 Returned by Senate, 1213, 1430.
 Senate action, 1213.
 Enrolled, 1248.
 Signed by Speaker, 1249.
 Forwarded to Governor, 1431.

House Bill No. 22—(Committee on Appropriations)

House Bill No. 22. A Bill for an Act Making an Appropriation for Services and Expenses for the Public Utility Division.

Introduction, first reading, 75.
 Reference, 75.
 Reported back, 521.
 Second reading, 575.
 Passed, 576, 1213.
 Forwarded to Senate, 638, 1269.

Returned by Senate, 1213, 1426.
 Senate action, 1213.
 Enrolled, 1248.
 Signed by Speaker, 1249.
 Forwarded to Governor, 1430.

House Bill No. 23—(Committee on Appropriations)

House Bill No. 23. A Bill for an Act Making an Appropriation for Salaries and Expenses for the State Seed Department.

Introduction, first reading, 75.
 Reference, 75.
 Reported back, 275.
 Amended, 1215.
 Second reading, 301, 1298.
 Passed, 302, 1299.
 Other action, 302, 1298.
 Forwarded to Senate, 318, 1378.
 Returned by Senate, 1215, 1399.
 Senate action, 1215.
 Enrolled, 1348.
 Signed by Speaker, 1363.
 Forwarded to Governor, 1426.

House Bill No. 24—(Fugelstad, Nelson, Devlin, by request)

House Bill No. 24. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 279, Session Laws of 1931, Relating to Taxation.

Introduction, first reading, 75.
 Reference, 75.
 Reported back, 187.
 Indefinitely postponed, 187.
 Other action, 116.

House Bill No. 25—(Fugelstad, Nelson, Devlin)

House Bill No. 25. A Bill for an Act to Amend and Re-enact Sections 2 and 3 of Chapter 120, Session Laws of 1921, Being Sections 6001a2 and 6001a3 of the 1925 Supplement, Relating to Notice to Be Given County Treasurer of Auction Sales of Personal Property and the Collection of Personal Property Taxes.

Introduction, first, reading, 75.
 Reference, 75, 100.
 Reported back, 93, 187.
 Indefinitely postponed, 187.

House Bill No. 26—(Benno, Swanson, Halvorson, Dalzell)

House Bill No. 26. A Bill for an Act Making it a Misdemeanor for Any Person to Hunt and Pursue Any Wild Life with the Aid of a Spot Light or Any Other Kind of Artificial Light.

Introduction, first reading, 75.
 Reference, 75.
 Reported back, 119.
 Second reading, 149.
 Passed, 150.
 Other action, 150.
 Forwarded to Senate, 155, 440.

Returned by Senate, 333, 498.
 Senate action, 498.
 Enrolled, 365.
 Signed by Speaker, 424.
 Forwarded to Governor, 507.
 Approved by Governor, 621.

House Bill No. 27—(Committee on Game and Fish)

House Bill No. 27. A Bill for an Act to Amend and Re-enact Section 9 of the Liquor Control Act, an Initiated Measure Approved November 3, 1936, Printed in the 1937 Session Laws at Page 509, Relating to the Preparation and Issuance of Stamps, the Duty of Wholesalers, the Payment of Expense of the State Treasurer and the Distribution of Revenues from the Sale of Said Stamps.

Introduction, first reading, 75.
 Reference, 76.
 Reported back, 166.
 Indefinitely postponed, 166, 180.
 Other action, 166, 180.

House Bill No. 28—(Committee on Appropriations)

House Bill No. 28. A Bill for an Act Making an Emergency Appropriation to the State Budget for Completing and Continuing Budget Work During the Session; and Declaring an Emergency.

Introduction, first reading, 80.
 Reference, 80.
 Reported back, 82.
 Second reading, 88.
 Passed, 89.
 Emergency clause, 89.
 Other action, 89.
 Forwarded to Senate, 95, 166.
 Returned by Senate, 152, 176.
 Enrolled, 156.
 Signed by Speaker, 164.
 Forwarded to Governor, 195.
 Approved by Governor, 620.

House Concurrent Resolution No. 29—(Symington, Dalzell, Carlson)

House Concurrent Resolution No. 29. Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota, as Amended, Relating to County Officers.

Introduction, first reading, 80.
 Reference, 80, 100, 203.
 Reported back, 93, 527.
 Amended, 527.
 General orders, 590.
 Engrossed, 612.
 Second reading, 100, 648.
 Passed, 101.
 Indefinitely postponed, 648.
 Other action, 114, 119, 648.
 Forwarded to Senate, 103.
 Returned by Senate, 121.

House Bill No. 30—(Fitch and Crockett)

House Bill No. 30. A Bill for an Act to Encourage the Further Development of Durum Wheat in North Dakota; Providing for Collection and Furnishing of Information Regarding Durum Wheat by the Commissioner of Agriculture and Labor and Appropriating the Sum of \$2,500.00 to the North Dakota Durum Wheat Show at Langdon; Declaring an Emergency.

- Introduction, first reading, 81.
- Reference, 81.
- Reported back, 521.
- Indefinitely postponed, 521.
- Other action, 521.

House Bill No. 31—(Starck)

House Bill No. 31. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 145 of the Session Laws of 1939 Providing for the Establishment of, License Fee For, and Setting up Regulations to Govern Muskrat Propagation in the State of North Dakota.

- Introduction, first reading, 82.
- Reference, 82.
- Withdrawn, 284.

House Bill No. 32—(Sandness, by request)

House Bill No. 32. A Bill for an Act to Repeal Chapter 51 of the Session Laws of the State of North Dakota of the Year 1933, Establishing a Tannery at the Penitentiary of the State of North Dakota, and Declaring an Emergency.

- Introduction, first reading, 83.
- Reference, 83.
- Reported back, 120.
- Second reading, 144.
- Passed, 145.
- Indefinitely postponed, 981.
- Emergency clause, 145.
- Other action, 145.
- Forwarded to Senate, 155.
- Returned by Senate, 981.
- Senate action, 981.

House Bill No. 33—(Hogoboom, Morland, Olson of Bowman)

House Bill No. 33. A Bill for an Act to Require the Filing of a Farm Lease Containing a Reservation of Title to Crop in the Lessor and Providing for a Waiver of Rights by the Lessor Upon Failure to File Such Lease.

- Introduction, first reading, 83.
- Reference, 83, 111.
- Reported back, 309.
- Amended, 309, 1211.
- General orders, 364.
- Engrossed, 394.
- Second reading, 106, 111, 405, 1274.
- Passed, 406, 1275.
- Other action, 106, 186, 406, 1274, 1275, 1293.
- Forwarded to Senate, 438, 1378.
- Returned by Senate, 1211, 1428.
- Senate action, 1211.

Enrolled, 1348.
Signed by Speaker, 1361.
Forwarded to Governor, 1430.

House Bill No. 34—(Sellens)

House Bill No. 34. A Bill for an Act to Permit a Surviving Husband or Wife to Dissent from the Terms of a Will, and to Elect to Inherit Under the Laws of Succession.

Introduction, first reading, 83.
Reference, 83.
Reported back, 168.
Indefinitely postponed, 168.
Other action, 161.

House Bill No. 35—(Crockett)

House Bill No. 35. A Bill for an Act to Amend and Re-enact Section 7, 12 and 13 of Chapter 146 of the Session Laws of the State of North Dakota, for the Year 1937, Relating to All Benevolent Corporations, Associations or Societies Operating on Voluntary or Involuntary Assessment or Contribution Plan.

Introduction, first reading, 83.
Reference, 83.
Reported back, 427.
Indefinitely postponed, 427.
Other action, 140, 241.

House Bill No. 36—(Schwartz, Myers, Larson, Juhola, Brusseau, Tuff and Morrison)

House Bill No. 36. A Bill for an Act to Amend and Re-enact Section 2346a16 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; and Providing for and Relating to the Taxation of Corporations, and Providing the Rates which Shall Be Paid with Respect to Net Income as Defined in Article 35 of Chapter 34 of the Political Code of the Supplement to the Compiled Laws of 1913 and Acts Amendatory Thereof, and Amending and Re-enacting Section 2346a25 of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 241 of the Session Laws of 1937; and Providing for the Repeal of Sub-section 7 of Section 2346a18 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 283 of the Session Laws of 1931, and as Amended by Chapter 228 of the Session Laws of 1939; Making a Saving Clause and Declaring an Emergency.

Introduction, first reading, 87.
Reference, 87.
Reported back, 676.
Amended, 676.
General orders, 710.
Engrossed, 739.
Second reading, 796.
Indefinitely postponed, 797.
Other action, 164, 320, 796, 797.

House Bill No. 37—(Twichell, Fitch, Johnson of Cass, Shure and Bergesen)

House Bill No. 37. A Bill for an Act Requiring All Cities

in This State to Advertise for Bids Before Purchasing Machinery, Fuel, Stationery, and All Articles for the Use of the City, When the Amount to Be Paid for the Same During Any Year Exceeds the Sum of Two Hundred and Fifty (\$250.00) Dollars, Penalty.

Introduction, first reading, 94.
 Reference, 94.
 Reported back, 169.
 Amended, 169, 184.
 General orders, 184.
 Engrossed, 187.
 Second reading, 199.
 Indefinitely postponed, 199.

House Bill No. 38—(Fitch)

House Bill No. 38. A Bill for an Act to Provide for the Issuance of Certificates of Authority to Insurance Companies, Associations, Exchanges and Societies Authorized to Transact Business in North Dakota, Repealing all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 94.
 Reference, 94.
 Reported back, 140.
 Second reading, 162.
 Passed, 163.
 Emergency clause, 163.
 Forwarded to Senate, 166, 305.
 Returned by Senate, 272, 335.
 Senate action, 273.
 Conference committee, 1312.
 Enrolled, 290.
 Signed by Speaker, 293.
 Forwarded to Governor, 342.
 Approved by Governor, 620.

House Bill No. 39—(Fitch)

House Bill No. 39. A Bill for an Act to Amend and Re-enact Chapter 151 of the Session Laws of North Dakota for 1935, as Amended by Chapter 161 of the Session Laws of North Dakota for 1939, Providing for Licenses for Reciprocal Fire and Life Insurance Underwriters, and Declaring an Emergency.

Introduction, first reading, 94.
 Reference, 94.
 Reported back, 140.
 Second reading, 163.
 Passed, 164.
 Emergency clause, 164.
 Forwarded to Senate, 166, 305.
 Returned by Senate, 273, 335.
 Senate action, 273.
 Signed by Speaker, 293.
 Forwarded to Governor, 342.
 Approved by Governor, 620.

House Bill No. 40—(Welder, Wolf of McIntosh, Haag)

House Bill No. 40. A Bill for an Act Requiring the Publication of Certain Proceedings of the County Welfare

Boards; Repealing All Laws or Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, 98.

Reference, 98.

Reported back, 167.

Indefinitely postponed, 167.

Other action, 167.

House Bill No. 41—(Bingenheimer, Ireland, Falconer, Erickson of Divide)

House Bill No. 41. A Bill for an Act to Amend and Re-enact Subsections (c) and (e) of Chapter 185 of the Session Laws of North Dakota for the Year 1935, Prescribing and Relating to the Size and Loads of Motor Vehicles and Combinations of Vehicles Moved Upon the Highways of the State of North Dakota, and Prescribing Exemptions for Equipment of the United States Army, the North Dakota National Guard and Certain Other Equipment; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, 98.

Reference, 98.

Reported back, 175.

Indefinitely postponed, 175.

Other action, 175, 184, 185.

House Bill No. 42—(Haugland, Smart, Benno, Anderson, Blair)

House Bill No. 42. A Bill for an Act to Appropriate Ten Thousand (\$10,000.00) Dollars for the North Dakota State Fair Conducted by Ward County Under the Designation of Northwest Agricultural Livestock & Fair Association, to Be Held in the Years 1941 and 1942, as Authorized by Sections 1874 a-1 to 1874 a-4, of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Being Chapter 102 of the Session Laws of 1919, and Sections 1866 a-1 to 1866 a-7 of Said 1925 Supplement, Being Chapter 217 of the Laws of 1923, as Amended by Chapter 5 of the Session Laws of 1935.

Introduction, first reading, 98.

Reference, 98, 140.

Reported back, 140, 178.

Indefinitely postponed, 140, 178.

House Bill No. 43—(Swanson, Benno, Sandness, Panko, Fitch)

House Bill No. 43. A Bill for an Act to Provide for the Regulation and Licensing of Horse Racing in the State of North Dakota; to Legalize and Permit the Pari-Mutuel or Certificate Method of Wagering on the Results of Horse Races at Licensed Racing Meetings in Said State, for the Purpose of Assisting in Raising Funds for the Promotion of the Agricultural, Livestock and Fair Exposition Conducted by the State and Counties of North Dakota, and Authorizing Such Fairs and Exposition to Permit the Wagering Upon the Results of Horse Races Through the Pari-Mutuel or Certificate Method; and to Render Inapplicable Certain Acts in Conflict Hereof, and Declaring an Emergency.

Introduction, first reading, 98.

Reference, 99.

Reported back, 169.
 Indefinitely postponed, 169.
 Other action, 169.

House Bill No. 44—(Committee on Appropriations)

House Bill No. 44. A Bill for an Act Transferring the Administration of the Motor Vehicle Fuel Tax Laws and the Collection of Motor Vehicle Fuel Taxes from the State Auditor to the State Tax Commissioner, Together with the Administration of Licensing Sellers and Buyers of Tax Exempt Motor Vehicle Fuel and the Granting of Refunds of Motor Vehicle Fuel Taxes as Provided by the Initiated Measure of June 30, 1926, with Amendments Thereto, and Chapter 147, Laws of 1939 and Chapter 170, Laws of 1939, Pertaining to Motor Vehicle Fuel Taxes, and Transferring All the Rights, Powers and Duties Now Placed in the State Auditor and the State Auditor's Department Under the Laws to the State Tax Commissioner, Together with the Files, Records, Equipment and Supplies Pertaining Thereto, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 99.

Reference, 99.

Reported back, 119.

Second reading, 147.

Passed, 148.

Other action, 148, 154.

Forwarded to Senate, 155, 317.

Returned by Senate, 292.

Senate action, 292.

Enrolled, 307.

Signed by Speaker, 308.

Forwarded to Governor, 341.

Approved by Governor, 620.

House Bill No. 45—(Crockett)

House Bill No. 45. A Bill for an Act Providing for the Disqualification of Judges of the Supreme Court, and for Calling in the Judges of the District Court in Their Place.

Introduction, first reading, 104.

Reference, 104.

Reported back, 311.

Indefinitely postponed, 311.

Other action, 311.

House Bill No. 46—(Anderson and Beede)

House Bill No. 46. A Bill for an Act Requiring All Counties, Townships, School Districts, Cities, Villages, Park Districts and Other Municipal Corporations Within the State Which Are Now or May Hereafter Be Authorized to Sell and Use Bonds for Any Purpose Whatsoever, to Advise the State and All State Agencies or Departments Which Have Trust Funds to Invest in Such Bonds, That Said Bonds Will Be Offered for Sale at Public Vendue; Forbidding the Purchase of Such Bonds from Private Purchasers, Except Under Certain Conditions, and Providing a Penalty for Non-compliance Herewith.

Introduction, first reading, 104.

Reference, 105, 393.

Reported back, 393, 720.

Amended, 720, 761, 1216.
 General orders, 759.
 Engrossed, 835.
 Second reading, 847, 1311.
 Passed, 848, 1312.
 Indefinitely postponed, 393.
 Other action, 848, 1310, 1311, 1312, 1331.
 Forwarded to Senate, 859.
 Returned by Senate, 1216, 1376, 1397.
 Senate action, 1216.
 Enrolled 1348.
 Signed by Speaker, 1361.
 Forwarded to Governor, 1425.

House Bill No. 47—(Allen and Tuff)

House Bill No. 47. A Bill for an Act Providing That County Commissioners, Members of Boards of Education, and Directors of School Districts Shall Be Free-holders and Declaring an Emergency.

Introduction, first reading, 105.
 Reference, 105.
 Reported back, 168.
 Indefinitely postponed, 168.

House Bill No. 48—(Sandness, by request)

House Bill No. 48. A Bill for an Act to Amend and Re-enact Section 396b15 of the Compiled Laws, Supplement 1913-1925, as Amended by Session Laws of 1935, Chapter 162, Providing a Remedy for Under-paid Employees Working in Excess of Hour Provisions of Administrative Orders or the Hours Law for Females, and for Taking Assignments of Wage Claims.

Introduction, first reading, 105.
 Reference, 105, 203.
 Reported back, 168, 232.
 Amended, 168, 183, 196.
 General orders, 183.
 Engrossed, 187.
 Second reading, 196, 258.
 Passed, 259.
 Indefinitely postponed, 198, 467.
 Other action, 198, 259.
 Forwarded to Senate, 270.
 Returned by Senate, 467.
 Senate action, 467.

House Bill No. 49—(Juhola, Morrison and Dalzell)

House Bill No. 49. A Bill for an Act Providing That Personal Property, the Value of Which Exceeds One Hundred Dollars (\$100.00), Sold Under Conditional Sales Contract, Shall Be Repossessed or Foreclosed in the Same Manner as Provided for the Foreclosure of Mortgages on Personal Property.

Introduction, first reading, 105.
 Reference, 105.
 Reported back, 311.
 Indefinitely postponed, 311.
 Other action, 311.

House Bill No. 50—(Morrison, Myers, Beede, Rieker, Haag, Schwartz)

House Bill No. 50. A Bill for an Act to Provide for Sales Tax Stamps; Specifying the Duties of the Tax Commissioner and County Treasurers Regarding Sales Tax Stamps; Providing for the Sale of Sales Tax Stamps to Retailers and Providing for Replacement of General Tax by Sales Tax; Prescribing Sales Tax Exemptions; Amending and Re-enacting Section 2 of Chapter 234 of Session Laws of 1939; Repealing Section 9, Sub-sections 1, 2, and 3 of Section 10, and Sections 12, 13, and 14 of Chapter 249 of the Session Laws of 1937; Amending and Re-enacting Section 3 of Chapter 249 of the Session Laws of North Dakota for 1937; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, 105.

Reference, 105.

Reported back, 486.

Indefinitely postponed, 486.

Other action, 486.

House Bill No. 51—(Crockett, Twichell and Halvorson)

House Bill No. 51. A Bill for an Act to Encourage the Making and Maintaining of Agreements Concerning Wages, Hours and Conditions of Employment Between Employers and Employees by Their Representatives and the Settlement of Controversies Concerning the Same by Mediation and Voluntary Arbitration of Such Controversies on the Commissioner of Agriculture and Labor.

Introduction, first reading, 106.

Reference, 106.

Reported back, 169.

Amended, 380, 924.

Engrossed, 380.

Second reading, 182, 380.

Passed, 183, 381.

Indefinitely postponed, 1353.

Emergency clause, 381.

Other action, 182, 380, 924, 951, 1293, 1338, 1353.

Forwarded to Senate, 194.

Returned by Senate, 380, 574, 924.

Senate action, 574.

Conference committee, 1291, 1350.

House Bill No. 52—(Smart, Haugland and Benno)

House Bill No. 52. A Bill for an Act Delegating Power to Governing Bodies of Cities, Towns and Villages, to Provide by Ordinances for the Licensing, Regulating and Inspecting of Food Markets, Stores and Other Places of Business where Food Intended for Human Consumption Is Sold at Retail, and for the Fixing of Hours of Opening and Closing of the Same, Not However, Inconsistent with Any State Laws Covering the Same Subject Matter, and Declaring an Emergency.

Introduction, first reading, 110.

Reference, 111.

Reported back, 156.

Second reading, 173.

Indefinitely postponed, 174, 981.
 Other action, 174.
 Senate action, 980.

House Bill No. 53—(Mollet and Rhode)

House Bill No. 53. A Bill for an Act Validating Title to All Lands Acquired by Any County of this State Through Tax Deed Proceedings, and Declaring an Emergency.

Introduction, first reading, 111.
 Reference, 111.
 Reported back, 120.
 Second reading, 145.
 Indefinitely postponed, 146.
 Other action, 156.

House Bill No. 54—(Kindem and Hofstrand)

House Bill No. 54. A Bill for an Act to Amend and Re-enact Section 10091, Compiled Laws 1913 and Requiring the Printing of Sections 10088 and 10091 or a Summary Thereof, on Hunting Licenses.

Introduction, first reading, 111.
 Reference, 111.
 Reported back, 119.
 Second reading, 150.
 Passed 151.
 Forwarded to Senate, 155, 241.
 Returned by Senate, 208, 254.
 Enrolled, 219.
 Signed by Speaker, 230.
 Forwarded to Governor, 257.
 Approved by Governor, 620.

House Bill No. 55—(Committee on Education)

House Bill No. 55. A Bill for an Act to Amend and Re-enact Chapter 149, Session Laws of 1939, Relating to Reservation of Mineral, Gas and Oil Rights on Sale of State Owned Lands; and Declaring an Emergency.

Introduction, first reading, 111.
 Reference, 111.
 Reported back, 119.
 Amended, 380.
 Second reading, 148, 380.
 Passed, 149, 381.
 Emergency clause, 149, 380, 381.
 Other action, 148, 149, 438.
 Forwarded to Senate, 155, 440.
 Returned by Senate, 359, 380, 498.
 Senate action, 380.
 Enrolled, 394.
 Signed by Speaker, 424.
 Forwarded to Governor, 507.
 Approved by Governor, 621.

House Bill No. 56—(Moe and Crockett)

House Bill No. 56. A Bill for an Act to Amend and Re-enact Section 5 of Chapter 195 of the Session Laws of 1935,

as Amended by Section 3 of Chapter 178, of the Session Laws of 1939. Declaring an Emergency.

Introduction, first, reading, 114.
 Reference, 114, 311.
 Reported back, 311, 488.
 Second reading, 886.
 Passed, 887.
 Indefinitely postponed, 311, 488, 980.
 Emergency clause, 887.
 Other action, 887.
 Forwarded to Senate, 893.
 Returned by Senate, 980.
 Senate action, 980.

House Bill No. 57—(Bergesen)

House Bill No. 57. A Bill for an Act to Amend and Re-enact Provisions of Section 11103 of Compiled Laws of the State of North Dakota for 1913, Relating to the Meetings of the State Pardon Board and Declaring an Emergency.

Introduction, first, reading, 114.
 Reference, 114.
 Reported back, 166.
 Second reading, 180.
 Passed, 181.
 Emergency clause, 181.
 Forwarded to Senate, 194, 464.
 Returned by Senate, 442, 478.
 Senate action, 442.
 Enrolled, 460.
 Signed by Speaker, 461.
 Forwarded to Governor, 478.
 Approved by Governor, 621.

House Bill No. 58—(Moe and Brusseau)

House Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 114.
 Reference, 114, 216.
 Reported back, 187, 217, 288.
 Amended, 188.
 Indefinitely postponed, 218.

House Bill No. 59—(Dalzell, Ireland, Tuff, Levin, Lillehaugen, Williams of Richland, Crockett, McIntee, Starck, Juhola, Devlin, Myers, Semerad, Gainor, Singleton, Rhode, Drov-dahl, Brusseau, Bubel, McIntyre)

House Bill No. 59. A Bill for an Act Providing for the Election, on the No-Party Ballot, of a State Highway Com-

missioner; Providing for His Powers, Duties and Salary;
Providing for His Removal and Declaring an Emergency.

Introduction, first reading, 114.

Reference, 114.

Reported back, 239.

Indefinitely postponed, 240.

Other action, 239, 240.

House Bill No. 60—(Dalzell, Ireland, Tuff, Levin, Lillehaugen, Williams of Richland, Crockett, McIntee, Starck, Juhola, Devlin, Myers, Semerad, Singleton, Rhode, Drov Dahl, Brusseau, Bubel, McIntyre)

House Bill No. 60. A Bill for an Act Providing for the Election, on the No-Party Ballot, of a State Game and Fish Commissioner; Providing for His Powers, Duties and Salary; Providing for His Removal and Declaring an Emergency.

Introduction, first reading, 114.

Reference, 115.

Reported back, 238, 288.

Indefinitely postponed, 238.

Other action, 238.

House Bill No. 61—(Haugland and Sandness)

House Bill No. 61. A Bill for an Act Restricting the Use of the Word "Co-operative" or an Abbreviation Thereof to Co-operative; Providing a Penalty; and Injunctive Relief.

Introduction, first reading, 115.

Reference, 115.

Reported back, 187.

Second reading, 208.

Passed, 209.

Forwarded to Senate, 222, 440.

Returned by Senate, 333, 498.

Senate action, 333.

Enrolled, 365.

Signed by Speaker, 424.

Forwarded to Governor, 507.

Approved by Governor, 712.

House Bill No. 62—(Sharp, Nystrom and Bergesen)

House Bill No. 62. A Bill for an Act to Amend and Re-enact Sections 4, 7, 12 and 18 of Chapter 139 of the Session Laws of North Dakota of 1937 Relating to Issuance of Motor Vehicle Operators' Licenses to Persons Under Sixteen Years of Age; the Fee for Motor Vehicle Operators' Licenses; the Revocation of Licenses; and the Establishment of the Division of Highway Safety and Police Patrol, Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 115.

Reference, 115.

Reported back, 287.

Amended, 288, 327, 1100.

General orders, 327.

Engrossed, 332.

Second readings, 357, 1263.

Passed, 358, 1264.

Emergency clause, 358. Lost, 1264.

Other action, 358, 1263, 1264, 1293.

Forwarded to Senate, 371, 1318.
 Returned by Senate, 1100, 1423.
 Senate action, 1100.
 Enrolled, 1321.
 Signed by Speaker, 1313.
 Forwarded to Governor, 1425.

House Concurrent Resolution No. 63—(Aker, Fuglestad, Moe, Sharpe)

House Concurrent Resolution No. 63. Providing for the Amendment of Section 202 of Article 15 of the Constitution of North Dakota as Amended by Articles 16 and 28 of the Amendments Thereto, Relating to Future Amendments.

Introduction, first reading, 121.
 Reference, 124.
 Reported back, 217.
 Amended, 1216.
 Second reading, 246, 1262.
 Passed, 246, 1263.
 Other action, 246, 1262, 1263, 1293.
 Forwarded to Senate, 255, 1375.
 Returned by Senate, 1216, 1424.
 Senate action, 1216.
 Enrolled, 1348.
 Signed by Speaker, 1363.
 Forwarded to Governor, 1425.

House Concurrent Resolution No. 64—(Aker, Fuglestad, Moe, Sharpe)

House Concurrent Resolution No. 64.—A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota as Amended by Articles 15 and 26 of the Amendments Thereto, Relating to the Legislative Power of the State, and the Initiative and Referendum.

Introduction, first reading, 122.
 Reference, 124.
 Reported back, 218.
 Amended, 219, 1216.
 General orders, 248.
 Engrossed, 249.
 Second reading, 263, 1323.
 Passed, 264, 1324.
 Other action, 264, 1323, 1324, 1331.
 Forwarded to Senate, 271, 1376.
 Returned by Senate, 1216, 1398.
 Senate action, 1216.
 Enrolled, 1360.
 Signed by Speaker, 1361.
 Forwarded to Governor, 1425.

House Bill No. 65—(Committee on Game & Fish)

House Bill No. 65. A Bill for an Act to Amend and Re-enact Section 57 of Chapter 148, Session Laws of 1931, Giving the Governor Certain Powers Relative to Game and Fish, Limiting Such Power and Authorizing the Governor to Declare Foxes Predatory Animals, in Certain Areas, and

Dispensing with Licenses Relative to Foxes when Declared Predatory.

Introduction, first reading, 124.
 Reference, 124.
 Reported back, 275.
 Amended, 713, 921.
 Second reading, 219, 921.
 Passed, 300, 922.
 Other action, 300, 921, 951.
 Forwarded to Senate, 318, 951.
 Returned by Senate, 713, 921, 983.
 Senate action, 921.
 Enrolled, 928.
 Signed by Speaker, 932.
 Forwarded to Governor, 994.
 Approved by Governor, 1096.

House Bill No. 66—(Smart, Haugland and Benno)

House Bill No. 66. A Bill for an Act Providing That Any Park District Owning and Operating Any Municipal Airport and Landing Field May Levy Not to Exceed Two Mills for the Purpose of Operating and Maintaining Such Municipal Airport and Landing Field.

Introduction, first reading, 124.
 Reference, 124, 199.
 Reported back, 170, 250.
 Amended, 170.
 General orders, 184.
 Engrossed, 187.
 Second reading, 199.
 Indefinitely postponed, 250.

House Bill No. 67—(Wolf of Morton, Wolf of McIntosh, Welder, Gackle, Haag, Sandness, Arndt, Glas, Singleton)

House Bill No. 67. A Bill for an Act Requiring the County Commissioners of Every County in this State at the Time Fixed by Law for Levy and Assessment of Taxes for General County Purposes to Levy a Tax Not Exceeding One-half of One Mill on the Dollar of Assessed Valuation Upon All Real Estate in Such County; the Proceeds of Which Are to Be Used for the Purpose of Promoting the Destruction of Gophers and Prairie-dogs Fixing the Time When Bounty Is to Be Paid, and the Amount Thereof. Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 124.
 Reference, 124.
 Reported back, 177.
 Indefinitely postponed, 177.

House Bill No. 68—(Fleck)

House Bill No. 68. A Bill for an Act to Amend and Re-enact Section 3784 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to Elections in Cities Under the Commission Form of Government Providing That Elective Officers Serve Until Their Successors Are Elected and Qualified. Repeal.

Introduction, first reading, 141.
 Reference, 142.

Reported back, 170.
 Amended, 170, 184.
 General orders, 184.
 Engrossed, 187.
 Second reading, 199, 306.
 Passed, 200, 307.
 Other action, 306, 308.
 Forwarded to Senate, 207, 308, 314.
 Returned by Senate, 305, 335.
 Senate action, 305.
 Enrolled, 312.
 Signed by Speaker, 313.
 Forwarded to Governor, 342.
 Approved by Governor, 621.

House Bill No. 69—(Fleck)

House Bill No. 69. A Bill for an Act to Amend and Re-enact Chapter 175 of the Session Laws of North Dakota for the Year 1937 Relating to Tax Limitations of Cities.

Introduction, first reading, 142.
 Reference, 142.
 Reported back, 249.
 Indefinitely postponed, 249.

House Bill No. 70—(Nystrom and Ohnstad)

House Bill No. 70. A Bill for an Act to Amend and Re-enact Section 3858 of the Compiled Laws of North Dakota for 1913 Relating to Village Officers and Their Oaths of Office. Repeal.

Introduction, first reading, 142.
 Reference, 142, 183, 244.
 Reported back, 169, 218, 316.
 Second reading, 244.
 Indefinitely postponed, 316.
 Other action, 316.

House Bill No. 71—(Olson of Barnes)

House Bill No. 71. A Bill for an Act to Amend and Re-enact Section 3576, Compiled Laws of 1913, Relating to the Power of the Mayor to Keep the Peace.

Introduction, first reading, 142.
 Reference, 142.
 Reported back, 168.
 Second reading, 181.
 Passed, 182.
 Forwarded to Senate, 194, 440.
 Returned by Senate, 333, 498.
 Senate action, 333.
 Enrolled, 366.
 Signed by Speaker, 424.
 Forwarded to Governor, 507.
 Approved by Governor, 621.

House Bill No. 72—(Fitch)

House Bill No. 72. A Bill for an Act to Amend and Re-enact Section 4972, Compiled Laws of North Dakota for the

Year 1913, Relating to the Age of Members of Accident and Sickness Insurance Corporations, Associations and Societies.

Introduction, first reading, 142.
 Reference, 142.
 Reported back, 218.
 Amended, 218, 247.
 General orders, 247.
 Engrossed, 249.
 Second reading, 262.
 Passed, 263, 1225.
 Forwarded to Senate, 271, 1320.
 Returned by Senate, 1225, 1423.
 Senate action, 1225.
 Enrolled, 1290.
 Signed by Speaker, 1316.
 Forwarded to Governor, 1430.

House Bill No. 73—(Belzer, Tuff, Sharpe and Westby)

House Bill No. 73. A Bill for an Act to Amend and Re-enact Section 3009a2 of the 1925 Supplement to the Compiled Laws of 1913, Relating to the Standard Weight of Coal and Providing Penalty.

Introduction, first reading, 142.
 Reference, 142.
 Reported back, 177, 309.
 Indefinitely postponed, 196.

House Bill No. 74—(Committee on Tax and Tax Laws)

House Bill No. 74. A Bill for an Act Imposing a Tax on Banks and Trust Companies Measured by Net Income, Including Income from Tax Exempt Securities, Providing for the Assessment and Collection Thereof; Providing for the Enforcement of Such Act and Penalties for the Violation Thereof, Repeal.

Introduction, first reading, 142.
 Reference, 142.
 Reported back, 175.
 Amended, 378.
 Engrossed, 378.
 Second reading, 195, 379.
 Passed, 196, 379.
 Other action, 358, 378, 379, 438.
 Forwarded to Senate, 206, 440.
 Returned by Senate, 358, 378, 498.
 Senate action, 378.
 Enrolled, 394.
 Signed by Speaker, 424.
 Forwarded to Governor, 507.
 Approved by Governor, 712.

House Bill No. 75—(Bergesen and Severson)

House Bill No. 75. A Bill for an Act Providing that the State of North Dakota May Enter Into a Compact with Any of the United States for Mutual Helpfulness in Relation to Persons Convicted of Crime or Offenses Who May Be on Probation or Parole; Providing Certain Terms Thereof; Saving Clause.

Introduction, first reading, 142.
 Reference, 142.

Reported back, 168.
 Amended, 168.
 General orders, 183.
 Engrossed, 187.
 Second reading, 198.
 Passed, 199.
 Forwarded to Senate, 207, 440.
 Returned by Senate, 333, 498.
 Senate Action, 333.
 Enrolled, 366.
 Signed by Speaker, 424.
 Forwarded to Governor, 507.
 Approved by Governor, 712.

House Bill No. 76—(Sellens and Bergesen)

House Bill No. 76. A Bill for an Act to Amend and Re-enact Section 683 of the Compiled Laws of the State of North Dakota for 1913, Relating to Creation of Vacancies in Public Offices; Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 142.
 Reference, 142.
 Reported back, 287.
 Amended, 287, 538, 923.
 General orders, 326.
 Engrossed, 332.
 Second reading, 355, 923.
 Passed, 356, 924.
 Emergency clause, 356, 924.
 Other action, 230, 923, 951.
 Forwarded to Senate, 371, 952.
 Returned by Senate, 537, 923, 983.
 Enrolled, 928.
 Signed by Speaker, 932.
 Forwarded to Governor, 994.
 Approved by Governor, 1046.

House Bill No. 77—(Benno, Gackle and Collette)

House Bill No. 77. A Bill for an Act Requiring Non-resident Owners of Combines Operating Same in This State to Procure a State License; Fixing the License Fee and Providing a Penalty for Non-compliance.

Introduction, first reading, 143.
 Reference, 143.
 Reported back, 169.
 Amended, 169.
 General orders, 183.
 Indefinitely postponed, 183.

House Bill No. 78—(Panko)

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 238 of the 1931 Session Laws of the State of North Dakota, Relating to School Busses and Including the Letting of Contracts to Furnishing Vehicular Transportation to School Districts Upon Notice, and Providing for a Board of Arbitration to Hear and Determine Disputes as to Routes of Such Vehicles of Transportation.

Introduction, first reading, 143.
 Reference, 143.

Reported back, 286.
 Indefinitely postponed, 286.
 Other action, 285, 286.

House Bill No. 79—(Bergesen, Haugland, Morland, Beede)

House Bill No. 79. A Bill for an Act to Provide that the Expense for the Maintenance, Care, Board and Treatment of All Patients in the State Hospital for the Insane at Jamestown, North Dakota, the Institution for the Feeble Minded at Grafton, North Dakota, and the North Dakota State Tuberculosis Sanatorium at San Haven, North Dakota, Shall Be Borne Entirely by the State of North Dakota; Declaring That the Maintenance of Such Institution is a Public Purpose, Providing for the Reimbursement of the State for the Maintenance, Care, Board and Treatment of Patients; Providing for the Return of Patients Improperly Committed to Such Institutions; Providing for the Repeal of Sections 2568, 2569, 2570 and 2571 of the Compiled Laws of 1913; Section 2572, 1925 Supplement to the Compiled Laws of 1913; Section 2572a, 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 233 of the Laws of 1937; Sections 2573 and 2573a, 1925 Supplement to the Compiled Laws of 1913; Sections 2574, 2575, 2676, 2577 and 2578, Compiled Laws of 1913; Section 2579, Compiled Laws of 1913, as Amended by Chapter 143, Laws of 1937; Section 2588, Compiled Laws of 1913, as Amended by Chapter 246, Laws of 1939; and Sections 1716a1, 1716a2, 1716a3 and 1717, 1925 Supplement to the Compiled Laws for 1913, and Providing for a Saving Clause.

Introduction, first reading, 161.
 Reference, 162.
 Reported back, 234.
 Second reading, 259.
 Passed, 260.
 Indefinitely postponed, 950.
 Forwarded to Senate, 271.
 Returned by Senate, 950.
 Senate action, 950.

House Bill No. 80—(Committee on State Affairs)

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 69 of the Session Laws of North Dakota for the Year 1933; Having to do with Corporate Farming.

Introduction, first reading, 143.
 Reference, 143.
 Reported back, 350, 427.
 Indefinitely postponed, 352.
 Other action, 349.

House Bill No. 81—(Aker, by request)

House Bill No. 81. A Bill for an Act to Repeal Chapter 35, Session Laws of 1921, being Section 3591a of the 1925 Supplement, Relating to Publication of Proceedings of City Councils.

Introduction, first reading, 143.
 Reference, 143, 195.
 Reported back, 175, 218.
 Indefinitely postponed, 218.

House Bill No. 82—(Austad)

House Bill No. 82. A Bill for an Act to Amend and Re-enact Section 3 (d) of Chapter 165 Laws of North Dakota for 1933 to Provide a Higher Sulphur Limit; and to Provide a Minimum Knock Rating for Tractor Fuel.

Introduction, first reading, 162.
 Reference, 162, 307.
 Reported back, 274.
 Amended, 274, 1243.
 General orders, 307, 365.
 Engrossed, 394.
 Second reading, 406, 1302.
 Passed, 406, 1303.
 Other action, 406, 1260, 1268, 1302, 1303, 1304.
 Forwarded to Senate, 438, 1377.
 Returned by Senate, 1243, 1398.
 Senate action, 1243.
 Conference Committee, 1260, 1265.
 Enrolled, 1348.
 Signed by Speaker, 1362.
 Forwarded to Governor, 1426.

House Bill No. 83—(Bergesen and Ohnstad)

House Bill No. 83. A Bill for an Act to Amend and Re-enact Section 953 of the Compiled Laws of North Dakota for 1913, Providing for the Appointment of Poll Clerks for Elections, Defining their Qualifications and Fixing their Compensation, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 162.
 Reference, 162.
 Reported back, 240.
 Amended, 240.
 General orders, 267.
 Engrossed, 276.
 Second reading, 279.
 Passed, 280.
 Forwarded to Senate, 304, 572.
 Returned by Senate, 537, 636.
 Enrolled, 569.
 Signed by Speaker, 570.
 Forwarded to Governor, 653.
 Approved by Governor, 782.

House Bill No. 84—(Bergesen and Ohnstad)

House Bill No. 84. A Bill for an Act to Amend and Re-enact Section 10993 of the Compiled Laws of North Dakota for 1913, Relating to the Right of the State to Appeal in Criminal Procedure.

Introduction, first reading, 162.
 Reference, 162.
 Reported back, 368.
 Second reading, 414.
 Passed, 414.
 Indefinitely postponed, 574, 1147.
 Other action, 320, 414, 893, 895.
 Forwarded to Senate, 440, 895.
 Returned by Senate, 574, 1147.
 Senate action, 574, 1147.

House Bill No. 85—(Aker)

House Bill No. 85. A Bill for an Act Specifying the Procedure for Passing Ordinances in Cities, Villages, Towns and Park Districts. Repeal.

Introduction, first reading, 170.

Reference, 170.

Reported back, 394.

Indefinitely postponed, 394.

House Bill No. 86—(Aker)

House Bill No. 86. A Bill for an Act Providing for Publication of Ordinances, Notices and Other Instruments in Cities, Villages, Towns, and Park Districts with No Legal Newspaper. Repeal.

Introduction, first reading, 170.

Reference, 171.

Reported back, 394.

Indefinitely postponed, 394.

House Bill No. 87—(Olson of Barnes)

House Bill No. 87. A Bill for an Act Amending and Re-enacting Section 3583 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Section 2 of Chapter 167 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1935, Relating to the Term of Office of Aldermen. Repeal.

Introduction, first reading, 171.

Reference, 171.

Reported back, 213.

Second reading, 225.

Passed, 226.

Forwarded to Senate, 240, 572.

Returned by Senate, 537, 637.

Enrolled, 569.

Signed by Speaker, 570.

Forwarded to Governor, 653.

Approved by Governor, 782.

House Bill No. 88—(Twichell, Fitch, Johnson, Shure and Bergesen)

House Bill No. 88. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929, as Amended by Chapter 176 Session Laws of 1939, Relating to Park District Tax Levies.

Introduction, first reading, 171.

Reference, 171, 205.

Reported back, 316.

Indefinitely postponed, 316.

House Bill No. 89—(Mollet, Rohde, Olson of Bowman, Olson of Barnes)

House Bill No. 89. A Bill for an Act to Permit the Board of County Commissioners of Any County to Exchange Its Lands Acquired by Tax Deed for Other Lands in the Same

County When Deemed to Be for the Best Interests of the County; and Declaring an Emergency.

Introduction, first reading, 171.
 Reference, 171.
 Reported back, 217.
 Amended, 442.
 Second reading, 242, 451.
 Passed, 242, 452.
 Emergency clause, 242.
 Other action, 242, 450, 469.
 Forwarded to Senate, 255.
 Returned by Senate, 442, 498.
 Enrolled, 460.
 Signed by Speaker, 461.
 Forwarded to Governor, 507.
 Approved by Governor, 712.

House Bill No. 90—(Erickson of Divide, Erickson of Williams, Welder, Semerad, Bymers and Bubel)

House Bill No. 90. A Bill for an Act Providing for the Consideration by the State Board of Equalization of Certain Property Valuation in Determining the Value of Public Utilities for Taxing Purposes, and Declaring an Emergency.

Introduction, first reading, 171.
 Reference, 171.
 Reported back, 219.
 Second reading, 244, 296.
 Passed, 297, 1243.
 Indefinitely postponed, 245.
 Emergency clause, 297, lost.
 Other action, 219, 245, 257, 265, 297.
 Forwarded to Senate, 317.
 Returned by Senate, 1243.
 Senate action, 1243.
 Enrolled, 1290.
 Signed by Speaker, 1316.
 Forwarded to Governor, 1430.

House Bill No. 91—(Semerad and Mollet)

House Bill No. 91. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 237, Laws of 1939 and Providing That County Commissioners May Act as Leasing and Collecting Agents for the County.

Introduction, first reading, 171.
 Reference, 171.
 Reported back, 218.
 Amended, 1216.
 Second reading, 243.
 Passed, 244, 1267.
 Other action, 244, 1266, 1267, 1293.
 Forwarded to Senate, 255, 1378.
 Returned by Senate, 1216, 1399.
 Senate action, 1216.
 Enrolled, 1348.
 Signed by Speaker, 1363.
 Forwarded to Governor, 1426.

House Bill No. 92—(Fleck)

House Bill No. 92. A Bill for an Act Authorizing and

Directing the Board of Administration to Procure the Installation in the House Chamber of the Legislative Assembly in the Capitol Building in Bismarck, North Dakota an Electric Roll Call System, Including 113 Miniature Indicator Boards, 120 Voting Stations, 113 Desk Receptacles, 113 Member Indicator Boards, 117 Member Page Call Boards, 117 Page Call Push Buttons, Terminal Frame, and Proper Motor Generator to Operate the Same, and Providing for an Appropriation for the Cost Thereof.

Introduction, first reading, 171.
Reference, 172.
Reported back, 217.
Indefinitely postponed, 217.
Other action, 217.

House Bill No. 93—(Aker)

House Bill No. 93. A Bill for an Act Providing for the Appointment of Personal Property Tax Collectors by the County Board of Commissioners.

Introduction, first reading, 172.
Reference, 172.
Reported back, 249.
Indefinitely postponed, 249.

House Bill No. 94—(Wolf and Fitch)

House Bill No. 94. A Bill for an Act Delegating Power to Governing Bodies or Cities of Ten Thousand Population or More, for the Licensing, Taxing and Regulating of Painters, Paperhangers and Decorators and the Business of Painting, Paperhanging and Decorating.

Introduction, first reading, 172.
Reference, 172, 212.
Reported back, 212, 316.
Indefinitely postponed, 316.
Other action, 316.

House Bill No. 95—(Panko, Starck, Myers and Larson)

House Bill No. 95. A Bill for an Act to Encourage the Destruction of Rattlesnakes, and Providing a Bounty to Be Paid by the State of North Dakota for Each Rattlesnake Killed, and Providing for the Disposition of the Rattlesnake Tails. Penalty. Appropriation.

Introduction, first reading, 172.
Reference, 172.
Reported back, 311.
Amended, 1016, 1020.
Second reading, 353, 1021.
Passed, 354, 1022.
Other action, 311, 354, 1022, 1026.
Forwarded to Senate, 371, 1073.
Returned by Senate, 1016, 1020, 1122.
Senate action, 1016, 1020.
Enrolled, 1051.
Signed by Speaker, 1057.
Forwarded to Governor, 1146.

House Bill No. 96—(Bubel, Panko, Larson, Brusseau, Rieker, Erickson of Divide and Wolf of Morton)

House Bill No. 96. A Bill for an Act Making an Appropria-

tion for the Purpose of Carrying Out the Provisions of Chapter 224 of the Session Laws of the State of North Dakota for 1939.

Introduction, first reading, 172.
Reference, 172.
Reported back, 521.
Indefinitely postponed, 521.
Other action, 886.

House Bill No. 97—(Aker and Welder)

House Bill No. 97. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 147 of the Session Laws of 1939, Providing for the Procuring of Licenses to Buy and Sell Tax-Exempt Gasoline and the Fees Therefor.

Introduction, first reading, 172.
Reference, 172.
Reported back, 890.
Indefinitely postponed, 890.
Other action, 890.

House Bill No. 98—(Dalzell, Crockett, Bolmeier, Carlson, Wolf of McIntosh, Nelson of Cass)

House Bill No. 98. A Bill for an Act Relating to the Sale of Cigarettes, Cigarette Papers Used for Making of Cigarettes, and Snuff; Providing for the Levy, Assessment, Collection and Payment of a Tax Thereon; Providing for the Regulation of the Sales Thereof; Providing Penalties for the Violation Thereof; Repealing Chapter 106, Session Laws of North Dakota for 1927, Chapter 105, Session Laws of North Dakota for 1931, Chapter 269, Session Laws of North Dakota for 1935, and All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 172.
Reference, 172.
Reported back, 235, 965.
Amended, 235, 267, 948, 965.
General orders, 266.
Engrossed, 276.
Second reading, 280, 966.
Passed, 281, 967.
Other action, 966, 967.
Forwarded to Senate, 305, 999.
Returned by Senate, 948, 965, 1122.
Senate action, 968.
Enrolled, 970.
Signed by Speaker, 975.
Forwarded to Governor, 1146.

House Bill No. 99—(Welder and Bergesen)

House Bill No. 99. A Bill for an Act to Permit Not to Exceed Two Hours Per School Week of Religious Instruction Outside of the Public Schools by a Duly Established and Incorporated Religious Body, of Children Attending Elementary and Secondary Public Schools in the State of North Dakota; Excusing Pupils for Such Purposes When Requested by Parent, Guardian, or Other Person Having Control of the Pupil. Repeal.

Introduction, first reading, 172.
Reference, 173.

Reported back, 286.
 Amended, 321, 322, 323.
 Engrossed, 333.
 Second reading, 321.
 Passed, 323.
 Indefinitely postponed, 1094.
 Other action, 285, 321, 322.
 Forwarded to Senate, 342.
 Returned by Senate, 1094.
 Senate Action, 1094.

House Bill No. 100—(Fleck and Jennings)

House Bill No. 100. A Bill for an Act Exempting Members of the United States Military Service Stationed in North Dakota, Who Are Permanent Residents of Reciprocating States, From Automobile Registration Requirements; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 178.
 Reference, 178.
 Reported back, 206.
 Second reading, 215.
 Passed, 215.
 Forwarded to Senate, 222, 440.
 Returned by Senate, 333, 498.
 Enrolled, 366.
 Signed by Speaker, 424.
 Forwarded to Governor, 507.
 Approved by Governor, 621.

House Bill No. 101—(Belzer, by request)

House Bill No. 101. A Bill for an Act Providing for Each Life Insurance Company Now Engaged or That May Engage in Transacting Business of Life Insurance in This State, Shall Invest and Keep Invested in North Dakota Securities and North Dakota Real Estate a Sum of Money Equal to at Least Seventy-five Per Cent of the Aggregate Amount of Legal Reserve; Providing How Investments Shall Be Made; For an Occupation Tax; Report Showing Amount of Reserve and Gross Receipts; Requiring Taxes to Be Paid Before Certificate Issued; Providing Penalties for Failure to Renew Certificate; Authorizing Commissioner to Revoke Certificate; and Deposit by Domestic Company; Repealing All Acts or Parts of Acts in Conflict with This Act.

Introduction, first reading, 178.
 Reference, 178.
 Reported back, 249.
 Indefinitely postponed, 249.
 Other action, 250.

House Bill No. 102—(Levin)

House Bill No. 102. A Bill for an Act to Establish a State Industrial Alcohol Plant; Providing for the Management Thereof, and Making an Appropriation Therefor; Constitutionality.

Introduction, first reading, 178.
 Reference, 178, 301.
 Reported back, 275, 721.

Second reading, 798.
 Passed, 798, 1255.
 Other action, 799.
 Forwarded to Senate, 855, 1318.
 Returned by Senate, 1255, 1389.
 Senate action, 1255.
 Enrolled, 1290.
 Signed by Speaker, 1315.
 Forwarded to Governor, 1425.

House Bill No. 103—(Fitch)

House Bill No. 103. A Bill for an Act Appropriating the Sum of \$27,845.92 to the State Highway Commissioner Out of Any Funds in the State Treasury Available to the State Highway Department for the Purpose of Paying a Judgment That May Be Obtained by the Northern Improvement Company, of Fargo, North Dakota.

Introduction, first reading, 178.
 Reference, 179, 566.
 Reported back, 487, 719.
 Amended, 719.
 General orders, 759.
 Engrossed, 835.
 Second reading, 542, 846.
 Passed, 847, 1213.
 Indefinitely postponed, 543.
 Emergency clause, 847.
 Other action, 487, 565, 847.
 Forwarded to Senate, 858, 1269.
 Returned by Senate, 1213, 1427.
 Senate action, 1213.
 Enrolled, 1248.
 Signed by Speaker, 1251.
 Forwarded to Governor, 1430.

House Bill No. 104—(Haugland, Johnson of Richland, Saumur, Bergesen and Olson of Barnes)

House Bill No. 104. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, 4, 5, 6, 7, 9 and 10 of Chapter 135, Laws 1935 and Section 8 of Chapter 135, Laws 1935 as Amended by Chapter 143, Laws 1939 and Providing for the Selection of Precinct County and State Committee Women.

Introduction, first reading, 179.
 Reference, 179.
 Reported back, 274.
 Second reading, 298.
 Indefinitely postponed, 299.
 Other action, 299.

House Bill No. 105—(Committee on Appropriations)

House Bill No. 105. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the School for the Deaf at Devils Lake, North Dakota.

Introduction, first reading, 179.
 Reference, 179.
 Reported back, 739.
 Amended, 740.
 General orders, 816.

Engrossed, 859.
 Second reading, 853.
 Passed, 854.
 Other action, 854.
 Forwarded to Senate, 894, 1222.
 Returned by Senate, 1155, 1257.
 Senate action, 1155.
 Enrolled, 1182.
 Signed by Speaker, 1218.
 Forwarded to Governor, 1322.

House Bill No. 106—(Committee on Appropriations)

House Bill No. 106. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State School for the Blind at Bathgate, North Dakota.

Introduction, first reading, 179.
 Reference, 179.
 Reported back, 740.
 Amended, 740.
 General orders, 816.
 Engrossed, 859.
 Second reading, 859.
 Passed, 860.
 Forwarded to Senate, 894, 1024.
 Returned by Senate, 981, 1124.
 Senate action, 981.
 Enrolled, 1013.
 Signed by Speaker, 1017.
 Forwarded to Governor, 1146.
 Approved by Governor, 1384.

House Bill No. 107—(Committee on Appropriations)

House Bill No. 107. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Introduction, first reading, 179.
 Reference, 179.
 Reported back, 740.
 Amended, 740, 817, 1211.
 General orders, 817.
 Engrossed, 859.
 Second reading, 860, 1277.
 Passed, 861, 1278.
 Other action, 1277, 1293.
 Forwarded to Senate, 894, 1319.
 Returned by Senate, 1211, 1390.
 Senate action, 1211.
 Enrolled, 1321.
 Signed by Speaker, 1315.
 Forwarded to Governor, 1425.

House Bill No. 108—(Committee on Appropriations)

House Bill No. 108. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Introduction, first reading, 179.

Reference, 179.
 Reported back, 740.
 Amended, 740, 1156.
 Engrossed, 868.
 Second reading, 869, 1276.
 Passed, 869, 1277.
 Other action, 869, 1276, 1293.
 Forwarded to Senate, 895, 1319.
 Returned by Senate, 1156, 1389.
 Senate action, 1156.
 Enrolled, 1321.
 Signed by Speaker, 1315.
 Forwarded to Governor, 1425.

House Bill No. 109—(Committee on Appropriations)

House Bill No. 109. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Introduction, first reading, 179.
 Reference, 179.
 Reported back, 741.
 Amended, 741, 1156, 1334.
 General orders, 817.
 Engrossed, 868.
 Second reading, 870, 1334.
 Passed, 870, 1335.
 Other action, 870, 1292, 1300, 1334, 1347.
 Forwarded to Senate, 895, 1376.
 Returned by Senate, 1156, 1396.
 Senate action, 1156, 1370.
 Conference committee, 1285, 1302, -1334.
 Enrolled, 1373.
 Signed by Speaker, 1374.
 Forwarded to Governor, 1425.

House Bill No. 110—(Committee on Appropriations)

House Bill No. 110. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Training School, Mandan, North Dakota.

Introduction, first reading, 179.
 Reference, 179.
 Reported back, 742.
 Amended, 742, 819, 1244, 1335.
 General orders, 818.
 Engrossed, 859.
 Second reading, 861, 1336.
 Passed, 862, 1337.
 Other action, 1292, 1300, 1336, 1347.
 Forwarded to Senate, 894, 1376.
 Returned by Senate, 1244, 1398.
 Senate action, 1244, 1370.
 Conference committee, 1285, 1302, 1335.
 Enrolled, 1373.
 Signed by Speaker, 1374.
 Forwarded to Governor, 1426.

House Bill No. 111—(Committee on Appropriations)

House Bill No. 111. A Bill for an Act Making an Appropriation for the General Maintenance, and Miscellaneous Expenses of the State Hospital for the Insane at Jamestown, North Dakota.

Introduction, first reading, 179.
 Reference, 179.
 Reported back, 486.
 Amended, 486, 1244.
 General orders, 547.
 Engrossed, 569.
 Second reading, 600, 1339.
 Passed, 600, 1340.
 Other action, 1292, 1300, 1339, 1347.
 Forwarded to Senate, 716.
 Returned by Senate, 1244, 1428.
 Senate action, 1244.
 Conference committee, 1285, 1302, 1339.
 Enrolled, 1385.
 Signed by Speaker, 1386.
 Forwarded to Governor, 1425.

House Bill No. 112—(Trydahl, Brusseau and Blair)

House Bill No. 112. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 108 of the Session Laws of 1915, Being Section 1946a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota; Relating to the Expenditure of Money by Contract for Road Improvements and Road Machinery by the County Commissioners, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 180.
 Reference, 180.
 Reported back, 275.
 Amended, 275, 307.
 General orders, 307.
 Engrossed, 312.
 Second reading, 325.
 Passed, 325.
 Forwarded to Senate, 343, 573.
 Returned by Senate, 537, 636.
 Senate action, 537.
 Enrolled, 569.
 Signed by Speaker, 570.
 Forwarded to Governor, 653.
 Approved by Governor, 782.

House Bill No. 113—(Trydahl, Boulden, Saumur and Smart)

House Bill No. 113. A Bill for an Act to Amend and Re-enact Section 1, Chapter 121 of the Session Laws of North Dakota for the Year 1935.

Introduction, first reading, 180.
 Reference, 180.
 Reported back, 218.
 Amended, 218.
 General orders, 247.
 Engrossed, 249.
 Second reading, 262.
 Passed, 262.

Forwarded to Senate, 271, 464.
 Returned by Senate, 442, 499.
 Senate action, 442.
 Enrolled, 460.
 Signed by Speaker, 461.
 Forwarded to Governor, 507.
 Approved by Governor, 712.

House Bill No. 114—(Tuff and Allen, by request)

House Bill No. 114. A Bill for an Act to Amend and Re-enact Section 1105 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 130 of the 1939 Session Laws of the State of North Dakota, Relating to the Board of Pardons, the Powers and Duties Thereof, and the Procedure Before Such Board; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Introduction, first reading, 192.
 Reference, 192.
 Reported back, 234.
 Amended, 235.
 General orders, 265.
 Engrossed, 276.
 Second reading, 278.
 Passed, 279.
 Emergency clause, 279.
 Forwarded to Senate, 304, 1269.
 Returned by Senate, 1218, 1426.
 Senate action, 1218.
 Enrolled, 1248.
 Signed by Speaker, 1249.
 Forwarded to Governor, 1430.

House Bill No. 115—(Allen and Tuff, by request)

House Bill No. 115. A Bill for an Act to Include Certain Elective Officials of the State and of the Counties Thereof Under the Terms of the Workmen's Compensation Act, and to Amend and Re-enact Section 4 of Chapter 286, Session Laws of 1935 (Being Section 10-1 of Chapter 162 of the Session Laws of 1919, as Amended) Relating to Disbursements of the Workmen's Compensation Fund; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 192.
 Reference, 193.
 Reported back, 428.
 Amended, 387, 428.
 General orders, 482.
 Engrossed, 485.
 Second reading, 387, 514.
 Passed, 388, 515.
 Emergency clause, 515.
 Other action, 320, 515.
 Forwarded to Senate, 540, 1222.
 Returned by Senate, 1154, 1256.
 Senate action, 1154.
 Enrolled, 1182.
 Signed by Speaker, 1221.
 Forwarded to Governor, 1322.

House Bill No. 116—(Allen and Tuff, by request)

House Bill No. 116. A Bill for an Act Authorizing the Seizure and Confiscation of Vehicles or Other Conveyances Used in the Commission of a Felony, in the Furtherance of the Commission of a Felony, in the Escape from the Scene of the Commission of a Felony, or in the Transportation of Property Which Is the Subject Matter of Any Felony; Providing for a Proceeding to Release Such Property; For the Sale and Method of Sale of Vehicle Confiscated; For the Disposition of Funds Arising from Sale; Declaring an Emergency.

Introduction, first reading, 193.
 Reference, 193, 367.
 Reported back, 367, 527.
 Amended, 528.
 General orders, 590.
 Engrossed, 612.
 Second reading, 649.
 Passed, 650.
 Indefinitely postponed, 367.
 Emergency clause, 650.
 Other action, 367, 650.
 Forwarded to Senate, 714, 1113.
 Returned by Senate, 1095, 1186.
 Senate action, 1095.
 Enrolled, 1105.
 Signed by Speaker, 1102.
 Forwarded to Governor, 1272.

House Bill No. 117—(Tuff and Allen, by request)

House Bill No. 117. A Bill for an Act to Amend and Re-enact Section 3406 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Duties of the Coroner; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Introduction, first reading, 193.
 Reference, 193.
 Reported back, 212.
 Amended, 213.
 General orders, 247.
 Engrossed, 249.
 Second reading, 261.
 Passed, 261.
 Emergency clause, 261.
 Other action, 261.
 Forwarded to Senate, 271, 1074.
 Returned by Senate, 1016, 1122.
 Enrolled, 1051.
 Signed by Speaker, 1058.
 Forwarded to Governor, 1146.
 Approved by Governor, 1384.

House Bill No. 118—(Joint Committee on Refunding State Indebtedness)

House Bill No. 118. A Bill for an Act Providing for the Levying of a Tax for the Payment of State Capitol Building Certificates and for the Payment of State Capitol Building Refunding Certificates.

Introduction, first reading, 193.

Reference, 193.
 Reported back, 213.
 Second reading, 223.
 Passed, 224.
 Forwarded to Senate, 240, 573.
 Returned by Senate, 537, 636.
 Enrolled, 569.
 Signed by Speaker, 570.
 Forwarded to Governor, 653.
 Approved by Governor, 783.

House Bill No. 119—(Joint Committee on Refunding State Indebtedness)

House Bill No. 119. A Bill for an Act Authorizing the Industrial Commission to Issue State Capitol Building Refunding Certificates for the Purpose of Securing Funds with Which to Pay Outstanding State Capitol Building Certificates, Prescribing the Conditions Thereof, Manner of Sale and the Payment Thereof.

Introduction, first reading, 193.
 Reference, 193.
 Reported back, 213.
 Second reading, 224.
 Passed, 224.
 Forwarded to Senate, 240, 573.
 Returned by Senate, 537, 637.
 Enrolled, 569.
 Signed by Speaker, 570.
 Forwarded to Governor, 653.
 Approved by Governor, 783.

House Bill No. 120—(Committee on Tax and Tax Laws)

House Bill No. 120. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 237 of the Session Laws of 1939 Relating to the Authority of County Commissioners to Lease Real Property Acquired by Tax Deed and Not Sold or Leased; to Limit Term of Lease; to Permit Longer Leases to Co-operative Grazing Associations, Soil Conservation Districts, and Individuals; to Limit Expense of Supervising and Collecting Rentals; to Provide That Net Revenue Be Distributed to Taxing Districts, and Declaring an Emergency.

Introduction, first reading, 193.
 Reference, 193.
 Reported back, 216.
 Amended, 403, 429.
 Second reading, 228.
 Passed, 229.
 Other action, 205, 229, 1274.
 Forwarded to Senate, 240, 1310.
 Returned by Senate, 403, 429, 1381, 1427.
 Conference Committee, 429, 714, 1272, 1301, 1304, 1310.
 Enrolled, 1385.
 Signed by Speaker, 1386.
 Forwarded to Governor, 1425.

House Bill No. 121—(Holm and Arneson)

House Bill No. 121. A Bill for an Act Prohibiting the Sale, Offering or Exposing for Sale of Fireworks; Defining Fireworks and Regulating the Manner of Their Use; Provid-

ing Penalties for Violation of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, 193.
 Reference, 193.
 Reported back, 610.
 Amended, 610, 784.
 General orders, 703.
 Engrossed, 739.
 Second reading, 784.
 Indefinitely postponed, 784.
 Other action, 315, 784.

House Bill No. 122—(Trydahl)

House Bill No. 122. A Bill for an Act Making an Appropriation for Payment of an Emergency Expenditure by the North Dakota National Guard in Connection with the Organization of Two Extra Battalions of 155 m.m. by Order of the War Department and Declaring an Emergency.

Introduction, first reading, 193.
 Reference, 194.
 Reported back, 370.
 Second reading, 417.
 Passed, 418.
 Indefinitely postponed, 370.
 Emergency clause, 418.
 Other action, 370, 418.
 Forwarded to Senate, 440, 1270.
 Returned by Senate, 1217, 1426.
 Senate action, 1217.
 Enrolled, 1248.
 Signed by Speaker, 1249.
 Forwarded to Governor, 1430.

House Bill No. 123—(Smart, Holm and Black)

House Bill No. 123. A Bill for an Act Reserving to the Counties of the State Mineral, Gas and Oil Rights; and Declaring an Emergency.

Introduction, first reading, 195.
 Reference, 195.
 Reported back, 341, 488.
 Amended, 489, 548.
 General orders, 548.
 Engrossed, 569.
 Second reading, 602.
 Passed, 603.
 Emergency clause, 603.
 Other action, 603.
 Forwarded to Senate, 716, 1222.
 Returned by Senate, 1155, 1258.
 Senate action, 1155.
 Enrolled, 1182.
 Signed by Speaker, 1221.
 Forwarded to Governor, 1322.

House Bill No. 124—(Saumur and Bergesen)

House Bill No. 124. A Bill for an Act to Repeal Chapter 160 of the Session Laws of the State of North Dakota for 1927 Relating to the Arbitration of Controversies Between the

State Highway Commission and Parties Contracting There-with.

- Introduction, first reading, 200.
- Reference, 200.
- Reported back, 330.
- Indefinitely postponed, 330.

House Bill No. 125—(Olson of Bowman)

House Bill No. 125. A Bill for an Act Requiring Operators of Auto-wrecking Plants, Junk Dealers and Others Allowing Open Plots to Be Covered With Junk or Wrecked Machinery or Automobiles to Erect Fences to Prevent Such Plots from View from Any Federal or State Highway.

- Introduction, first reading, 200.
- Reference, 200.
- Reported back, 341.
- Indefinitely postponed, 341.

House Bill No. 126—(Shure, Beede and Aker, Special Committee on Code Revision)

House Bill No. 126. A Bill for an Act to Repeal Sections 3177 to 3180, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota Relating to Municipal Wool Markets.

- Introduction, first reading, 201.
- Reference, 201.
- Reported back, 213.
- Second reading, 225.
- Passed, 225.
- Forwarded to Senate, 240, 573.
- Returned by Senate, 537, 636.
- Enrolled, 569.
- Signed by Speaker, 570.
- Forwarded to Governor, 653.
- Approved by Governor, 783.

House Bill No. 127—(Shure, Beede and Aker, Special Committee on Code Revision)

House Bill No. 127. A Bill for an Act to Provide for the Transportation of Prisoners and Persons Committed to the State Penitentiary and State Training School, and of Patients Committed to the State Hospital; Providing Fees and Mileage Therefor and Repealing Chapter 173, Session Laws for the Year 1917 (Being ss. 3526a1 to 3526a5, both inclusive, of the 1925 Supplement to the 1913 Compiled Laws) as Amended by Chapter 275 of the Session Laws for the Year 1931; and Declaring an Emergency.

- Introduction, first reading, 201.
- Reference, 201.
- Reported back, 310, 682.
- Amended, 310, 364, 682, 743, 1225.
- General orders, 364, 743.
- Engrossed, 807.
- Second reading, 803, 1260.
- Passed, 804, 1261.
- Indefinitely postponed, 1101.
- Emergency clause, 804, 1261.
- Other action, 1132, 1260, 1293.
- Forwarded to Senate, 856, 1132, 1318.

Returned by Senate, 1101, 1225, 1423.
Senate action, 1101, 1225.
Enrolled, 1321.
Signed by Speaker, 1313.
Forwarded to Governor, 1425.

House Bill No. 128—(Shure, Beede and Aker, Special Committee on Code Revision)

House Bill No. 128. A Bill for an Act to Repeal Sections 10197 and 10199 of the Compiled Laws of North Dakota Relating to Guinness Patent Butter and to Patent Butter and Cheese.

Introduction, first reading, 201.
Reference, 201.
Reported back, 275.
Second reading, 301.
Passed, 301, 1243.
Forwarded to Senate, 318, 1073, 1075, 1319.
Returned by Senate, 1016, 1243, 1389.
Senate action, 1243.
Enrolled, 1051, 1290.
Signed by Speaker, 1316.
Forwarded to Governor, 1425.

House Bill No. 129—(Shure, Beede and Aker, Special Committee on Code Revision)

House Bill No. 129. A Bill for an Act to Repeal Chapter 119 of the Session Laws for the Year 1927 Relating to the Parole of Prisoners to the County Commissioners for Work on Highways.

Introduction, first reading, 201.
Reference, 201.
Reported back, 213.
Second reading, 226.
Passed, 226.
Forwarded to Senate, 240, 500.
Returned by Senate, 468, 574.
Enrolled, 485.
Signed by Speaker, 496.
Forwarded to Governor, 594.
Approved by Governor, 712.

House Bill No. 130—(Shure, Beede and Aker, Special Committee on Code Revision)

House Bill No. 130. A Bill for an Act to Amend and Re-enact Section 9876 of the 1913 Compiled Laws of North Dakota Relating to Punishment for Burglary.

Introduction, first reading, 201.
Reference, 201.
Reported back, 213.
Second reading, 227.
Passed, 228.
Forwarded to Senate, 240, 573.
Returned by Senate, 537, 636.
Enrolled, 569.
Signed by Speaker, 571.
Forwarded to Governor, 653.
Approved by Governor, 783.

House Bill No. 131—(Shure, Beede and Aker, Special Committee on Code Revision)

House Bill No. 131. A Bill for an Act Authorizing the Use of Photography in the Making of Permanent County Records.

- Introduction, first reading, 201.
- Reference, 201.
- Reported back, 217.
- Second reading, 243.
- Passed, 243.
- Forwarded to Senate, 255.
- Returned by Senate, 442.
- Enrolled, 460.
- Signed by Speaker, 461.
- Forwarded to Governor, 507.
- Approved by Governor, 621.

House Bill No. 132—(Shure, Beede and Aker, Special Committee on Code Revision)

House Bill No. 132. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 175 of the Session Laws for the Year 1931, Relating to Garage Keeper's Storage Lien; Establishing Priority of Such Lien; and Providing for the Recording and Foreclosure of Said Liens.

- Introduction, first reading, 201.
- Reference, 202.
- Reported back, 367.
- Amended, 367.
- General orders, 419.
- Engrossed, 425.
- Second reading, 448.
- Indefinitely postponed, 449.

House Bill No. 133—(Myers, Wolf of Morton, Belzer, Mollet, Jennings, Bubel, Morrison, Nelson of Morton, Starck and Semerad)

House Bill No. 133. A Bill for an Act to Provide for Appointment of Counsel Before Plea of Defendant Charged with First Degree Murder; Providing Payment for Services of Such Counsel.

- Introduction, first reading, 205.
- Reference, 205.
- Reported back, 367.
- Amended, 367.
- General orders, 418.
- Engrossed, 425.
- Second reading, 448.
- Passed, 448.
- Indefinitely postponed, 574.
- Forwarded to Senate, 468.
- Returned by Senate, 574.
- Senate action, 574.

House Bill No. 134—(Myers, Wolf of Morton, Belzer, Mollet, Jennings, Bubel, Morrison, Nelson of Morton, Starck and Semerad)

House Bill No. 134. A Bill for an Act to Amend and Re-enact Chapter 126 of the Session Laws of the State of North

Dakota for the Year 1933, Relative to and Covering the Awarding of Certain Contracts, and Giving Preference to Residents of the State of North Dakota; Repeal; Emergency.

Introduction, first reading, 205.
 Reference, 205.
 Reported back, 250.
 Second reading, 277.
 Passed, 278.
 Indefinitely postponed, 1215.
 Emergency clause, 278.
 Forwarded to Senate, 304.
 Returned by Senate, 1215.
 Senate action, 1215.

House Bill No. 135—(Hofstrand, by request)

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 213 of the Session Laws for 1939; Repeal.

Introduction, first reading, 205.
 Reference, 205.
 Reported back, 287.
 Second reading, 323.
 Passed, 324.
 Forwarded to Senate, 343, 1113.
 Returned by Senate, 1095, 1186.
 Senate action, 1095.
 Enrolled, 1105.
 Signed by Speaker, 1102.
 Forwarded to Governor, 1272.

House Bill No. 136—(Committee on Education)

House Bill No. 136. A Bill for an Act to Repeal Subdivision 1 of Section 3 of Chapter 240 of the Session Laws of the State of North Dakota for the Year 1931.

Introduction, first reading, 205.
 Reference, 205.
 Reported back, 287.
 Second reading, 324.
 Passed, 325.
 Other action, 325.
 Forwarded to Senate, 343, 1114.
 Returned by Senate, 1095, 1187.
 Senate action, 1095.
 Enrolled, 1105.
 Signed by Speaker, 1102.
 Forwarded to Governor, 1272.

House Bill No. 137—(Bolmeier, Fuglestad and Sharpe)

House Bill No. 137. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Mailing Bureau in the Capitol Building, for the Use of State Officers, Departments or Agencies, and to Prescribe Rules and Regulations for the General Use and Management of the Same; and Establishing a Board of Administration Postage Revolving Fund; and Making an Appropriation for the Establishment, Maintenance and Operation of the Same.

Introduction, first reading, 208.

Reference, 208, 276.
 Reported back, 341.
 Amended, 341.
 General orders, 365.
 Engrossed, 394.
 Second reading, 409.
 Passed, 410, 1214.
 Other action, 212, 409, 442.
 Forwarded to Senate, 1270.
 Returned by Senate, 1214, 1427.
 Senate action, 1214.
 Enrolled, 1248.
 Signed by Speaker, 1249.
 Forwarded to Governor, 1430.

House Bill No. 138—(Morrison, Kee, Juhola, Myers and Olson of Barnes)

House Bill No. 138. A Bill for an Act to Amend and Re-enact Chapter 235 of the 1919 Session Laws, Constituting Section 6076 of the 1925 Supplement.

Introduction, first reading, 208.
 Reference, 208.
 Reported back, 684.
 Engrossed, 807.
 Second reading, 806.
 Passed, 807, 1243.
 Other action, 320, 684, 807.
 Forwarded to Senate, 856, 1320.
 Returned by Senate, 1243, 1423.
 Senate action, 1243.
 Enrolled, 1290.
 Signed by Speaker, 1316.
 Forwarded to Governor, 1430.

House Bill No. 139—(Shure, Johnson of Richland, Myers and Beede)

House Bill No. 139. A Bill for an Act Permitting and Authorizing Appeal from All Decisions of the Workmen's Compensation Bureau by Claimants, Irrespective of Whether or Not the Bureau Makes Any Award to Claimant, and Providing for Such Appeals from All Such Decisions of the Bureau for Six Years Last Past; Repealing Laws and Parts of Laws in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 208.
 Reference, 208, 392.
 Reported back, 392, 754.
 General orders, 761.
 Engrossed, 835.
 Second reading, 852.
 Passed, 853.
 Indefinitely postponed, 392, 1086.
 Emergency clause, 853.
 Other Action, 392, 754, 853.
 Forwarded to Senate, 893.
 Returned by Senate, 1086.
 Senate action, 1086.

House Bill No. 140—(Fitch and Myers)

House Bill No. 140. A Bill for an Act Providing for the

Bonding of Deputy County Officials and Declaring an Emergency.

Introduction, first reading, 214.
Reference, 214, 395.
Reported back, 367, 444.
Amended, 444.
General orders, 482.
Engrossed, 485.
Second reading, 515.
Passed, 516.
Indefinitely postponed, 367.
Emergency clause, 516.
Other action, 367, 395, 516, 815.
Forwarded to Senate, 856, 998.
Returned by Senate, 779, 949, 1122.
Senate action, 779, 949.
Enrolled, 970.
Signed by Speaker, 975.
Forwarded to Governor, 1146.
Approved by Governor, 1384.

House Bill No. 141—(Sharpe, Fleck and Nelson of Morton)

House Bill No. 141. A Bill for an Act to Amend and Re-enact Section 578b1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Section 578b2 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 139 of the Session Laws of 1927; Sections 578b3, 578b4, 578b5, 578b6 578b7 and 578b8; and Declaring an Emergency.

Introduction, first reading, 214.
Reference, 215, 278.
Reported back, 250, 686.
Amended, 686, 750.
General orders, 745.
Engrossed, 836.
Second reading, 841.
Passed, 842.
Emergency clause, 842.
Other action, 395, 842.
Forwarded to Senate, 858, 1074.
Returned by Senate, 1016, 1121.
Senate action, 1016.
Enrolled, 1051.
Signed by Speaker, 1058.
Forwarded to Governor, 1146.

House Bill No. 142—(Committee on State Affairs)

House Bill No. 142. A Bill for an Act to Empower the Board of Administration to Establish, Maintain and Operate a Central Telephone Exchange in the State Capitol Building, to Prescribe Rules and Regulations for the Operation and Maintenance of the Same, and Making an Appropriation Therefor.

Introduction, first reading, 222.
Reference, 222.
Reported back, 274.
Amended, 1215.
Second reading, 297, 1305.

Passed, 298, 1306.
 Other action, 298, 1305, 1306, 1331.
 Forwarded to Senate, 317, 1377.
 Returned by Senate, 1214, 1398.
 Senate action, 1215.
 Enrolled, 1348.
 Signed by Speaker, 1362.
 Forwarded to Governor, 1426.

House Bill No. 143—(Committee on Military Affairs)

House Bill No. 143. A Bill for an Act to Provide for the Organization, Equipping, Maintenance, and Use of the North Dakota State Guard, and Providing Rules and Regulations Governing the Same; Emergency.

Introduction, first reading, 222.
 Reference, 222, 291.
 Reported back, 250, 309.
 Amended, 309.
 General orders, 364.
 Engrossed, 395.
 Second reading, 404.
 Passed, 405.
 Emergency clause, 405.
 Other action, 276.
 Forwarded to Senate, 438, 952.
 Returned by Senate, 917, 983.
 Senate action, 917.
 Enrolled, 928.
 Signed by Speaker, 932.
 Forwarded to Governor, 994.
 Approved by Governor, 1096.

House Bill No. 144—(Committee on Military Affairs)

House Bill No. 144. A Bill for an Act Enabling Cities, Villages, Townships, Counties, or School Districts, to Acquire Property for Recreational Purposes, to Expend Funds for Recreational Purposes and to Establish and Maintain Recreational Programs; and Declaring an Emergency.

Introduction, first reading, 222.
 Reference, 222.
 Reported back, 489.
 Amended, 651.
 Second reading, 548, 651.
 Indefinitely postponed, 549, 652.
 Other action, 565, 566, 652.

House Bill No. 145—(Crockett, Swanson, Nelson of Ramsey and Bymers)

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 40 of Chapter 148 of the Session Laws of 1931 as Amended by Section 2 of Chapter 144, Laws of 1935, Relating to Game Reserves and Refuges.

Introduction, first reading, 222.
 Reference, 223
 Reported back, 310.
 Second reading, 348.
 Passed, 349.
 Forwarded to Senate, 371, 573.

Returned by Senate, 537, 636.
 Senate action, 537.
 Enrolled, 569.
 Signed by Speaker, 571.
 Forwarded to Governor, 653.

House Bill No. 146—(Kee, Olson of Barnes, Bymers, Johnson of Cass and Crockett)

House Bill No. 146. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 311 of the Session Laws for the Year 1931 as Amended and Re-enacted by Chapter 269 of the Session Laws for the Year 1933; Relating to Fees for Inspection of Weights and Measures, and Declaring an Emergency.

Introduction, first reading, 223.
 Reference, 223
 Reported back, 287.
 Amended, 287, 327.
 General orders, 327.
 Engrossed, 333.
 Second reading, 356.
 Passed, 357.
 Emergency clause, 357.
 Forwarded to Senate, 371, 857.
 Returned by Senate, 949.
 Senate action, 949.
 Enrolled, 739.
 Signed by Speaker, 772.
 Forwarded to Governor, 948.
 Approved by Governor, 1096.

House Bill No. 147—(Committee on Appropriations)

House Bill No. 147. A Bill for an Act Making an Appropriation for Relief to Destitute and Necessitous Persons for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, Defining the Powers and Duties of the Public Welfare Board in Relation Thereto, and in Providing for Allocation of Funds to Counties for Relief Purposes and for Other Specified Relief Expenditures and Costs of Administration.

Introduction, first reading, 232.
 Reference, 232.
 Reported back, 753.
 Amended, 753.
 General Orders, 821.
 Engrossed, 859.
 Second reading, 865.
 Passed, 866, 1224.
 Other action, 231, 866.
 Forwarded to Senate, 894.
 Returned by Senate, 1224, 1320, 1423.
 Senate action, 1224.
 Enrolled, 1290.
 Signed by Speaker, 1316.
 Forwarded to Governor, 1430.

House Bill No. 148—(Committee on Appropriations)

House Bill No. 148. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, for Disbursement by the Public Welfare Board

in Providing Public Assistance to the Needy Blind and to Dependent Children, and Providing Child Welfare Services and Services to Crippled Children and for Necessary Costs of Administration.

Introduction, first reading, 232.
 Reference, 232.
 Reported back, 753.
 Amended, 753.
 General orders, 821.
 Engrossed, 859.
 Second reading, 864.
 Passed, 865, 1224.
 Other action, 231, 865.
 Forwarded to Senate, 894, 1320.
 Returned by Senate, 1224, 1423.
 Senate action, 1224.
 Enrolled, 1290.
 Signed by Speaker, 1317.
 Forwarded to Governor, 1430.

House Bill No. 149—(Committee on Appropriations)

House Bill No. 149. A Bill for an Act Making an Appropriation for the Biennium Beginning July 1, 1941, and Ending June 30, 1943, to Be Expended by the Public Welfare Board in Providing Assistance to the Needy Aged and for Necessary Costs of Administration.

Introduction, first reading, 232.
 Reference, 232.
 Reported back, 752.
 Amended, 752, 821.
 General orders, 820.
 Engrossed, 859.
 Second reading, 863.
 Passed, 864, 1224.
 Other action, 231, 864.
 Forwarded to Senate, 894, 1320.
 Returned by Senate, 1224, 1422.
 Senate action, 1224.
 Enrolled, 1290.
 Signed by Speaker, 1317.
 Forwarded to Governor, 1430.

House Bill No. 150—(Committee on Appropriations)

House Bill No. 150. A Bill for an Act Making a Deficiency Appropriation for Assistance to the Needy Aged for the Balance of the Biennial Period Ending June 30, 1941, and Declaring an Emergency.

Introduction, first reading, 232.
 Reference, 232.
 Reported back, 752.
 Second reading, 809.
 Passed, 810, 1212.
 Emergency clause, 810.
 Other action, 231.
 Forwarded to Senate, 854, 1270.
 Returned by Senate, 1212, 1426.
 Senate action, 1212.
 Enrolled, 1248.

Signed by Speaker, 1250.
Forwarded to Governor, 1430.

House Bill No. 151—(Committee on Appropriations)

House Bill No. 151. A Bill for an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided in the State Equalization Fund Law.

Introduction, first reading, 232.
Reference, 232.
Reported back, 752.
Amended, 752, 820, 1212.
General orders, 819.
Engrossed, 868.
Second reading, 870, 1324.
Passed, 871, 1325.
Other action, 231, 871, 1324, 1331.
Forwarded to Senate, 895, 1376.
Returned by Senate, 1212, 1398.
Senate action, 1212.
Enrolled, 1359.
Signed by Speaker, 1360.
Forwarded to Governor, 1426.

House Bill No. 152—(Committee on Tax and Tax Laws)

House Bill No. 152. A Bill for an Act to Amend and Re-enact Chapter 240 of the Session Laws of North Dakota for 1937 as Amended by Chapter 227 of the Session Laws of North Dakota for the Year 1939, Providing for an Adjustment of Delinquent Taxes for 1939 and Prior Years, Authorizing Boards of County Commissioners to Make Extension Contracts for the Payment of Delinquent Taxes and for the Cancellation of Such Contracts, Providing for the Suspension of Tax Collection and Tax Deed Laws as to Taxes Affected by Such Contracts, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 232.
Reference, 233, 320.
Reported back, 286, 526.
Amended, 526, 589, 1255, 1356.
General orders, 589.
Engrossed, 312.
Second reading, 320, 645, 1356.
Passed, 646, 1357.
Indefinitely postponed, 950.
Emergency clause, 646, 1357.
Other action, 646, 980, 1356.
Forwarded to Senate, 718, 994, 1359, 1384.
Returned by Senate, 950, 1255, 1359, 1424.
Senate action, 950, 984, 1255.
Conference Committee, 1356.
Enrolled, 1383.
Signed by Speaker, 1383.
Forwarded to Governor, 1431.

House Bill No. 153—(Fitch, Beede and Bergesen)

House Bill No. 153. A Bill for an Act Exempting Flying Employees Engaged in Interstate Commerce from the

Workmen's Compensation Act, and Declaring an Emergency.

Introduction, first reading, 233.
 Reference, 233.
 Reported back, 286.
 Amended, 654, 918.
 Second reading, 320, 918.
 Passed, 321, 919.
 Other action, 918, 919, 951.
 Forwarded to Senate, 343, 952.
 Returned by Senate, 654, 918, 983.
 Senate action, 919.
 Enrolled, 928.
 Signed by Speaker, 932.
 Forwarded to Governor, 994.
 Approved by Governor, 1096.

House Bill No. 154—(Committee on Livestock)

House Bill No. 154. A Bill for an Act Making an Emergency Appropriation to the Livestock Sanitary Board to Pay Claims on Account of Bovine Tuberculosis up to July 1, 1941; and Declaring an Emergency.

Introduction, first reading, 253.
 Reference, 253.
 Reported back, 370.
 Indefinitely postponed, 370.

House Bill No. 155—(Committee on Livestock)

House Bill No. 155. A Bill for an Act Making an Emergency Appropriation to the Livestock Sanitary Board to Pay Claims on Cattle Destroyed on Account of Bang's Disease up to July 1, 1941; and Declaring an Emergency.

Introduction, first reading, 253.
 Reference, 253.
 Reported back, 370.
 Second reading, 416.
 Passed, 417.
 Indefinitely postponed, 982.
 Emergency clause, 417.
 Other action, 370.
 Forwarded to Senate, 439.
 Returned by Senate, 982.
 Senate action, 982.

House Bill No. 156—(Boulden, Benno, Fitch and Fleck)

House Bill No. 156. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 174 of the Session Laws of North Dakota for the Year 1937 as Amended by Chapter 177 of the Session Laws of North Dakota for the Year 1939, Relating to Pensions for Policemen and Dependents in Cities Now, or Hereafter, Having a Population in Excess of Ten Thousand (10,000) Inhabitants.

Introduction, first reading, 241.
 Reference, 241.
 Reported back, 367.
 Second reading, 413.
 Passed, 413.
 Forwarded to Senate, 439, 1270.
 Returned by Senate, 1217, 1428.
 Senate action, 1217.

Enrolled, 1246.
Signed by Speaker, 1251.
Forwarded to Governor, 1430.

House Bill No. 157—(Fitch, Haugland and Bergesen)

House Bill No. 157. A Bill for an Act Creating a Crippled Children's Commission, Defining Its Powers and Duties, Defining the Powers and Duties of the Public Welfare Board in the Administration of Service for Crippled Children in Conformity with Title V, Part 2 of the Federal Social Security Act of 1935, as Amended; Providing for and Authorizing Coordination of a Commission with and Supplementary to the Public Welfare Board of North Dakota; and Declaring an Emergency.

Introduction, first reading, 241.
Reference, 241, 548.
Reported back, 492, 617.
Amended, 492, 617, 758, 845.
General orders, 548, 704, 758.
Engrossed, 835.
Second reading, 845.
Passed, 846, 1243.
Indefinitely postponed, 1147.
Emergency clause, 846.
Other action, 467, 845, 846, 1156.
Forwarded to Senate, 858, 1156, 1320.
Returned to Senate, 1243, 1147, 1422.
Senate action, 1147, 1243.
Enrolled, 1290.
Signed by Speaker, 1317.
Forwarded to Governor, 1430.

House Bill No. 158—(Falconer and Glas)

House Bill No. 158. A Bill for an Act to Provide for the Destroying of Weeds Along County Highways; Placing the Duty Upon the County Commissioners to Have Such Weeds Removed, and Providing for the Repeal of Acts in Conflict Herewith.

Introduction, first reading, 250.
Reference, 250.
Reported back, 287.
Second reading, 324.
Indefinitely postponed, 324.
Other action, 324.

House Bill No. 159—(Westby and Glas)

House Bill No. 159. A Bill for an Act to Amend and Re-enact Section 2 (f) of Chapter 232 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 215 of the Session Laws of the State of North Dakota for the Year 1939, Relating to a Change in the Definition "Employer" in That the Basic Requirement Shall Be One Individual in Employment, Rather Than Eight. Repeal. Emergency.

Introduction, first reading, 250.
Reference, 250.
Reported back, 366.
Indefinitely postponed, 366.
Other action, 366.

House Bill No. 160—(Westby and Glas)

House Bill No. 160. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 232, Laws of 1937, as Amended by Chapter 215, Laws of 1939, by Altering the Waiting Period Requirements from Two Weeks to One Week. Repeal and Declaring an Emergency.

Introduction, first reading, 250.

Reference, 250.

Reported back, 366.

Indefinitely postponed, 366.

Other action, 366.

House Bill No. 161—(Committee on Public Welfare)

House Bill No. 161. A Bill for an Act to Provide Aid to Dependent Children, to Authorize the State Public Welfare Board to Administer Such Aid, to Authorize the County Welfare Boards to Administer Such Aid Under the Supervision of the State Public Welfare Board in the Several Counties, to Authorize and Require the Board of County Commissioners to Appropriate Funds and to Make Tax Levies for Aid to Dependent Children and to Make Partial Reimbursement to the State of Amounts Expended by the State Public Welfare Board with Respect to Residents of the Several Counties Under Certain Conditions, and to Prescribe the Duties of the State Public Welfare Board and the County Welfare Boards in the Administration Thereof, and Repealing Chapter 209, Session Laws for 1937 and Chapter 194, Session Laws for 1939.

Introduction, first reading, 251.

Reference, 251.

Reported back, 366.

Amended, 1100.

Second reading, 411, 1307.

Passed, 413, 1308.

Other action, 1307, 1331.

Forwarded to Senate, 439, 1376.

Returned by Senate, 1100, 1397.

Senate action, 1100.

Enrolled, 1359.

Signed by Speaker, 1360.

Forwarded to Governor, 1425.

House Bill No. 162—(Committee on Public Welfare)

House Bill No. 162. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 211 of the Session Laws for 1937, as Amended by Chapter 257, of the Session Laws for 1939 and to Amend and Re-enact Section 13, of Chapter 211 of the Session Laws for 1937, Pertaining to the Amount of Assistance to Be Paid Aged Persons in Need and the Amount to Be Contributed by the County in Excess of the Amount Provided by the Federal Government.

Introduction, first reading, 251.

Reference, 251.

Reported back, 568.

Indefinitely postponed, 607.

Other action, 467, 607.

House Bill No. 163—(Committee on Public Welfare)

House Bill No. 163. A Bill for an Act to Amend and Re-

enact Sections 4, 18, and 21 of Chapter 211 of the Session Laws for 1937, Pertaining to the Duties of the State Agency, the Confidential Character of Old Age Assistance Records, and the Distribution of Amounts Recovered from the Estates of Recipients of Old Age Assistance.

Introduction, first reading, 251.
 Reference, 251.
 Reported back, 568, 836.
 Amended, 836.
 Engrossed, 849.
 Second reading, 635, 842.
 Passed, 843, 1224.
 Indefinitely postponed, 635.
 Other action, 467, 771, 796, 842, 843.
 Forwarded to Senate, 859, 1269.
 Returned by Senate, 1224, 1427.
 Senate action, 1224.
 Enrolled, 1248.
 Signed by Speaker, 1251.
 Forwarded to Governor, 1430.

House Bill No. 164—(Committee on Public Welfare)

House Bill No. 164. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 210 of the Session Laws for 1937 as Amended by Section 1, Chapter 191, of the Session Laws for 1939, to Amend and Re-enact Sections 3, 4, and 22 of Chapter 210 of the Session Laws for 1937, Relating to Aid to the Needy Blind; the Amount of Assistance, Duties of the State Agency, and the Confidential Nature of the Records.

Introduction, first reading, 251.
 Reference, 251.
 Reported back, 366.
 Amended, 1100.
 Second reading, 411, 1308.
 Passed, 411, 1309.
 Other action, 1308, 1331.
 Forwarded to Senate, 439, 1377.
 Returned by Senate, 1100, 1396.
 Senate action, 1100.
 Enrolled, 1348.
 Signed by Speaker, 1361.
 Forwarded to Governor, 1425.

House Bill No. 165—(Falconer, Ireland and Erickson of Divide)

House Bill No. 165. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, as Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933 as Amended by Chapter 185 of the Session Laws of North Dakota for the Year 1935, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles Upon the Highways; and Amending and Re-enacting Subdivision (b) of Section 25 of Chapter 186 of the Session Laws of North Dakota for the Year 1931 as Amended by Chapter 161 of the Session Laws of North

Dakota for the Year 1933, Providing for Registration Fees for Trucks on a Gross Weight Basis; Providing a License for House Trailers and Lights or Reflectors for All Trailers; Regulating the Designation and Display of Plates and the Issuance of and Payment for "In Transit" Permits.

Introduction, first reading, 257.
 Reference, 257.
 Reported back, 623.
 Amended, 623, 1254.
 General orders, 695.
 Engrossed, 739.
 Second reading, 776.
 Passed, 777, 1286.
 Other action, 777, 1285, 1287, 1293.
 Forwarded to Senate, 1254, 1378.
 Returned by Senate, 1254, 1428.
 Senate action, 1254.
 Enrolled, 1348.
 Signed by Speaker, 1363.
 Forwarded to Governor, 1430.

House Bill No. 166—(Committee on Drainage and Irrigation)

House Bill No. 166. A Bill for an Act to Amend and Re-enact Sections 8247a1, 8247a2, 8247a3, 8247a4, 8247a5, 8247a10, 8247a16, 8247a17, 8247a47, 8247a57 and 8247a60 of the Supplement to the Compiled Laws of 1925 as Amended and Re-enacted by Sections 1, 2, 3, 5, 6, 11, 21, 22, 30, 35, and 37 of Chapter 253 of the Session Laws of North Dakota for 1939 Relating to Irrigation Districts, Their Functions, Powers and Duties.

Introduction, first reading, 257.
 Reference, 258.
 Reported back, 332.
 Second reading, 465.
 Passed, 466.
 Other action, 377, 404, 444.
 Forwarded to Senate, 496, 1074.
 Returned by Senate, 1016, 1121.
 Enrolled, 1051.
 Signed by Speaker, 1058.
 Forwarded to Governor, 1146.

House Bill No. 167—(Committee on Drainage and Irrigation)

House Bill No. 167. A Bill for an Act to Amend and Re-enact Sections 11, 21 and 22 of Chapter 256 of the Session Laws of North Dakota for the Year 1939 Relating to the Powers and Duties of the State Water Conservation Commission, Relating to State Water Conservation Commission Bonds and Declaring an Emergency.

Introduction, 258.
 Reference, 258.
 Reported back, 332.
 Second reading, 403, 501.
 Passed, 502.
 Indefinitely postponed, 404.
 Other action, 377, 404, 461, 502.
 Forwarded to Senate, 539, 1222.
 Returned by Senate, 1154, 1258.

Senate action, 1154.
 Enrolled, 1182.
 Signed by Speaker, 1221.
 Forwarded to Governor, 1322.

House Bill No. 168—(Committee on Drainage and Irrigation)

House Bill No. 168. A Bill for an Act Providing for the Organization of Corporations for the Purpose of Acquiring Water Rights, Establishing, Owning, Operating and Maintaining Irrigation Systems and Selling, Distributing, Supplying and Delivering Water for Irrigation Purposes, or for Domestic Use, to Its Members or Stockholders, Providing That the Shares of Stock in Such Corporations May Be Appurtenant to Certain Lands, Prescribing the Rights and Powers of Such Corporations; Providing for the Transferability of Stock Therein and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 258.
 Reference, 258, 353.
 Reported back, 310, 523.
 Second reading, 576.
 Passed, 577.
 Other action, 577.
 Forwarded to Senate, 638, 1270.
 Returned by Senate, 1217, 1428.
 Senate action, 1217.
 Enrolled, 1246.
 Signed by Speaker, 1251.
 Forwarded to Governor, 1430.

House Bill No. 169—(Morland, by request)

House Bill No. 169. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 114 of the Session Laws for 1935, Providing for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Introduction, first reading, 258.
 Reference, 258.
 Reported back, 309.
 Indefinitely postponed, 310.
 Other action, 310.

House Bill No. 170—(Starck)

House Bill No. 170. A Bill for an Act Providing for the Establishment of License Fee for, and Setting Up Regulations to Govern Muskrat Propagation in the State of North Dakota in Captivity, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 258.
 Reference, 258.
 Reported back, 332.
 Amended, 917, 925.
 Second reading, 375, 925.
 Passed, 376, 926.
 Other action, 925, 951.
 Forwarded to Senate, 438, 952.
 Returned by Senate, 917, 924, 983.
 Senate action, 924.

Enrolled, 928.
Signed by Speaker, 932.
Forwarded to Governor, 994.
Approved by Governor, 1096.

House Bill No. 171—(Shure, Crockett, Stormon and Falconer)

House Bill No. 171. A Bill for an Act to Provide for the Manner of Purchasing Material and Contracting Therefor by Cities of All Classes in This State; Penalty.

Introduction, first reading, 258.
Reference, 258, 318.
Reported back, 318, 392.
Amended, 392.
General orders, 452.
Engrossed, 460.
Second reading, 500.
Indefinitely postponed, 500.
Other action, 476.

House Bill No. 172—(Committee on Game and Fish)

House Bill No. 172. A Bill for an Act to Amend and Re-enact Subsection 1 of Section 1 of Chapter 150, Laws 1931.

Introduction, first reading, 276.
Reference, 276.
Reported back, 332.
Second reading, 376.
Passed, 377.
Forwarded to Senate, 438, 780.
Returned by Senate, 636, 949.
Senate action, 949.
Enrolled, 692.
Signed by Speaker, 693.
Forwarded to Governor, 948.
Approved by Governor, 1096.

House Bill No. 173—(Committee on Tax and Tax Laws)

House Bill No. 173. A Bill for an Act to Exempt Certain Personal Property to the Amount of \$150.00 from Taxation, and Declaring an Emergency.

Introduction, first reading, 276.
Reference, 276.
Second reading, 347.
Passed, 348.
Indefinitely postponed, 950.
Emergency clause, 348.
Other action, 348.
Forwarded to Senate, 371.
Returned by Senate, 950.
Senate action, 950.

House Bill No. 174—(Swanson and Kee)

House Bill No. 174. A Bill for an Act Prohibiting the Sale and Use on Automobiles, Trucks and Motorcycles in the State of North Dakota, regrooved Tires; Penalty and Declaring an Emergency.

Introduction, first reading, 276.
Reference, 276.
Reported back, 340.

Amended, 340.
 General orders, 365.
 Engrossed, 395.
 Second reading, 408.
 Passed, 409.
 Indefinitely postponed, 1212.
 Forwarded to Senate, 439.
 Returned by Senate, 1212.
 Senate action, 1212.

House Bill No. 175—(Gackle and Haugen)

House Bill No. 175. A Bill for an Act Requiring Fuel to Be Weighed and Scale Weight Ticket Delivered to Purchaser at Time of Delivery Thereof in Any City or Village; Declaring Failure to Do So a Misdemeanor and Prescribing Penalty Therefor.

Introduction, first reading, 276.
 Reference, 276.
 Reported back, 315.
 Amended, 920.
 Second reading, 354, 920.
 Passed, 355, 921.
 Other action, 316, 920, 921, 951.
 Forwarded to Senate, 371, 952.
 Returned by Senate, 574, 983.
 Senate action, 574.
 Enrolled, 928.
 Signed by Speaker, 932.
 Forwarded to Governor, 994.
 Approved by Governor, 1096.

House Bill No. 176—(Shure and Smart)

House Bill No. 176. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 235 of the Session Laws of the State of North Dakota for the Year 1929 As Amended by Chapter 176 of the Session Laws of 1939, Relating to Park District Tax Levies and Providing for a Levy by Park Districts Owning and Maintaining Air Ports, Purchasing or Acquiring Lands for Air Ports and for Operating and Maintaining the Same; and Declaring an Emergency.

Introduction, first reading, 276.
 Reference, 276.
 Reported back, 331.
 Amended, 1037.
 Second reading, 374, 1037.
 Passed, 375, 1038.
 Emergency clause, 375, 1038.
 Other action, 316, 1036, 1037, 1038.
 Forwarded to Senate, 437, 856, 1058.
 Returned by Senate, 713, 949, 1122.
 Senate action, 949.
 Enrolled, 739, 1051.
 Signed by Speaker, 772, 1159.
 Forwarded to Governor, 948, 1162.
 Returned by Governor, 1037.
 Approved by Governor, 1384.

House Bill No. 177—(Smart)

House Bill No. 177. A Bill for an Act to Amend and Re-

enact Section 2790a7 of the 1925 Supplement to the Compiled Laws of the State of North Dakota as Amended by Chapter 1, of the 1939 Session Laws, and Repealing Section 3 of Chapter 1 of the 1939 Session Laws; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 277.
 Reference, 277.
 Reported back, 488.
 Amended, 1216.
 Second reading, 543, 1259.
 Passed, 544, 1260.
 Emergency clause, 544, 1260.
 Other action, 1258, 1293.
 Forwarded to Senate, 571, 1318.
 Returned by Senate, 1216, 1389.
 Senate action, 1216.
 Enrolled, 1321.
 Signed by Speaker, 1314.
 Forwarded to Governor, 1425.

House Bill No. 178—(Nelson of Cass, Boulden and Gainor)

House Bill No. 178. A Bill for an Act to Repeal Chapter 4 of the Session Laws of North Dakota for 1939, Relating to State Hail Insurance Fund Reimbursement.

Introduction, first reading, 293.
 Reference, 293.
 Reported back, 751.
 Indefinitely postponed, 751.
 Other action, 535, 683, 752.

House Bill No. 179—(Committee on Military Affairs)

House Bill No. 179. A Bill for an Act to Authorize Housing Authorities to Undertake the Development or Administration of Projects to Assure the Availability of Safe and Sanitary Dwellings for Persons Engaged in National-Defense Activities Who Would Not Otherwise Be Able to Secure Such Dwellings Within the Vicinity Thereof; to Limit the Initiation of the Development of Such Projects Until December 31, 1943; to Authorize Housing Authorities to Co-operate With or Act as Agent of the Federal Government in the Development and Administration of Such Projects of the Federal Government, to Acquire or Lease Such Projects and to Sell Certain Projects to the Federal Government; to Authorize Public Bodies to Assist Such Projects of Housing Authorities and of the Federal Government; and to Declare an Emergency.

Introduction, first reading, 293.
 Reference, 293.
 Reported back, 428.
 Second reading, 474.
 Passed, 475.
 Indefinitely postponed, 918.
 Emergency clause, 475.
 Other action, 922, 923.
 Forwarded to Senate, 497, 951, 1024.
 Returned by Senate, 918, 981, 1123.
 Senate action, 918, 982.

Enrolled, 1013.
Signed by Speaker, 1017.
Forwarded to Governor, 1146.

House Bill No. 180—(Committee on Military Affairs)

House Bill No. 180. A Bill for an Act Relating to National and State Defense, Providing for the Establishment of a State Council of Defense and of Local and District Councils of Defense, and Prescribing the Powers and Duties Thereof; Declaring an Emergency.

Introduction, first reading, 293.
Reference, 294.
Second reading, 472.
Indefinitely postponed, 473.
Other action, 473.

House Bill No. 181—(Holm)

House Bill No. 181. A Bill for an Act to Provide for the Method and Time for Renewing Contracts of Teachers, Principals and Superintendents in the Public Schools and Institutions of Higher Education in the State of North Dakota. Repeal.

Introduction, first reading, 294.
Reference, 294.
Reported back, 463.
Second reading, 504.
Indefinitely postponed, 504.
Other action, 504.

House Bill No. 182—(Sharpe and Olson of Barnes)

House Bill No. 182. A Bill for an Act Amending and Re-enacting Section 3292 of the Compiled Laws for the Year of 1913; Providing that Records of the Various County Offices Shall Be in the Court House, in Rooms Provided for Said Offices; Providing for a Penalty for Failure to Comply with Said Act, and Declaring an Emergency.

Introduction, first reading, 294.
Reference, 294.
Reported back, 311, 370.
Amended, 311, 370.
General orders, 419.
Indefinitely postponed, 419.
Other action, 443.

House Bill No. 183—(Sellens and Starck)

House Bill No. 183. A Bill for an Act Governing the Sale, Transportation, Handling and Slaughtering of Live-stock; Providing for Licensing of Persons Butchering and Slaughtering Animals; and of Certain Exemptions Thereto; Providing for the Keeping of Records of Animals Purchased, Received, Transported or Slaughtered; For the Tagging of Certain Unbranded Animals; Regulating the Sale of Animals and Dressed Carcasses Thereof; Providing for the Revocation of Licenses and Penalties for the Violation of this Act and Providing for the Enforcement of this Act and Declaring an Emergency.

Introduction, first reading, 294.
Reference, 294.

Reported back, 561.
 Amended, 561.
 General orders, 608.
 Indefinitely postponed, 608.

House Bill No. 184—(Ireland and Bjella)

House Bill No. 184. A Bill for an Act Authorizing the Board of University and School Lands to Transfer and Convey Certain Acreage of State School Lands to the Game and Fish Department in Exchange for Other Land, to Be Used and Maintained for Wildlife-Restoration Projects, and Declaring an Emergency.

Introduction, first reading, 294.
 Reference, 294.
 Reported back, 560.
 Amended, 560.
 General orders, 607.
 Engrossed, 370.
 Second reading, 657.
 Passed, 658.
 Emergency clause, 658.
 Forwarded to Senate, 714, 1114.
 Returned by Senate, 1095, 1187.
 Senate action, 1095.
 Enrolled, 1105.
 Signed by Speaker, 1103.
 Forwarded to Governor, 1272.

House Bill No. 185—(Committee on Ways and Means)

House Bill No. 185. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission, and Declaring an Emergency.

Introduction, first reading, 294.
 Reference, 294.
 Reported back, 613.
 Indefinitely postponed, 613.
 Other action, 614.

House Bill No. 186—(Fleck, Stormon and Olson of Barnes)

House Bill No. 186. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5 of Chapter 235 of the Session Laws of North Dakota for the Year 1929, as Amended and Re-enacted by Chapter 297 of the Session Laws of North Dakota for the Year 1931, and as Amended and Re-enacted by Chapter 208 of the Session Laws of North Dakota for the Year 1935, and as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for the Year 1937, Relating to Tax Limitations of Cities.

Introduction, first reading, 294.
 Reference, 295.
 Reported back, 393.
 Amended, 393.
 General orders, 453.
 Engrossed, 460.
 Second reading, 476.

Passed, 477.
Other action, 477.
Forwarded to Senate, 497, 1222.
Returned by Senate, 1155, 1258.
Senate action, 1155.
Enrolled, 1182.
Signed by Speaker, 1220.
Forwarded to Governor, 1322.

House Bill No. 187—(Fleck)

House Bill No. 187. A Bill for an Act Relating to Payment of the Costs of Sewer and Water Improvements in Cities and Villages Partly by Special Assessments and Partly by Service Charges, and Declaring an Emergency.

Introduction, first reading, 295.
Reference, 295.
Reported back, 427.
Second reading, 471.
Passed, 472.
Emergency clause, 472.
Forwarded to Senate, 497, 1222.
Returned by Senate, 1155, 1258.
Senate action, 1155.
Enrolled, 1182.
Signed by Speaker, 1220.
Forwarded to Governor, 1322.

House Bill No. 188—(Fleck and Fitch)

House Bill No. 188. A Bill for an Act Authorizing Cities to Enter Into Agreement with the State Highway Department or the Board of County Commissioners of Any County, or Both, for the Improvement of Streets, Water Mains and Sewers Within the Limits of Such City, to Create a Special Improvement District for Such Purposes, Providing for the Assessment of a Proportionate Share of the Cost Thereof Against the Property Benefited, and Dispensing with Proceedings Leading Up to the Construction of Such Improvement; Emergency.

Introduction, first reading, 295.
Reference, 295.
Reported back, 393.
Second reading, 446, 462.
Passed, 463.
Indefinitely postponed, 447.
Other action, 461, 463.
Forwarded to Senate, 496, 1222.
Returned by Senate, 1155, 1257.
Senate action, 1155.
Enrolled, 1182.
Signed by Speaker, 1220.
Forwarded to Governor, 1322.

House Bill No. 189—(Drovdal and Anderson)

House Bill No. 189. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 140 of the Session Laws of 1919, Being Section 2618 of the Supplement to the Compiled Laws

of 1913, as Amended by Chapter 4 of the Session Laws of 1931, Relating to Herd Law Suspension.

Introduction, first reading, 295.
 Reference, 295.
 Reported back, 370.
 Amended, 948, 968.
 Second reading, 415, 968.
 Passed, 415, 969.
 Other action, 968.
 Forwarded to Senate, 440, 998.
 Returned by Senate, 948, 1122.
 Senate action, 968.
 Enrolled, 970.
 Signed by Speaker, 975.
 Forwarded to Governor, 1146.

House Bill No. 190—(Drovdal and Anderson)

House Bill No. 190. A Bill for an Act to Amend and Re-enact Sub-section (e) of Section 6 of Chapter 106 of the 1935 Session Laws, as Amended by Sub-section (e) of Section 3 of Chapter 112 of the 1937 Session Laws, and to Amend and Re-enact Section 11 of Chapter 106 of the 1935 Session Laws, Relating to the Cooperative Grazing Association Act.

Introduction, first reading, 295.
 Reference, 295.
 Reported back, 370.
 Second reading, 416.
 Passed, 416.
 Forwarded to Senate, 440, 952.
 Returned by Senate, 917, 983.
 Enrolled, 928.
 Signed by Speaker, 933.
 Forwarded to Governor, 994.
 Approved by Governor, 1096.

House Bill No. 191—(Committee on Judiciary)

House Bill No. 191. A Bill for an Act to Provide a Limitation of Time Within Which Claims May Be Made or Proceedings Brought to Recover Monies in Personal Accounts of Inmates and Patients in State Charitable Institutions; and Providing the Transfer of Such Monies.

Introduction, first reading, 295.
 Reference, 295.
 Reported back, 340.
 Second reading, 377.
 Passed, 377.
 Forwarded to Senate, 438, 1222.
 Returned by Senate, 1154, 1256.
 Senate action, 1154.
 Enrolled, 1182.
 Signed by Speaker, 1221.
 Forwarded to Governor, 1322.

House Bill No. 192—(Committee on Judiciary)

House Bill No. 192. A Bill for an Act to Amend and Re-enact Section 3251, Compiled Laws of 1913, to Require the Levy of a Tax to Pay Final Judgments Against Counties, to Limit the Amount Which Can be Extended in Any One Year,

Creating a Special Fund and Limiting Use of Proceeds of Tax to Payment of Judgment.

- Introduction, first reading, 295.
- Reference, 295.
- Reported back, 330.
- Indefinitely postponed, 331.
- Other action, 330.

House Bill No. 193—(Nystrom, Beede and Twichell)

House Bill No. 193. A Bill for an Act Making an Appropriation to Repay to the Bank of North Dakota Out of Revenues of the State Highway Department Accruing to the Funds of That Department Monies Heretofore Transferred by the Bank of North Dakota to the State Highway Department for the Construction, Reconstruction, Repair and Maintenance of Public Highways, and Providing for the Payment of the Promissory Notes of the State Highway Department Which Evidence Such Transfers.

- Introduction, first reading, 296.
- Reference, 296.
- Reported back, 340.
- Amended, 340, 1156, 1342.
- General orders, 365.
- Engrossed, 395.
- Second reading, 407, 1343.
- Passed, 408, 1344.
- Other action, 1306, 1343, 1344.
- Forwarded to Senate, 439, 1383.
- Returned by Senate, 1156, 1359, 1422.
- Senate action, 1156.
- Conference Committee, 1305, 1309, 1342.
- Enrolled, 1383.
- Signed by Speaker, 1383.
- Forwarded to Governor, 1431.

House Bill No. 194—(Wambheim and Nelson of Morton)

House Bill No. 194. A Bill for an Act to Amend and Re-enact Chapter 169, Session Laws of 1937, Regulating the Business of Selling Used Motor Vehicles by Resident and Non-Resident Dealers in the State of North Dakota, and Motor Vehicles Acquired from Non-resident Owners; Requiring the Registration of All Used Motor Vehicles Brought Into This State for the Purpose of Sale to be Registered With the Motor Vehicle Registrar; Requiring All Such Dealers to Execute and Deliver to Each Purchaser a Bond Indemnifying the Purchaser Against Failure of Title, Breach of Warranty or Fraudulent Misrepresentation; Requiring the Delivery of Certificate of Title; Providing Penalties for the Violation of this Act, and Repealing Section 14 of Chapter 180, Session Laws of 1927.

- Introduction, first reading, 296.
- Reference, 296.
- Reported back, 392.
- Amended, 1215.
- Second reading, 445, 1265.
- Passed, 446, 1266.
- Other action, 463, 1265, 1266, 1293.
- Forwarded to Senate, 463, 1319.

Returned by Senate, 1215, 1389.
 Senate action, 1215.
 Enrolled, 1321.
 Signed by Speaker, 1315.
 Forwarded to Governor, 1425.

House Bill No. 195—(Crockett, Halvorson and Juhola)

House Bill No. 195. A Bill for an Act Abating Excessive and Illegal Taxes for the Year 1939 and Prior Years, Declaring a Procedure for the Lawful Determination of the Legal and Valid Tax Charges, and for the Determination of the Legal and Valid Amount to Be Paid to Effect Redemption from Tax Sales, Tax Certificates, Tax Deeds, and to Re-purchase from the County and Fixing the Legal and Valid Amount for Liquidation of Settlement Tax Contracts.

Introduction, first reading, 314.
 Reference, 314.
 Reported back, 426.
 Second reading, 656.
 Indefinitely postponed, 427, 657.
 Other action, 657.

House Bill No. 196—(Glas, Rohde, Mollet, Braun of McLean, Jennings and Larson)

House Bill No. 196. A Bill for an Act to Amend and Re-enact Subsection (h) of Section 51 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment By the Supreme Court of the State Examiner as Receiver of Insolvent State Banks, the Transfer of Powers and Duties of the Receiver or Receivers Heretofore Appointed By the Supreme Court to the State Examiner and Providing That the State Examiner Shall Become Receiver of All Insolvent State Banks from Which the Receiver Appointed by the Supreme Court has Not Been Discharged, and Declaring an Emergency.

Introduction, first reading, 314.
 Reference, 314.
 Reported back, 742.
 Amended, 742.
 General orders, 819.
 Engrossed, 859.
 Second reading, 862.
 Passed, 863.
 Indefinitely postponed, 1147.
 Emergency clause, 863.
 Other action, 863.
 Forwarded to Senate, 894.
 Returned by Senate, 1147.
 Senate action, 1147.

House Bill No. 197—(Falconer, Crockett and Brusseau)

House Bill No. 197. A Bill for an Act to Assist the People of North Dakota in Acquiring and Owning Homes, By Designating Homes Occupied By the Owners as a Separate Class of Real Property for Taxation Purposes; Fixing the Basis of Assessment Thereon, Repealing Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 314.

Reference, 314.
 Reported back, 463.
 Amended, 463.
 General orders, 546.
 Engrossed, 569.
 Second reading, 597.
 Indefinitely postponed, 597.
 Other action, 629.

House Bill No. 198—(Blair and Bergesen)

House Bill No. 198. A Bill for an Act to Prohibit the Issuance of a Driver's License Except Upon Proof of Payment of Applicants' Personal Property and Poll Taxes.

Introduction, first reading, 314.
 Reference, 315.
 Reported back, 614.
 Indefinitely postponed, 614.
 Other action, 614.

House Bill No. 199—(Johnson of Richland)

House Bill No. 199. A Bill for an Act to Provide Punishment for the Taking and Operating of an Automobile or Other Motor Vehicle, or Causing the Same to Be Taken and Operated Without the Consent of the Owner.

Introduction, first reading, 315.
 Reference, 315, 444.
 Reported back, 444, 530.
 Amended, 530.
 Engrossed, 612.
 Second reading, 650.
 Passed, 651.
 Forwarded to Senate, 714, 1114.
 Returned by Senate, 1095, 1187.
 Senate action, 1095.
 Enrolled, 1105.
 Signed by Speaker, 1103.
 Forwarded to Governor, 1272.

House Bill No. 200—(Committee on Corporations Other Than Municipal)

House Bill No. 200. A Bill for an Act to Provide for the Levying of Dues or Assessments Upon Members in Non-Stock Corporations, and Declaring an Emergency.

Introduction, first reading, 315.
 Reference, 315.
 Reported back, 489.
 Second reading, 555.
 Passed, 556, 1212.
 Indefinitely postponed, 489.
 Emergency clause, 556.
 Other action, 489, 556.
 Forwarded to Senate, 572, 1271.
 Returned by Senate, 1212, 1429.
 Senate action, 1212.
 Enrolled, 1246.
 Signed by Speaker, 1252.
 Forwarded to Governor, 1430.

House Bill No. 201—(Ireland and Bjella)

House Bill No. 201. A Bill for an Act to Amend and Re-enact Chapter 4 of the 1931 Session Laws of the State of North Dakota.

Introduction, first reading, 315.
Reference, 315.
Reported back, 487.
Amended, 487, 547.
General orders, 547.
Engrossed, 569.
Other action, 600.
Withdrawn, 728.

House Bill No. 202—(Bergesen, Beede, and Haugland)

House Bill No. 202. A Bill for an Act Providing for the Establishment and Government of a Correctional Institution, to Be Known as the North Dakota State Farm, Providing for the Commitment and Transfer of Prisoners Thereto, and Their Care and Supervision Therein; Making an Appropriation for the Establishment and Maintenance of Said Institution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 315.
Reference, 315.
Amended, 800.
Second reading, 800.
Passed, 801, 1212.
Other action, 526, 800.
Forwarded to Senate, 855, 1271.
Returned by Senate, 1212, 1429.
Senate action, 1212.
Enrolled, 1246.
Signed by Speaker, 1252.
Forwarded to Governor, 1430.

House Bill No. 203—(Bergesen)

House Bill No. 203. A Bill for an Act to Amend and Re-enact Section 20, of Chapter 250 of the Session Laws of North Dakota for the Year 1935, Relating to the Administration of Trusts.

Introduction, first reading, 315.
Reference, 315.
Reported back, 444.
Amended, 444.
General orders, 482.
Engrossed, 485.
Second reading, 516.
Passed, 517.
Forwarded to Senate, 540, 952.
Returned by Senate, 917, 983.
Senate action, 917.
Enrolled, 928.
Signed by Speaker, 933.
Forwarded to Governor, 994.
Approved by Governor, 1097.

House Bill No. 204—(Lillehaugen, Rohde, Myers, Larson, Glas, Mollet and Braun of McLean)

House Bill No. 204. A Bill for an Act Amending Section 283b1 of the Supplement to the Compiled Laws of 1913, and Amending Chapter 265, Laws of North Dakota 1931, and All Subsequent Amendatory Acts Thereof, Relating to Board of Administration for the General Supervision and Administration of All State Penal, Charitable and Other State Institutions Which Said Board Now Administers, and the General Supervision of Said Institutions, and Defining Its Powers and Duties, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 320.
 Reference, 320.
 Reported back, 489.
 Indefinitely postponed, 489, 490.
 Other action, 489, 490.

House Bill No. 205—(Devlin)

House Bill No. 205. A Bill for an Act Relating to the Election of County Commissioners; Providing That They Be Elected by a Vote at Large in the County; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 320.
 Reference, 320.
 Withdrawn, 485.

House Bill No. 206—(Joint Committee on Refinancing State Indebtedness)

House Bill No. 206. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Mill and Elevator Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Mill and Elevator Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds, and Making an Appropriation to Carry Out the Provisions of This Act, and Declaring an Emergency.

Introduction, first reading, 320.
 Reference, 320.
 Reported back, 525.
 Amended, 525.
 General orders, 589.
 Engrossed, 612.
 Second reading, 643.
 Passed, 644.
 Forwarded to Senate, 717, 1269.
 Returned by Senate, 1216, 1427.
 Senate action, 1216.
 Enrolled, 1248.
 Signed by Speaker, 1251.
 Forwarded to Governor, 1430.

House Bill No. 207—(Blair, Johnson of Cass, Myers, Schwartz, Symington and Williams of Richland)

House Bill No. 207. A Bill for an Act Providing for the Refunding of the Real Estate Bonds of the State of North Dakota, the Issuance of Refunding Bonds by the Industrial Commission, Prescribing the Terms and Conditions Hereof,

Providing for Their Sale, Exchange and Delivery, Establishing the "Refunding Bond Fund" and the "Refunding Bond Interest Fund," Providing for Annual Tax Levies, Providing for the Retirement and Payment of North Dakota's Outstanding Real Estate Bonds, Chapter 154 of the Session Laws of 1919 (Sections 2290b1 to 2290b16 Inclusive, 1925 Supplement to the 1913 Compiled Laws), Chapter 292 Session Laws of 1923 (Sections 2290c1 to 2290c15, Inclusive, 1925 Supplement to the Compiled Laws), Chapter 182, Session Laws of 1929, Chapters 101 and 102 Session Laws of 1931, Chapter 90, Session Laws of 1933, and Amendments to the Same, Transferring Assets and Funds Securing North Dakota Bonds for the Use of Refunding Bonds and Interest Thereon; Repealing All Acts or Parts of Acts Inconsistent With the Provisions of This Enactment; and Declaring an Emergency.

Introduction, first reading, 326.

Reference, 326.

Reported back, 685.

Second reading, 736.

Passed, 738.

Indefinitely postponed, 1094.

Emergency clause, 738.

Forwarded to Senate, 781.

Returned by Senate, 1094.

Senate action, 1094.

House Bill No. 208—(Dalzell and Anderson)

House Bill No. 208. A Bill for an Act to Amend and Re-enact Sections 1, 3 and 4 of Chapter 214, Session Laws of 1931, Relating to the Establishment of a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Certain Other Produce, and to Regulate the Sale and Distribution Thereof. Repeal; and Declaring an Emergency.

Introduction, first reading, 336.

Reference, 336.

Reported back, 464.

Amended, 464.

General orders, 546.

Engrossed, 569.

Second reading, 598.

Passed, 599, 1224.

Other action, 599.

Forwarded to Senate, 716, 1319, 1375.

Returned by Senate, 1225, 1424.

Senate action, 1225.

Enrolled, 1321.

Signed by Speaker, 1314.

Forwarded to Governor, 1425.

House Bill No. 209—(Blair)

House Bill No. 209. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 213 of the 1935 Session Laws of the State of North Dakota as Amended by Chapter 182 of the Session Laws of the State of North Dakota of 1939, Providing that State and Municipal Officers and Employees, or Those Drafted for Service, Shall Not Lose Pay While on

Duty, and Including Therein Members of the Officers Reserve Corps of the United States and Repealing All Acts or Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, 336.
Reference, 336.
Withdrawn, 556.

House Bill No. 210—(Morland, Bubel, Saumur and Rohde)

House Bill No. 210. A Bill for an Act to Conserve Crude Petroleum Oil and Natural Gas; to Enlarge the Duties and Authority of the Industrial Commission of North Dakota to Supervise and Control the Oil and Gas Resources of North Dakota; Authorizing the Industrial Commission of North Dakota to Promulgate Rules and Regulations for the Enforcement of the Provisions of the Act for the Purpose of Conserving Oil and Gas; Providing Penalties for the Violation of Certain Provisions of the Act or the Regulations Promulgated Thereunder; Repealing Chapter 184 of the 1929 Session Laws and Chapter 135 of the 1937 Session Laws of North Dakota; Repealing All Laws and Parts of Laws in Conflict Herewith.

Introduction, first reading, 336.
Reference, 336.
Reported back 685.
Amended, 685, 744.
General orders, 744.
Engrossed, 807.
Second reading, 807.
Passed, 808, 1212.
Other action, 808.
Forwarded to Senate, 856, 1320.
Returned by Senate, 1212, 1422.
Senate action, 1212.
Enrolled, 1290.
Signed by Speaker, 1317.
Forwarded to Governor, 1430.

House Bill No. 211—(Johnson of Cass)

House Bill No. 211. A Bill for an Act to Amend and Re-enact Section 3684a3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended and Re-enacted by Chapter 175 of the Session Laws of North Dakota for 1939.

Introduction, first reading, 337.
Reference, 337.
Reported back, 425.
Second reading, 469.
Passed, 470.
Forwarded to Senate, 497, 1223.
Returned by Senate, 455, 1257.
Senate action, 1155.
Enrolled, 1182.
Signed by Speaker, 1220.
Forwarded to Governor, 1322.

House Bill No. 212—(Starck)

House Bill No. 212. A Bill for an Act to Provide for

Registration of Concentrated Commercial Feeding Stuffs in Small Packages and Payment of Registration Fees. Repeal.

Introduction, first reading, 337.
 Reference, 337.
 Reported back, 428.
 Second reading, 475.
 Passed, 476.
 Forwarded to Senate, 497, 1074.
 Returned by Senate, 1017, 1121.
 Enrolled, 1051.
 Signed by Speaker, 1058.
 Forwarded to Governor, 1146.
 Approved by Governor, 1385.

House Bill No. 213—(Morland and Beede)

House Bill No. 213. A Bill for an Act to Amend and Re-enact §§ 5 and 8 of Chapter 165 of the Session Laws of 1939, Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act; and Providing that the Act Shall Not Be Applicable in Certain Cases Set Forth in This Act; Repealing All Acts Inconsistent Herewith and Declaring an Emergency.

Introduction, first reading, 337.
 Reference, 337.
 Reported back, 527.
 Amended, 527.
 General orders, 590.
 Engrossed, 612.
 Second reading, 646.
 Passed, 647.
 Emergency clause, 647.
 Other action, 647.
 Forwarded to Senate, 718.
 Returned by Senate, 1095.
 Senate action, 1095.
 Enrolled, 1105.
 Signed by Speaker, 1103.
 Forwarded to Senate for signature, 1114.
 Returned by Senate, 1187.
 Forwarded to Governor, 1272.

House Bill No. 214—(Myers, Ireland, McIntyre, Morland and Olson of Bowman)

House Concurrent Resolution No. 214. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 11 of the Constitution of the State of North Dakota as Amended by Articles 20 and 29 of the Amendments Thereto, Relating to the Levying of Taxes Upon Property in the State of North Dakota.

Introduction, first reading, 337.
 Reference, 337.
 Reported back, 463.
 Second reading, 506.
 Passed, 506.
 Indefinitely postponed, 1147.
 Other action, 463, 506.
 Forwarded to Senate, 539.
 Returned by Senate, 1147.
 Senate, Action, 1147.

House Bill No. 215—(Smart)

House Bill No. 215. A Bill for an Act Authorizing the Governor and the Secretary of State, Acting in the Name of, and on Behalf of, the State of North Dakota, to Transfer and Convey, Without Consideration, Certain Lands in Rolette County, Now Held by and in the Name of the State of North Dakota in Trust for the Use and Benefit of the International Peace Garden, Inc., a New York Corporation, to the United States of America For Use as a Customs Port of Entry to the United States From the Dominion of Canada, and Declaring an Emergency.

Introduction, first reading, 338.
 Reference, 338.
 Reported back, 490.
 Second reading, 549.
 Passed, 550.
 Emergency clause, 550.
 Forwarded to Senate, 571, 1223.
 Returned by Senate, 1155, 1256.
 Senate action, 1155.
 Enrolled, 1182.
 Signed by Speaker, 1220.
 Forwarded to Governor, 1322.

House Concurrent Resolution No. 216—(Bergesen, Twichell, Heckman, Mollet and Rohde)

House Concurrent Resolution No. 216. A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota Permitting Municipal Liquor Stores.

Introduction, first reading, 338.
 Reference, 338.
 Reported back, 425.
 Second reading, 470.
 Passed, 471.
 Indefinitely postponed, 1147.
 Other action, 463, 471.
 Forwarded to Senate, 497.
 Returned by Senate, 1147.
 Senate action, 1147.

House Bill No. 217—(Fuglestad and Williams of Richland)

House Bill No. 217. A Bill for an Act Providing for Closing at Midnight of All Taverns, Road Houses and Other Places Within or Without City or Village Limits Where Dancing Is Permitted; Providing for Enforcement by Sheriffs and Peace Officers; Prescribing Penalties for Violation and Declaring an Emergency.

Introduction, first reading, 352.
 Reference, 352.
 Reported back, 490.
 Indefinitely postponed, 490.

House Bill No. 218—(Committee on State Affairs)

House Bill No. 218. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the County Manager Form, and Declaring an Emergency.

Introduction, first reading, 352.
 Reference, 352.
 Reported back, 616.
 Amended, 616, 757, 1244.
 General orders, 704, 756.
 Engrossed, 835.
 Second reading, 844, 1330.
 Passed, 845, 1331.
 Other action, 845, 1330, 1347.
 Forwarded to Senate, 858, 1376.
 Returned by Senate, 1244, 1396.
 Senate action, 1244.
 Enrolled, 1373.
 Signed by Speaker, 1374.
 Forwarded to Governor, 1425.

House Bill No. 219—(Starck, Glas, Tuff, Falconer, Panko, Williams of Richland)

House Bill No. 219. A Bill for an Act Regulating the Practice of Naturopathy in the State of North Dakota. Repeal; Emergency.

Introduction, first reading, 353.
 Reference, 353.
 Reported back, 614.
 Indefinitely postponed, 614.
 Other action, 614, 796.

House Bill No. 220—(Johnson of Richland)

House Bill No. 220. A Bill for an Act to Clarify and Declare the Law Relating to Rights of Inheritance of Children Born Out of Wedlock, to Repeal Inconsistent Provisions, If Any, and Declaring an Emergency.

Introduction, first reading, 353.
 Reference, 353.
 Reported back, 493.
 Withdrawn, 556.
 Other action, 535.

House Bill No. 221—(Culver, Braun of Stark and Gress)

House Bill No. 221. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20 of Chapter 148 of the Session Laws of 1931, as Amended by Section 1 of Chapter 144 of the Session Laws of 1935, Relating to Game and Fish.

Introduction, first reading, 361.
 Reference, 361.
 Reported back, 622.
 Second reading, 722.
 Passed, 722.
 Other action, 722.

Forwarded to Senate, 780, 1223.
 Returned by Senate, 1154, 1258.
 Senate action, 1154.
 Enrolled, 1182.
 Signed by Speaker, 1219.
 Forwarded to Governor, 1322.

House Bill No. 222—(Drovdal, Sellens, Anderson, Myers)

House Bill No. 222. A Bill for an Act to Amend and Re-enact Section 6877 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 176 of the Session Laws of 1931, and as Amended by Chapter 146 of the Session Laws of 1933, Providing for a Lien for Repairs Made on Automobiles, Trucks, Engines, Threshing Machines, Combines, Tractors, Power-driven Farm Equipment and Well Machines. Repeal.

Introduction, first reading, 361.
 Reference, 361.
 Second reading, 517.
 Passed, 517.
 Other action, 518.
 Forwarded to Senate, 540.
 Returned by Senate, 1086.
 Senate action, 1086.
 Enrolled, 1105.
 Signed by Speaker, 1104.
 Forwarded to Senate for signature, 1114.
 Returned by Senate, 1187.
 Forwarded to Governor, 1272.

House Bill No. 223—(Twichell, Saumur, Blair and Crockett)

House Bill No. 223. A Bill for an Act Authorizing and Directing County Auditors to Destroy Certain Old, No Longer of Use, and Obsolete Books, Blanks, Forms, and Records of Their Offices and Repealing All Acts or Parts of Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, 361.
 Reference, 361.
 Reported back, 490.
 Second reading, 550.
 Passed, 551.
 Emergency clause, 551.
 Forwarded to Senate, 572, 1223. ?
 Returned by Senate, 1155, 1257.
 Senate action, 1155.
 Enrolled, 1182.
 Signed by Speaker, 1219.
 Forwarded to Governor, 1322.

House Bill No. 224—(Haugland and Sellens)

House Bill No. 224. A Bill for an Act to Amend and Re-enact Chapter 5 of the Session Laws of North Dakota for 1937 as Amended by Chapter 14 of the Session Laws of North Dakota for 1939 by Adding Thereto the Sections Herein Set Out; Providing for the Regulation of Livestock Sales Ring; Providing for a License and Bond of Such Livestock Sales Rings; Empowering the Public Service Commission to Promulgate Rules and Regulations Therefor;

Providing for the Investigation of Sales and Transactions in Such Rings; Requiring the Inspection of Livestock Handled or Sold in Such Rings, and Declaring an Emergency.

Introduction, first reading, 361.
 Reference, 362.
 Reported back, 487.
 Amended, 487, 1211.
 General orders, 547.
 Engrossed, 569.
 Second reading, 601, 1272.
 Passed, 602, 1274.
 Emergency clause, 602, 1274.
 Other action, 602, 1272, 1274.
 Forwarded to Senate, 714, 1319.
 Returned by Senate, 1211, 1424.
 Senate action, 1211.
 Enrolled, 1321.
 Signed by Speaker, 1314.
 Forwarded to Governor, 1425.

House Bill No. 225—(Comm. on Public Welfare)

House Bill No. 225. A Bill for an Act to Establish a Merit System Council Relating to the Establishment and Maintenance of Personnel Standards on a Merit Basis for State and County Employees of the Public Welfare Board and County Welfare Boards Whose Employment in Any Way Involves Duties Relating to Aid to Dependent Children, Aid to the Blind, Old Age Assistance, Child Welfare Services, and Crippled Children's Services and for All State, County, and District Employees of the Workmen's Compensation Bureau as Required by the Federal Social Security Act; Providing for Qualifications, Compensation, and Appointment of Such Council by the Governor, Authorizing the Appointment of a Supervisor and Limiting His Salary, and Prescribing Duties of the Merit System Council; and Providing for an Emergency.

Introduction, first reading, 362.
 Reference, 362.
 Reported back, 610.
 Indefinitely postponed, 610.
 Other action, 610.

House Bill No. 226—(Morrison and Rieker)

House Bill No. 226. A Bill for an Act to Repeal Chapter 252 of the Session Laws of the State of North Dakota for 1937 as Amended by Chapter 244, of the Session Laws of the State of North Dakota for 1939, and as Amended by Chapter 245 of the Session Laws of the State of North Dakota for 1939, Relating to Bounty for Tree Planting.

Introduction, first reading, 362.
 Reference, 362.
 Reported back, 524.
 Second reading, 579.
 Indefinitely postponed, 580.
 Other action, 579, 654.

House Bill No. 227—(Benno, Falconer, Panko, Nelson of Ramsey and Starck)

House Bill No. 227. A Bill for an Act to Repeal Section

10322a27 and 10322a49 of the 1925 Supplement to the Compiled Laws of the State of North Dakota, and All Acts Amendatory Thereto and to Provide for the Licensing and Regulating of Hunting Dogs and Hunting Dog Trainers and Declaring an Emergency.

Introduction, first reading, 373.

Reference, 373.

Reported back, 622.

Indefinitely postponed, 622.

Other action, 622.

House Bill No. 228—(Schmidt and Erickson of Williams)

House Bill No. 228. A Bill for an Act to Prohibit the Sale of Intoxicating Liquor of an Alcoholic Content Greater Than 4% Alcohol by Volume in Any Place of Business Licensed as a Restaurant Under the Laws of the State of North Dakota; Providing Penalties, and Declaring an Emergency.

Introduction, first reading, 373.

Reference, 373.

Reported back, 618.

Amended, 618.

General orders, 704.

Engrossed, 739.

Second reading, 785.

Indefinitely postponed, 786.

Other action, 785, 786.

House Bill No. 229—(Olson of Bowman and Wolf of McIntosh)

House Bill No. 229. A Bill for an Act to Prohibit Recovery of Old Age Assistance Payments by the State Welfare Agency from the Estate of an Old Age Assistance Applicant or from Any Property of an Old Age Assistance Recipient Where the Federal Government Does Not Require Such Recovery from the Estate or from the Property of an Old Age Recipient as a Condition to Federal Financial Participation in the Old Age Assistance Program.

Introduction, first reading, 373.

Reference, 373.

Reported back, 568.

Indefinitely postponed, 568.

Other action, 568.

House Bill No. 230—(Braun of McLean, Wolf of Morton, Schmidt, Starck)

House Bill No. 230. A Bill for an Act to Amend and Re-enact Chapter 120 of the Session Laws of 1933 as Amended by Chapter 145 of the Session Laws of 1935 Relating to the Disposition of Money Collected by the Game and Fish Department; Providing for the Conservation of Water and the Construction of Dams Within the State, and Declaring an Emergency.

Introduction, first reading, 373.

Reference, 373.

Reported back, 559.

Indefinitely postponed, 559.

Other action, 559.

House Bill No. 231—(Wolf of Morton and Johnson of Cass)

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 195 of the Session Laws of 1929 Relating to the Opening of Bids, Award of Contract, and Bond Required for Public Buildings.

- Introduction, first reading, 373.
- Reference, 374.
- Reported back, 491.
- Second reading, 551.
- Passed, 552, 1243.
- Forwarded to Senate, 572, 1321.
- Returned by Senate, 1243, 1422.
- Senate Action, 1243.
- Enrolled, 1290.
- Signed by Speaker, 1318.
- Forwarded to Governor, 1430.

House Bill No. 232—(Wolf of Morton and Johnson of Cass)

House Bill No. 232. A Bill for an Act to Amend and Re-enact Sections 5, 6 and 8 of Chapter 110 of the Session Laws of 1937 Relating to the Classifying and Fixing of the License Fee of Public Contractors and the Award of Contracts to Licensed Contractors.

- Introduction, first reading, 374.
- Reference, 374.
- Reported back, 491.
- Second reading, 552, 566.
- Passed, 567.
- Indefinitely postponed, 553, 1243.
- Other action, 565, 566, 567.
- Returned by Senate, 638, 1243.
- Senate Action, 1243.

House Bill No. 233—(Starck)

House Bill No. 233. A Bill for an Act to Amend and Re-enact Chapter 157 of the Session Laws of 1939, Relating to the Admission of Foreign Mutual Insurance Companies, and Declaring an Emergency.

- Introduction, first reading, 374.
- Reference, 374.
- Reported back, 464.
- Indefinitely postponed, 464.
- Other action, 464.

House Bill No. 234—(Semerad, Brusseau, and Gress)

House Concurrent Resolution No. 234. A Concurrent Resolution Providing for the Amendment of Section 179 of the Constitution of North Dakota as Amended by Article 44 of the Amendments to the State Constitution.

- Introduction, first reading, 397.
- Reference, 398.
- Reported back, 491.
- Indefinitely postponed, 491.
- Other action, 491.

House Bill No. 235—(Starck)

House Bill No. 235. A Bill for an Act to Amend and Re-enact Section 4907 of the Compiled Laws of North Dakota

for 1913, as Amended by Chapter 156 of the Session Laws of 1939, Relating to Capital of Foreign Insurance Companies as a Condition to Writing Fidelity and Surety Risks in this State, and Repealing All Acts in Conflict Herewith.

Introduction, first reading, 398.

Reference, 398.

Withdrawn, 596.

House Bill No. 236—(Myers, Ohnstad, Morrison, Brusseau, McIntyre, Starck and McIntee)

House Bill No. 236. A Bill for an Act Providing That the Attorney General and His Assistants Shall Be the Legal Advisors of and Serve as Attorneys for all State Elective and Appointive Officials, Departments, Commissions, Bureaus, Boards and Other State Agencies; Authorizing the Appointment of Special Assistants and Providing for the Payment of Compensation of Special Assistants and Statutory Costs.

Introduction, first reading, 398.

Reference, 398.

Reported back, 526.

Second reading, 583.

Indefinitely postponed, 526, 584.

Other action, 526, 584.

House Bill No. 237—(Collette, Fuglestad, Benno and Fitch)

House Bill No. 237. A Bill for an Act Providing for Retention by County Auditors of a Part of the Resident and Non-resident Hunting License and Non-resident Fishing License Fees, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 398.

Reference, 398.

Reported back, 559.

Second reading, 605.

Passed, 606.

Other action, 606.

Forwarded to Senate, 717, 1223.

Returned by Senate, 1154, 1257.

Senate action, 1154.

Enrolled, 1182.

Signed by Speaker, 1219.

Forwarded to Governor, 1322.

House Bill No. 238—(Severson)

House Bill No. 238. A Bill for an Act to Amend and Re-enact Chapter 162 of the 1929 Session Laws of the State of North Dakota Providing That Attachment Shall Lie Against Motor Vehicles, in Case of Accident Occasioned Through the Negligence of the Driver or Owner Thereof; Denying Exemption as to Such Motor Vehicles; Specifying Place of Trial.

Introduction, first reading, 398.

Reference, 398.

Reported back, 533.

Second reading, 584.

Indefinitely postponed, 585.

Other action, 585.

House Bill No. 239—(Falconer)

House Bill No. 239. A Bill for an Act to Amend and Re-enact Subdivision 6 of § 7426, of the Compiled Laws of North Dakota for 1913, Relating to Service of Process Upon a Foreign Corporation, Joint Stock Company or Association That Has Not Appointed Either the Secretary of State or Commissioner of Insurance, as the Case May Be, as Its Lawful Attorney, Upon Whom Service of Process May Be Made; and Providing That If Such Corporation, Joint Stock Company or Association is Engaged in Industrial, Manufacturing or Other Productive Business, and Is Regularly Disposing, Within the State, of Any Considerable Quantities of Its Product or Sending Such Product, Goods, Wares and Merchandise for Sale and Delivery Therein, Such Process May Be Served Upon the Secretary of State With the Same Effect as Provided by Subsection 5 of Said § 7426.

Introduction, first reading, 398.

Reference, 399.

Reported back, 683.

Indefinitely postponed, 684.

House Bill No. 240—(Sharpe, Benno and Collette)

House Bill No. 240. A Bill for an Act to Repeal Chapter 120 of the 1933 Session Laws of the State of North Dakota as Amended by Chapter 145 of the 1935 Session Laws of the State of North Dakota, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water and the Construction of Dams.

Introduction, first reading, 399.

Reference, 399.

Reported back, 621.

Second reading, 668, 775.

Passed, 775.

Indefinitely postponed, 669.

Other action, 669.

Forwarded to Senate, 857, 1271.

Returned by Senate, 1217, 1429.

Senate action, 1217.

Enrolled, 1246.

Signed by Speaker, 1252.

Forwarded to Governor, 1430.

House Bill No. 241—(Crockett, Belzer and Fitch)

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 3163a1, Compiled Laws of North Dakota, as Amended by Chapter 136 Session Laws of 1939, Defining a Public Dancing Place, Repeal.

Introduction, first reading, 399.

Reference, 399.

Reported back, 534.

Second reading, 726.

Passed, 727.

Other action, 595, 652, 727.

Forwarded to Senate, 780, 1223.

Returned by Senate, 1154, 1257.

Senate action, 1154.

Enrolled, 1182.

Signed by Speaker, 1219.
Forwarded to Governor, 1322.

House Bill No. 242—(Bergesen, Beede, Morland and Haugland)

House Bill No. 242. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259, Session Laws of 1937, Authorizing the Issuance and Sale of Stamps Representing the Excise Liquor Tax, Requiring Their Attachment to Each Package or Container; Creating a Special Fund and Limiting the Use and Disbursement Thereof.

Introduction, first reading, 399.
Reference, 399.
Reported back, 488.
Amended, 488.
General orders, 547.
Engrossed, 569.
Second reading, 800.
Other action, 601, 800.
Withdrawn, 842.

House Bill No. 243—(Bergesen, Morland, Culver, Haugland and Beede)

House Bill No. 243. A Bill for an Act to Amend and Re-enact Section 1 and Section 7 of Chapter 242, Session Laws of North Dakota for the Year 1939, Relating to a Transaction Tax Upon Sales of Certain Alcoholic Beverages by Licensed Wholesale Liquor Dealers; Creating a Special Fund and Limiting the Use Thereof for Specific Purposes.

Introduction, first reading, 399.
Reference, 399.
Reported back, 618.
Indefinitely postponed, 619.
Other action, 619.

House Bill No. 244—(Fraser and Peterson of Bottineau)

House Bill No. 244. A Bill for an Act to Amend and Re-enact Section 1265 of the Compiled Laws of North Dakota of 1913, as Amended by Chapter 226 of the 1937 Session Laws, Relating to Candidates and the Official Ballot at Elections in Special School Districts.

Introduction, first reading, 399.
Reference, 399.
Reported back, 524.
Amended, 578.
Engrossed, 612.
Second reading, 578.
Passed, 579.
Indefinitely postponed, 1088.
Other action, 578.
Forwarded to Senate, 638.
Returned by Senate, 1088.
Senate action, 1088.

House Bill No. 245—(Swanson and Fitch)

House Bill No. 245. A Bill for an Act to Amend and Re-enact Section 26 and Sub-division (2) of Section 20 of Chapter

148, Laws 1931, Providing for Permit Fee and Providing Penalties for the Illegal Hunting of Big Game.

Introduction, first reading, 399.
 Reintroduced, 619.
 Reference, 400, 619.
 Reported back, 559, 670.
 Amended, 670.
 Withdrawn, 605.
 General orders, 705.
 Engrossed, 739.
 Second reading, 789.
 Passed, 790.
 Other action, 605, 619, 790.
 Forwarded to Senate, 858.
 Returned by Senate, 1095.
 Senate action, 1095.
 Enrolled, 1105.
 Signed by Speaker, 1103.
 Forwarded to Senate for signature, 1114.
 Returned by Senate, 1187.
 Forwarded to Governor, 1272.

House Bill No. 246—(Comm. on Education)

House Bill No. 246. A Bill for an Act Amending and Re-enacting Chapter 29 of the Session Laws of 1939, as Amended by the Initiated Act of June 25, 1940, the Same Being an Act Making an Appropriation to Pay for a Portion of the Current Operating Expense of Our Public School System as Provided for in the State Equalization Fund Law, as Provided for by Senate Bill 237 as Passed by the 1939 Session of the Legislature, by Decreasing Item "(5) Teacher Unit Payment" from \$1,770,000.00 as Therein Provided to \$1,670,000.00 and by Increasing Item "(4) Non-resident High School Tuition" from \$1,100,000 as Therein Provided to \$1,200,000.00, and Declaring an Emergency.

Introduction, first reading, 400.
 Reference, 400.
 Reported back, 463.
 Amended, 1225.
 Second reading, 505, 1326.
 Passed, 506, 1327.
 Emergency clause, 506, 1327.
 Other action, 1326, 1327, 1331.
 Forwarded to Senate, 539, 1377.
 Returned by Senate, 1225, 1397.
 Senate action, 1225.
 Enrolled, 1348.
 Signed by Speaker, 1361.
 Forwarded to Governor, 1425.

House Bill No. 247—(Fleck and Crockett)

House Bill No. 247. A Bill for an Act to License and Regulate Public Dancing in Places Where Alcoholic Beverages Are Sold; Defining the Powers and Duties of the State Tax Commissioner and the Governing Bodies of Cities, Villages, Towns and Townships; Prescribing Penalties for Violations; Repealing Conflicting Acts and Declaring an Emergency.

Introduction, first reading, 400.
 Reference, 400.
 Reported back, 610.
 Indefinitely postponed, 610.
 Other action, 610.

House Bill No. 248—(Bymers, Nelson (Cass), Arndt, Schwartz, Rygg, Sagehorn)

House Bill No. 248. A Bill for an Act to Amend and Re-enact Section 2346a16 of the 1925 Supplement to the Compiled Laws of 1913, as Amended by Chapter 253 of the Session Laws of 1933; to Enact a Reciprocity Clause and Declaring an Emergency.

Introduction, first reading, 400.
 Reference, 400.
 Reported back, 463.
 Second reading, 513.
 Passed, 514, 982.
 Emergency clause, 514.
 Other action, 514.
 Forwarded to Senate, 540, 1025.
 Returned by Senate, 982, 1123.
 Senate action, 982.
 Enrolled, 1013.
 Signed by Speaker, 1017.
 Forwarded to Governor, 1146.
 Approved by Governor, 1223.

House Bill No. 249—(Aker, Benno, Swanson and Bymers)

House Bill No. 249. A Bill for an Act to Amend and Re-enact Section 10322a51 of the Supplement of 1925 and Chapter 118, Laws 1933 Relative to Going Afield With Guns Before the Hunting Season and Illegal Possession of Game and Fish After the Hunting Season.

Introduction, first reading, 400.
 Reference, 400.
 Reported back, 682.
 Amended, 730, 732.
 Second reading, 730, 732.
 Passed, 733.
 Indefinitely postponed, 731.
 Other action, 730, 731, 732.
 Forwarded to Senate, 780, 1222.
 Returned by Senate, 1154, 1257.
 Senate action, 1154.
 Enrolled, 1182.
 Signed by Speaker, 1218.
 Forwarded to Governor, 1322.

House Bill No. 250—(Schwartz)

House Bill No. 250. A Bill for an Act to Amend and Re-enact Section 1, Section 3 and Section 9 of Chapter 242 of the 1939 Session Laws of North Dakota, Relating to the Wholesale Liquor Transaction Tax, and Making a Savings Clause, Providing for Distribution of the Same, and Providing for Violations and Penalties Therefor, and Declaring an Emergency.

Introduction, first reading, 400.
 Reference, 400.

Reported back, 622.
 Amended, 622, 705, 787, 872, 873.
 General orders, 705.
 Engrossed, 739, 836.
 Second reading, 787, 872, 1312.
 Passed, 789, 873, 1313.
 Emergency clause, 789, 873, 1313.
 Other action, 788, 789, 872, 873, 1312, 1323, 1331.
 Forwarded to Senate, 895, 1376.
 Returned by Senate, 1304, 1397.
 Senate action, 1304.
 Enrolled, 1360.
 Signed by Speaker, 1360.
 Forwarded to Governor, 1425.

House Bill No. 251—(McIntyre, Culver, Halvorson, Haugland, Sandness, Schwartz)

House Bill No. 251. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 118, Laws 1929 Relative to the Posting of Butterfat Prices at Creamery and Cream Stations and Other Places of Business Purchasing Such Products From the Public.

Introduction, first reading, 400.
 Reference, 401.
 Reported back, 683.
 Amended, 683, 831.
 General orders, 744, 831.
 Engrossed, 807, 859.
 Second reading, 867.
 Passed, 868, 1212.
 Other action 868.
 Forwarded to Senate, 895, 1270.
 Returned by Senate, 1212, 1426.
 Senate action, 1212.
 Enrolled, 1248.
 Signed by Speaker, 1250.
 Forwarded to Governor, 1430.

House Bill No. 252—(McIntyre, Culver, Sandness)

House Bill No. 252. A Bill for an Act Establishing Standards and Definitions of Milk and Milk Products and Butter; and Amending Section 2852 of the Compiled Laws of 1913 and Section 2855a1 of the 1925 Supplement of the Compiled Laws of 1913; and Repealing All Acts or Parts of Acts in Conflict Herewith, Providing for the Enforcement of the Provision of This Act and for Penalties for the Violation Thereof and Declaring an Emergency.

Introduction, first reading, 401.
 Reference, 401.
 Second reading, 734.
 Passed, 735.
 Indefinitely postponed, 980.
 Emergency clause, 735.
 Forwarded to Senate, 780.
 Returned by Senate, 980.
 Senate action, 980.

House Bill No. 253—(Fuglestad)

House Bill No. 253. A Bill for an Act Providing for Sub-

mission to the Electors of Counties Upon Petition the Question of Local Option as to Sale of Alcoholic Beverages; and, Where Approved, Declaring Violation Thereof a Misdemeanor; and Repealing Conflicting Acts.

Introduction, first reading, 401.
Reference, 401.
Reported back, 524, 683.
Indefinitely postponed, 524.
Other action, 524, 683.

House Bill No. 254—(Panko, Sharpe, Benno and Gackle)

House Bill No. 254. A Bill for an Act to Amend and Re-enact Sections 23 and 24 of Chapter 148 of the Session Laws of North Dakota of 1931 Relating to Non-resident Hunting and Trapping Licenses, Including the Cost, Issuance, Application, Form Thereof and Game Shipments Thereunder, and Relating to Resident Hunting Licenses to Actual Settlers Who Are Recent Arrivals; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 401.
Reference, 401.
Reported back, 622.
Second reading, 669.
Indefinitely postponed, 670.
Other action, 670.

House Bill No. 255—(Comm. on Education)

House Bill No. 255. A Bill for an Act to Amend and Re-enact Section 1456 of the Supplement of 1925 as Amended by Chapter 202, Laws 1929, Relative to Maintenance of County Agricultural and Training Schools and the Tuition to Be Charged by Them. Repeal.

Introduction, first reading, 401.
Reference, 401.
Reported back, 463.
Amended, 502.
Second reading, 502.
Passed, 503.
Other action, 502, 504.
Forwarded to Senate, 539, 1114.
Returned by Senate, 1095, 1272.
Senate action, 1095.
Enrolled, 1105.
Signed by Speaker, 1104.
Forwarded to Governor, 1272.

House Bill No. 256—(Sharpe and Peterson of Bottineau)

House Bill No. 256. A Bill for an Act to Legalize the Operation of Bowling Alleys During Certain Hours on the First Day of the Week; Permitting Labor Services to Be Performed in Connection Therewith; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 401.
Reference, 401.
Reported back, 533.
Second reading, 585.
Indefinitely postponed, 586.
Other action, 586.

House Bill No. 257—(Starck, Haag, McIntee)

House Bill No. 257. A Bill for an Act Providing for the Leasing of All Lands Now Owned or Which May Hereafter Be Owned by the Various Counties of the State and Providing the Manner and Mode of Such Leasing and Declaring an Emergency.

- Introduction, first reading, 401.
- Reference, 401.
- Reported back, 491.
- Indefinitely postponed, 491.
- Other action, 491.

House Bill No. 258—(Fitch)

House Bill No. 258. A Bill for an Act Preserving the Rights to Benefits Under the North Dakota Unemployment Compensation Act to Persons Entering the Military or Naval Service of the United States During the Period of Such Service; Repeal; Declaring an Emergency.

- Introduction, first reading, 402.
- Reference, 402.
- Reported back, 682.
- Second reading, 731.
- Passed, 732.
- Emergency clause, 732.
- Other action, 682, 732.
- Forwarded to Senate, 780, 1223.
- Returned by Senate, 1155, 1258.
- Senate action, 1155.
- Enrolled, 1182.
- Signed by Speaker, 1219.
- Forwarded to Governor, 1322.

House Bill No. 259—(Stormon and Bergesen)

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sections 2 and 3 of Chapter 120, Session Laws of 1921, Being Sections 6001a2 and 6001a3 of the 1925 Supplement, Relating to Notice to Be Given County Treasurer of Auction Sales of Personal Property and the Collection of Personal Property Taxes.

- Introduction, first reading, 402.
- Reference, 402.
- Reported back, 524.
- Indefinitely postponed, 580.
- Other action, 524, 580.

House Bill No. 260—(Fitch and Westby)

House Bill No. 260. A Bill for an Act to Provide for the Better Protection of Life and Property Against Injury or Damage Resulting from the Operation of Steam Boilers and Engines or Stationary Internal Combustion Engines by Incompetent Engineers and Others and to Formulate Rules and Regulations for the Safe Design, Construction, Installation, Repair, Use and Operation of Steam Boilers and Pressure Vessels; to Provide for the Licensing of Engineers, and Appointment of a Chief Examiner, and Appointment of Deputy Examiners, Classifications of Engineers, Applications and Examinations for License, Revocation of License, Inspection of Steam Boilers and Pressure Vessels,

Fees to be Charged for Inspection, Certificate of Inspection, Reports by Insurance Companies, Exemptions, Penalties, Repeal, and Appropriation.

Introduction, first reading, 419.

Reference, 419.

Reported back, 491.

Indefinitely postponed, 491.

Other action, 491.

House Bill No. 261—(Crockett)

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 523B3 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Providing for Chiropractic License Renewals; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, 419.

Reference, 419.

Reported back, 534.

Second reading, 595.

Passed, 596.

Emergency clause, 596.

Other action, 596.

Forwarded to Senate, 716, 1116.

Returned by Senate, 1085, 1187.

Senate action, 1085.

Enrolled, 1105.

Signed by Speaker, 1104.

Forwarded to Governor, 1272.

House Bill No. 262—(Bergesen, Myers, Drovdal)

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 4914, Compiled Laws of North Dakota for the Year 1913, Relating to the Limit of Risks to Which Insurance Companies Shall Be Exposed; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 419.

Reference, 420.

Reported back, 485.

Second reading, 540.

Passed, 541, 981.

Forwarded to Senate, 571, 1025.

Returned by Senate, 981, 1122.

Senate action, 981.

Enrolled, 1013.

Signed by Speaker, 1019.

Forwarded to Governor, 1146.

Approved by Governor, 1385.

House Bill No. 263—(Smart)

House Bill No. 263. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and by Chapter 283 of the Laws of 1935; Repealing All Acts; and Declaring an Emergency.

Introduction, first reading, 420.

Reference, 420.

Reported back, 534.

Amended, 652.

Second reading, 652.
 Passed, 653, 1217.
 Emergency clause, 653.
 Other action, 595, 652.
 Forwarded to Senate, 714, 1271.
 Returned by Senate, 1217, 1429.
 Senate action, 1217.
 Enrolled, 1246.
 Signed by Speaker, 1252.
 Forwarded to Governor, 1431.

House Bill No. 264—(Rohde, Larson, Panko, Myers, Glas, Wolf of McIntosh)

House Bill No. 264. A Bill for an Act Defining Upland Game Birds; Providing Daily Bag and Possession Limits; Providing for Open Seasons of Upland Game Birds; Providing Penalties and Repealing All Conflicting Acts.

Introduction, first reading, 420.
 Reference, 420.
 Reported back, 559.
 Indefinitely postponed, 559.

House Bill No. 265—(Myers, Panko, Larson, Brusseau, McIntyre, Haugen, Rohde, Mollet, Braun of McLean, Heckman, Bymers, Belzer, Glas)

House Bill No. 265. A Bill for an Act to License and Regulate the Operation of Amusement Games; Levying a Tax Therefor, Appropriating Revenue Derived Therefrom, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Introduction, first reading, 420.
 Reference, 420, 570.
 Reported back, 493, 615.
 Amended, 493, 1216, 1357.
 General orders, 548.
 Engrossed, 569.
 Second reading, 665, 1357.
 Passed, 666, 1358, 1382.
 Other action, 615, 1324, 1357, 1358.
 Forwarded to Senate, 715, 1359.
 Returned by Senate, 1216, 1382, 1428.
 Senate action, 1216, 1382.
 Conference committee, 1324, 1347, 1357.
 Enrolled, 1385.
 Signed by Speaker, 1386.
 Forwarded to Governor, 1430.

House Bill No. 266—(Morland, Olson of Bowman, Myers, Crockett, Ireland)

House Bill No. 266. A Bill for an Act to Encourage the Investment of Moneys in the State of North Dakota, and to Encourage the Development of the Natural Resources of This State, and to Provide a Market for the Gas and Oil Deposits in the State, Including Those Owned by the State of North Dakota, and the Counties Thereof, and to Permit the Marketing of Such Natural Resources by Selling and Delivering to the State, County and School Districts of Gas and Oil, Upon Condition That the Seller or Carrier Purchase from Production or Produce in This State an Amount of Gas

or Oil at Least Equivalent to the Amount it Delivers to Said State, County and School District Buildings, and Requiring Such Sellers and Carriers to Make Reports of Its Sales and Purchases and Production, Under Oath, and Providing a Penalty for Violation Thereof; Repealing All Acts in Conflict.

Introduction, first reading, 420.
 Reference, 420.
 Reported back, 611.
 Second reading, 772.
 Indefinitely postponed, 611, 773.
 Other action, 874.

House Bill No. 267—(Falconer and Fitch)

House Bill No. 267. A Bill for an Act Relating to Reciprocal Agreements Between the Director of the North Dakota Experiment Station and Officers of Other States Pertaining to Fees for Inspection Certificates or Permits in Connection with the Sale of Nursery stock.

Introduction, first reading, 420.
 Reference, 420.
 Second reading, 518.
 Passed, 519.
 Other action, 519.
 Forwarded to Senate, 540, 952.
 Returned by Senate, 917, 983.
 Senate action, 917.
 Enrolled, 928.
 Signed by Speaker, 933.
 Forwarded to Governor, 994.
 Approved by Governor, 1097.

House Bill No. 268—(Smart)

House Bill No. 268. A Bill for an Act to Amend and Re-enact Sections 3314a5 and 3314a7, Supplement to the 1913 Compiled Laws, Providing That County Auditor Shall Reduce Levies Proportionately in Case Total Levy Exceeds Legal Limit, Repealing All Acts or Parts of Acts in Conflict and Declaring an Emergency.

Introduction, first reading, 421.
 Reference, 421.
 Reported back, 524.
 Amended, 654.
 Second reading, 655.
 Indefinitely postponed, 656.
 Other action, 579, 604, 654.

House Concurrent Resolution No. 269—(Ireland, Lillehaugen, Sandness, Wambheim, Nystrom, Culver)

House Concurrent Resolution No. 269. A Concurrent Resolution Providing for the Amendment of Article 33 of the Constitution of North Dakota, Relating to the Recall.

Introduction, first reading, 421.
 Reference, 422.
 Reported back, 491.
 Indefinitely postponed, 491.
 Other action, 492.

House Bill No. 270—(Committee on State Affairs)

House Bill No. 270. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the Short Form of County Managership, and Declaring an Emergency.

Introduction, first reading, 422.
 Reference, 422, 525.
 Reported back, 525, 615.
 Amended, 615, 1244.
 General orders, 703, 755.
 Engrossed, 836.
 Second reading, 843, 1333.
 Passed, 844, 1333.
 Other action, 844, 1333, 1347.
 Forwarded to Senate, 858, 1375.
 Returned by Senate, 1244, 1396.
 Senate action, 1244.
 Enrolled, 1374.
 Signed by Speaker, 1375.
 Forwarded to Governor, 1425.

House Bill No. 271—(Rohde, Larson, Panko, Myers, Wolf of McIntosh)

House Bill No. 271. A Bill for an Act to Amend and Re-enact Section 6073 of the 1925 Supplement as Amended by Chapter 274, Session Laws of 1927, Chapter 140 of the Session Laws of 1933 and Chapter 159 of the Session Laws of 1935, Defining Usury; and Providing Penalties; Repeal.

Introduction, first reading, 422.
 Reference, 422.
 Reported back, 682.
 Second reading, 729.
 Indefinitely postponed, 730.
 Other action, 729, 774.

House Bill No. 272—(Smart)

House Bill No. 272. A Bill for an Act to Amend and Re-enact Sections 3 and 5 of Chapter 2 of the 1939 Session Laws; Relating to Beekeepers' Licenses and License Fees, and Repealing All Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 423.
 Reference, 423.
 Reported back, 488.
 Second reading, 544.
 Passed, 545.
 Emergency clause, 545.
 Forwarded to Senate, 571, 1222.
 Returned by Senate, 1156, 1257.
 Senate action, 1155.
 Enrolled, 1182.
 Signed by Speaker, 1218.
 Forwarded to Governor, 1322.

House Bill No. 273—(Benno, Haugland, Smart)

House Bill No. 273. A Bill for an Act for the Licensing, Regulating, Establishing and Inspecting of Rendering Plants or Establishments, and Providing Punishment for Violation

Thereof; Exempting Certain Plants; Providing an Appropriation; Declaring an Emergency.

Introduction, first reading, 423.
 Reference, 423.
 Reported back, 675.
 Amended, 675.
 General orders, 709.
 Engrossed, 739.
 Second reading, 795.
 Passed, 796.
 Emergency clause, 796.
 Other action, 796.
 Forwarded to Senate, 855, 1114.
 Returned by Senate, 1086, 1186.
 Senate action, 1086.
 Enrolled, 1105.
 Signed by Speaker, 1104.
 Forwarded to Governor, 1272.

House Bill No. 274—(Nelson (Morton), Juhola)

House Bill No. 274. A Bill for an Act Fixing the Maximum Annual Compensation Which May Be Paid to Persons Holding Administrative or Supervisory Positions Under the State Welfare Board or Any State Agency Which Is Its Successor.

Introduction, first reading, 423.
 Reference, 423.
 Reported back, 525.
 Amended, 589.
 General orders, 589.
 Engrossed, 612.
 Second reading, 644.
 Passed, 645.
 Indefinitely postponed, 525, 981.
 Other action, 525, 645.
 Forwarded to Senate, 718.
 Returned by Senate, 980.
 Senate action, 980.

House Bill No. 275—(Sellens and Falconer)

House Bill No. 275. A Bill for an Act to Amend and Re-enact Section 3664 of the Compiled Laws of the State of North Dakota for 1913, Relating to Powers of Police Officers; Providing for Accounting for Fees, and Penalties; and Repealing Acts in Conflict Herewith.

Introduction, first reading, 423.
 Reference, 423.
 Reported back, 561.
 Indefinitely postponed, 561.
 Other action, 561.

House Bill No. 276—(Sellens and Falconer)

House Bill No. 276. A Bill for an Act to Amend and Re-enact Section 3531 of the Compiled Laws of the State of North Dakota for 1913, Relating to Fees of Constables; and Repealing Acts in Conflict Herewith.

Introduction, first reading, 423.

Reference, 423.
 Reported back, 525.
 Second reading, 580.
 Indefinitely postponed, 580.
 Other action, 580.

House Bill No. 277—(Swanson (Richland) Fitch, Crockett)

House Bill No. 277. A Bill for an Act to Establish a Marketing Bureau Within the Department of Agriculture and Labor of the State of North Dakota and Defining Its Functions.

Introduction, first reading, 423.
 Reference, 423.
 Reported back, 526.
 Second reading, 582.
 Passed, 583, 1213.
 Other action, 583.
 Forwarded to Senate, 639, 1270.
 Returned by Senate, 1213, 1426.
 Senate action, 1213.
 Enrolled, 1248.
 Signed by Speaker, 1250.
 Forwarded to Governor, 1430.

House Bill No. 278—(Committee on Appropriation)

House Bill No. 278. A Bill for an Act to Amend and Re-enact Section 635 of the 1913 Compiled Laws of the State of North Dakota as Amended by Chapter 12 of the 1937 Session Laws, and Amending Section 2 of Chapter 12 of the 1937 Session Laws, with Reference to Availability of Appropriations; and Declaring an Emergency.

Introduction, first reading, 429.
 Reference, 430.
 Reported back, 526.
 Amended, 1156.
 Second reading, 581, 1327.
 Passed, 582, 1328.
 Emergency clause, 582.
 Other action, 1327, 1328, 1347.
 Forwarded to Senate, 638, 1377.
 Returned by Senate, 1156, 1398.
 Senate action, 1156.
 Enrolled, 1348.
 Signed by Speaker, 1361.
 Forwarded to Governor, 1426.

House Bill No. 279—(Committee on Temperance)

House Bill No. 279. A Bill for an Act Prohibiting the Use of Intoxicating Liquors in Any Form by the State Highway Patrol Superintendent, His Assistants and All Members of the Division of State Highway Safety and Patrol.

Introduction, first reading, 430.
 Reference, 430.
 Reported back, 619.
 Amended, 705.
 General orders, 704.
 Engrossed, 739.
 Second reading, 786.

Passed, 787.
 Indefinitely postponed, 1224.
 Other action, 619, 787.
 Forwarded to Senate, 858.
 Returned by Senate, 1224.
 Senate action, 1224.

House Bill No. 280—(Boulden, Crockett, Moe)

House Bill No. 280. A Bill for an Act Providing for a Tax Upon the Gross Earnings of Railroad Companies and the Time of Payment Thereof, Defining Gross Earnings, Providing for Collection of Such Tax, and Manner of Contesting the Validity of This Act or any Part Thereof; Defining Railroad Companies, and Providing for Apportionment of Such Taxes and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 430.
 Reference, 430.
 Withdrawn, 580.

House Bill No. 281—(Bingenheimer)

House Bill No. 281. A Bill for an Act to Amend and Re-enact Section 2003a1, Section 2003a2 and Section 2003a4 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Cutting of Weeds on Graded Public Highways.

Introduction, first reading, 430.
 Reference, 430.
 Reported back, 530.
 Withdrawn, 566.

House Bill No. 282—(Aker, Fuglestad, Gackle, Wambheim)

House Bill No. 282. A Bill for an Act to Amend and Re-enact Section 2173, Compiled Laws of 1913, Relative to Contracts for Tax Collection.

Introduction, first reading, 430.
 Reference, 430.
 Reported back, 485.
 Amended, 541.
 Second reading, 541.
 Passed, 542, 982.
 Other action, 541.
 Forwarded to Senate, 571, 1025.
 Returned by Senate, 982, 1123.
 Senate action, 982.
 Enrolled, 1013.
 Signed by Speaker, 1018.
 Forwarded to Governor, 1146.
 Approved by Governor, 1385.

House Concurrent Resolution No. 283—(Fitch)

House Concurrent Resolution No. 283. Providing for the Amendment of Section 60 of Article 2 of the Constitution of the State of North Dakota Relating to the Time for the Introduction of Bills at the Legislative Assembly.

Introduction, first reading, 430.
 Reference, 431.
 Reported back, 613.

Indefinitely postponed, 613.
Other action, 613.

House Bill No. 284—(Committee on Temperance)

House Bill No. 284. A Bill for an Act to Provide for the Abatement of Places Where Intoxicating Liquors Are Sold and Where Persons Engaged in Such Retail Sale of Intoxicating Liquors Have Been Convicted as a Second Offense of Committing or Knowingly Permitting in Said Place of Business or in Connection Therewith Any Violation of Any State Law; and Providing Procedure and Penalties.

Introduction, first reading, 431.

Reference, 431.

Reported back, 619.

Second reading, 667.

Passed, 668.

Indefinitely postponed—Senate reported the bill as “passed,” whereas in Senate Journal of March 6, page 886 shows it as “indefinitely postponed.”

Other action, 668.

Forwarded to Senate, 715.

Returned by Senate, 1225.

Senate action, 1225.

House Bill No. 285—(Levin and Holm)

House Bill No. 285. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 135 of the Session Laws of 1935, Relating to the Election of Precinct Committeemen, and to Repeal Section 3 of Chapter 135 of the Session Laws of 1935.

Introduction, first reading, 431.

Reference, 431.

Reported back, 523.

Second reading, 577.

Passed, 578.

Indefinitely postponed, 1088.

Forwarded to Senate, 638.

Returned by Senate, 1088.

Senate action, 1088.

House Bill No. 286—(Halverson, Lillehaugen, Hofstrand, Schmidt)

House Bill No. 286. A Bill for an Act Authorizing the Board of University and School Lands to Sell Lands Belonging to the Permanent School or Institutional Funds But Not a Part of the Federal Grant Lands to Bona Fide Farmers, Fixing the Manner and Terms of Sale, Interest Rate on Deferred and Delinquent Payments, Publication of Notice of Sale, Method of Cancellation of Contracts, Taxation of Lands Sold, Redemption, Rights of Tax Certificate Holder, and Providing for Rules and Regulations of the Board of University and School Lands, and Declaring Rules of Construction.

Introduction, first reading, 431.

Reference, 432.

Reported back, 671.

Amended, 671.

General orders, 705.

Engrossed, 739.

Second reading, 790.

Passed, 791, 1217.
 Other action, 791.
 Forwarded to Senate, 858, 1271.
 Returned by Senate, 1217, 1429.
 Senate action, 1217.
 Enrolled, 1246.
 Signed by Speaker, 1252.
 Forwarded to Governor, 1431.

House Bill No. 287—(Beede, Schwartz, Haugen, Anderson, Myers)

House Bill No. 287. A Bill for an Act to Provide for the Raising of Public Revenues by Imposing a Tax Upon the Privilege of Engaging in Any Business, Trade, Profession, Occupation or Calling, to Be Measured by Gross Income, to Provide That This Tax Shall Be a Replacement Tax to the Extent Herein Specified, to Provide for the Ascertainment, Assessment and Collection of Said Tax, to Provide Certain Exemptions from the Tax, to Provide for the Administration Thereof, to Provide a Penalty for the Violation of the Terms of the Act, to Provide for the Disposition of Revenues, to Provide an Appropriation for the Administration of This Act, and Repealing Chapter 234 and 241 of the Session Laws of 1939.

Introduction, first reading, 432.
 Reference, 432.
 Reported back, 561.
 Indefinitely postponed, 561.
 Other action, 561, 632, 633.

House Bill No. 288—(Bergesen and Shure)

House Bill No. 288. A Bill for an Act to Amend and Re-enact Subdivision "c" of Division 15 of Section 7 of Chapter 94, Session Laws of 1931; Section 14 of Chapter 94, Session Laws of 1931, as Amended by Chapter 101, Session Laws of 1939; and Section 23 of Chapter 94, Session Laws of 1931, Providing for Investments by Building and Loan Associations; Investment in Shares of Building and Loan Associations by Fiduciaries, Trusts, Insurance Companies, Banks, Eleemosynary, Educational, Public and Municipal Corporations and Public Officials; and Pertaining to Bonds of Directors, Officers, Agents and Employees.

Introduction, first reading, 432.
 Reference, 432.
 Reported back, 684.
 Amended, 1255.
 Second reading, 735, 1331.
 Passed, 736, 1332.
 Other action, 1331, 1332, 1347.
 Forwarded to Senate, 781.
 Returned by Senate, 1255, 1397.
 Senate action, 1255.
 Enrolled, 1373.
 Signed by Speaker, 1374.
 Forwarded to Governor, 1425.

House Bill No. 289—(Committee on Military Affairs)

House Bill No. 289. A Bill for an Act to Enact a New Military Code for the State of North Dakota to Conform to

the National Defense Act of June 3, 1916, as Amended by Later Acts of Congress, and Repealing Chapter 35 of the Political Code, Compiled Laws, State of North Dakota, Being Sections 2347 to 2442, Both Inclusive, and Repealing Chapter 187, Session Laws of 1915; Chapters 3 and 159, Special Session Laws of 1919; Chapter 241, Session Laws of 1923; Chapter 42, Session Laws of 1925; and Chapter 213, Session Laws of 1935, Chapter 182, Session Laws of 1939; Emergency.

Introduction, first reading, 432.

Reference, 432.

Reported back, 493.

Amended, 1156.

Second reading, 553, 1291.

Passed, 554, 1292.

Emergency clause, 1292.

Other action, 554, 567, 1291, 1292.

Forwarded to Senate, 572, 1377.

Returned by Senate, 1156, 1398.

Senate action, 1156.

Enrolled, 1348.

Signed by Speaker, 1362.

Forwarded to Governor, 1426.

House Bill No. 290—(Committee on Military Affairs)

House Bill No. 290. A Bill for an Act Authorizing the Organization of Non-profit Sharing Municipal Holding Associations to Erect, Operate, Equip and Maintain Auditoriums and Armories Upon or in the Vicinity of Municipal Owned Property; Defining Their Powers, Limitations, and Restrictions; Defining and Limiting the Powers and Duties of the City Council or Commission Relating Thereto; Exempting the Property, Bonds and Other Evidence of Indebtedness of Such Associations from Taxation and Repealing All Acts or Parts of Acts in Conflict Herewith, and Making the Provisions of This Act Applicable to Incorporated Villages and Townships and Declaring an Emergency.

Introduction, first reading, 432.

Reference, 433, 475.

Reported back, 493.

Indefinitely postponed, 553.

Other action, 553.

House Bill No. 291—(Shure, Sellens, Morrison, Crockett)

House Bill No. 291. A Bill for an Act Permitting Employers Subject to the Provisions of Chapter 162 of the 1919 Session Laws of the State of North Dakota, (North Dakota Workmen's Compensation Act) as the Same is Now Amended, at Their Option to Carry Private Insurance; Specifying the Terms and Conditions Under Which the Same May Be Done; Providing for Action of the Workmen's Compensation Bureau Upon All Claims; Permitting Appeals from Certain Decisions of the Workmen's Compensation Bureau; Providing for Payment of Awards and Judgments Against Employers; Requiring Certain Reports by Insuring Companies; Providing Additional Methods of Securing Payment of Obligations Arising in Favor of Insured Employees and Their Dependents; Providing for Partial Support of the North Dakota Workmen's Compensation Bureau by Insuring Companies;

Requiring Certain Bonds and Reports to Be Filed by Insuring Companies, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 433.
 Reference, 433.
 Reported back, 684.
 Amended, 684.
 General orders, 834.
 Engrossed, 849.
 Second reading, 849.
 Passed, 850.
 Indefinitely postponed, 744, 1086.
 Other action, 831, 832, 834, 835, 841, 850.
 Forwarded to Senate, 893.
 Returned by Senate, 1086.
 Senate action, 1086.

House Bill No. 292—(Stormon and Bergesen)

House Bill No. 292. A Bill for an Act to Amend and Re-enact Section 2186 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 241, Session Laws of 1929, and Chapter 279, Session Laws of 1931, Relating to Taxation. Repeal.

Introduction, first reading, 433.
 Reference, 433.
 Reported back, 611.
 Second reading, 663.
 Passed, 664.
 Indefinitely postponed, 1146.
 Other action, 611, 664.
 Forwarded to Senate, 715.
 Returned by Senate, 1146.
 Senate action, 1146.

House Bill No. 293—(Aker)

House Bill No. 293. A Bill for an Act to Provide for the Sale of Malt Beverages and Spirituous Liquors for Cash and Providing Penalty for Violation Thereof.

Introduction, first reading, 433.
 Reference, 433.
 Reported back, 614.
 Indefinitely postponed, 614.

House Bill No. 294—(Haugland, Anderson, Hofstrand)

House Bill No. 294. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 11, Session Laws of 1939, Relating to the Application of the Bang's Test in Townships in Counties in North Dakota Under the Direction of the North Dakota Livestock Sanitary Board by Petition of Seventy-five Per Cent of the Freeholders or Livestock Owners in Such Townships, and Providing for the Compulsory Bang's Testing of Townships in Counties in Which Seventy-five Per Cent of the Townships Are Completely Bang's Tested.

Introduction, first reading, 433.
 Reference, 433.
 Reported back, 492.
 Amended, 492.
 General orders, 548.

Engrossed, 569.
 Second reading, 603.
 Passed, 604, 981.
 Other action, 604.
 Forwarded to Senate, 716, 1025.
 Returned by Senate, 981, 1146.
 Senate action, 981.
 Enrolled, 1013, 1146.
 Signed by Speaker, 1017.
 Forwarded to Governor, 1146.

House Bill No. 295—(Fuglestad and Lillehaugen)

House Bill No. 295. A Bill for an Act Prohibiting the Sale, Gift or Consumption of Alcoholic Beverages in/at Certain Public Places, Declaring Violation Thereof a Misdemeanor and Repealing Conflicting Acts.

Introduction, first reading, 433.
 Reference, 434.
 Reported back, 618.
 Amended, 618.
 General orders, 704.
 Withdrawn, 704.

House Bill No. 296—(Schwartz)

House Bill No. 296. A Bill for an Act to Amend and Re-enact Section 2173 of the 1913 Compiled Laws of North Dakota Relating to Contracts for Collection of Delinquent Personal Property Taxes by the Sheriff; Repeal.

Introduction, first reading, 434.
 Reference, 434.
 Reported back, 493.
 Indefinitely postponed, 493.
 Other action, 493.

House Bill No. 297—(Bergesen)

House Bill No. 297. A Bill for an Act to Amend and Re-enact Section 5631 of the 1913 Compiled Laws of North Dakota, Relating to Descent of Homestead Estate and Exemption; Repealing Section 5632 of the 1913 Compiled Laws of North Dakota.

Introduction, first reading, 434.
 Reference, 434.
 Reported back, 611.
 Second reading, 661.
 Passed, 662, 1213.
 Emergency clause, 662.
 Forwarded to Senate, 715, 1271.
 Returned by Senate, 1213, 1429.
 Senate action, 1213.
 Enrolled, 1246.
 Signed by Speaker, 1253.
 Forwarded to Governor, 1431.

House Bill No. 298—(Fleck)

House Bill No. 298. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 186 of the Session Laws of North Dakota for 1939, Relating to Authorizing Investment of All Trust Funds by Legal Custodians.

Introduction, first reading, 434.
 Reference, 434.
 Reported back, 614.
 Indefinitely postponed, 614.
 Other action, 614.

House Bill No. 299—(Bergesen)

House Bill No. 299. A Bill for an Act to Amend and Re-enact Sections 2997a26, 2997a32, and 2997a33 of the 1925 Supplement to the Compiled Laws of North Dakota of 1913, Relating to the State Board of Architecture.

Introduction, first reading, 434.
 Reference, 434.
 Reported back, 525.
 Second reading, 580.
 Passed, 581.
 Other action, 581.
 Forwarded to Senate, 638, 1270.
 Returned by Senate, 1217, 1426.
 Senate action, 1217.
 Enrolled, 1248.
 Signed by Speaker, 1250.
 Forwarded to Governor, 1430.

House Bill No. 300—(Hofstrand, Anderson, Dalzell, Stormon)

House Bill No. 300. A Bill for an Act to Amend and Re-enact Sections 7, 8, 9 and 17 of Chapter 258 of the Session Laws of 1931 Relating to the State Seed Department, and Declaring an Emergency.

Introduction, first reading, 434.
 Reference, 434.
 Reported back, 683.
 Amended, 683, 980, 1006.
 General orders, 743.
 Engrossed, 807.
 Second reading, 805, 1006.
 Passed, 806, 1007.
 Other action, 1006, 1022.
 Forwarded to Senate, 856, 1025.
 Returned by Senate, 980, 1006.
 Senate action, 1006, 1123.
 Enrolled, 1013.
 Signed by Speaker, 1018.
 Forwarded to Governor, 1146.
 Approved by Governor, 1385.
 Emergency clause, 1007.

House Bill No. 301—(Sellens)

House Bill No. 301. A Bill for an Act Relating to the State Board of Osteopathic Examination and Registration, and Providing for the Annual Registration and Renewal of Certificates of All Persons Licensed to Practice Osteopathy; Providing for an Annual License Fee of Three Dollars; Providing for Conditions Upon Which Renewal of Licenses Shall Be Issued and Requirements Prerequisite to the Granting of Such Renewal Licenses; Providing for Penalties and Sus-

pension of License for Failure to Reregister; Providing for Reinstatement After Suspension.

Introduction, first reading, 434.
 Reference, 434.
 Reported back, 560.
 Second reading, 606.
 Passed, 607.
 Other action, 607.
 Forwarded to Senate, 717, 1114.
 Returned by Senate, 1085, 1186.
 Enrolled, 1105.
 Signed by Speaker, 1104.
 Forwarded to Governor, 1272.

House Bill No. 302—(Johnson of Cass and Trydahl)

House Bill No. 302. A Bill for an Act Requiring That All Public Funds of the State Be Paid Into the General Fund of the State and Be Disbursed Only Upon Legislative Appropriation, Excepting Funds of the Bank of North Dakota, Monies Payable to the State Hail Insurance Fund, State Bonding Fund, State Fire and Tornado Fund, Workmen's Compensation Fund, Funds Under the Jurisdiction of the Board of University and School Lands, Funds of the State Mill and Elevator Association, Funds Required for the Payment of Interest and Principal of Bonds and Other Fixed Obligations of the State, Funds Paid to the Teachers Insurance and Retirement Fund, Monies Received Under the Retail Sales Tax Act, State Gasoline Tax Law, Monies Received from the Motor Vehicle License Fees, and Funds Allocated to the State by the Federal Government; Repealing All Laws Providing for Special Funds with the Exceptions Above Noted and Repealing All Laws or Parts of Laws in Conflict Herewith.

Introduction, first reading, 435.
 Reference, 435.
 Reported back, 525.
 Amended, 525, 694.
 General orders, 608, 694.
 Engrossed, 739.
 Second reading, 775.
 Passed, 776.
 Indefinitely postponed, 981.
 Other action, 570, 776.
 Forwarded to Senate, 857.
 Returned by Senate, 981.
 Senate action, 981.

House Bill No. 303—(Johnson of Cass)

House Bill No. 303. A Bill for an Act Requiring Departmental Budgets and Biennial Reports by the State Highway Commissioner and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 435.
 Reference, 435.
 Reported back, 526.
 Second reading, 604.
 Passed, 605, 1213.
 Other action, 581.

Forwarded to Senate, 717, 1271.
 Returned by Senate, 1213, 1429.
 Senate action, 1213.
 Enrolled, 1246.
 Signed by Speaker, 1253.
 Forwarded to Governor, 1431.

House Bill No. 304—(Bergesen)

House Bill No. 304. A Bill for an Act Relating to the Eradication of the Weed Indian Hemp, and Providing for the Growth Thereof for Commercial Purposes Under License Issued by the Commissioner of Agriculture, with Penalties Provided.

Introduction, first reading 453.
 Reference, 454.
 Reported back, 683.
 Second reading, 733.
 Passed, 734.
 Indefinitely postponed, 1146.
 Other action, 683.
 Forwarded to Senate, 780.
 Returned by Senate, 1146.
 Senate action, 1146.

House Bill No. 305—(Falconer)

House Bill No. 305. A Bill for an Act to Amend and Re-enact Section 548 A-1 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 171, Session Laws of the State of North Dakota for the Year 1939, Relating to Licensing of Pool Halls, Dance Halls, Theatres, Moving Picture Shows, Etc.

Introduction, first reading, 454.
 Reference, 454.
 Reported back, 613.
 Indefinitely postponed, 613.
 Other action, 613.

House Bill No. 306—(Collette, Saumur and Halvorson)

House Bill No. 306. A Bill for an Act to Amend and Re-enact Sub-section (1) of Section 2, Sub-section (4) of Section 4, Section 5, Sub-section (1) of Section 6, and Sections 7, 11, 17, 19, 26, 31 and 33 of Chapter 115 of the Session Laws of 1937, Relating to Electric Cooperative Corporations, Their Powers, Incorporation, Corporate Names, Amendment of By-Laws and Articles of Incorporation, Quorum and Voting Requirements, Qualifications of Directors, Exemptions from Certain Statutory Requirments; and Providing for the Extension of Chapter 115 of the Session Laws of 1937 to Certain Foreign Corporations, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency

Introduction, first reading, 454.
 Reference, 454.
 Reported back, 561.
 Amended, 561.
 General orders, 607.
 Engrossed, 670.
 Second reading, 659.
 Passed, 660, 1224.

Emergency clause, 660.
 Other action, 660.
 Forwarded to Senate, 715, 1321.
 Returned by Senate, 1224, 1422.
 Senate action, 1224.
 Enrolled, 1290.
 Signed by Speaker, 1318.
 Forwarded to Governor, 1430.

House Bill No. 307—(Myers, Schwartz, Haugen, Lillehaugen, Ohnstad, Halvorson)

House Bill No. 307. A Bill for an Act to Amend and Re-enact Section 3176 of the Compiled Laws of North Dakota for 1913, Relating to State Public Printing, Voucher for Printing and What to Contain.

Introduction, first reading, 454.
 Reference, 454.
 Reported back, 560.
 Amended, 1215.
 General Orders, 607.
 Engrossed, 670.
 Second reading, 658, 1261.
 Passed, 659, 1262.
 Indefinitely postponed, 560.
 Emergency clause, 659, 1262.
 Other action, 560, 659, 1261, 1262, 1293.
 Forwarded to Senate, 715, 1377.
 Returned by Senate, 1215, 1398.
 Senate action, 1215.
 Enrolled, 1348.
 Signed by Speaker, 1362.
 Forwarded to Governor, 1426.

House Bill No. 308—(Kindem, Hofstrand, Bymers, Myers, Aker, Fuglestad, Westby, Haugen, Holm, Langley)

House Bill No. 308. A Bill for an Act Requiring All Persons Purchasing Intoxicating Liquor at Retail in This State to Procure a Permit and Forbidding Sale by Retailers to One Without a Permit; Fixing the Charge for Same and Providing Penalty for Non-compliance.

Introduction, first reading, 454.
 Reference, 454.
 Reported back, 618.
 Amended, 761.
 General orders, 751, 761.
 Engrossed, 836.
 Second reading, 666, 851, 882.
 Passed, 852.
 Indefinitely postponed, 667, 882.
 Other action, 618, 667, 851, 881, 882.

House Bill No. 309—(Aker and Johnson of Richland)

House Bill No. 309. A Bill for an Act to Amend and Re-enact Subdivisions 4 and 12 of Section 3511 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to and Clarifying the Fee for Chattel Mortgage Abstract; Repeal.

Introduction, first reading, 454.

Reference, 454.
 Reported back, 493.
 Second reading, 554.
 Passed, 555.
 Indefinitely postponed, 950.
 Forwarded to Senate, 572.
 Returned by Senate, 949.
 Senate action, 950.

House Bill No. 310—(Myers, Ohnstad, Beede, Haugen and Levin)

House Bill No. 310. A Bill for an Act to Provide for the Printing of Election Supplies, by the State Publication and Printing Commission, for the Awarding of Contracts Therefor, and the Method of Payment Thereof; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 455.
 Reference, 455.
 Reported back, 560.
 Indefinitely postponed, 560.
 Other action, 560.

House Bill No. 311—(Moe)

House Bill No. 311. A Bill for an Act to Amend and Re-enact Chapter 149 of the Session Laws of 1939 Relating to Reservation of Minerals, Gas and Oil Rights on Sale, Trade or Lease of State and County-Owned Land; and Declaring an Emergency.

Introduction, first reading, 455.
 Reference, 455.
 Reported back, 560.
 Indefinitely postponed, 560.
 Other action, 561.

House Bill No. 312—(Belzer)

House Bill No. 312. A Bill for an Act Prohibiting the Sale or Giving Away of Intoxicating Liquors of an Alcoholic Content Greater Than Four Per Cent by Volume as a Beverage in any Place or on any Premise within the State of North Dakota where Gasoline and Oil are Sold at Retail, and Providing Penalty for Violation.

Introduction, first reading, 455.
 Reference, 455.
 Reported back, 622.
 Amended, 888.
 Second reading, 723, 889.
 Passed, 890.
 Indefinitely postponed, 723, 1243.
 Other action, 622, 886, 887.
 Forwarded to Senate, 893.
 Returned by Senate, 1243.
 Senate action, 1243.

House Bill No. 313—(Twichell, Crockett, Coghlan)

House Bill No. 313. A Bill for an Act Requiring the Payment of Motor Vehicle Fuel Tax Sold to Be Used in Airplanes and Aircraft; Licensing Dealers; Providing for the Disposition of Said Tax; Constituting the State Tax Com-

missioner the Aeronautics Commissioner with Power to Administer This Act; Providing for Methods of Distributing the Tax Collected, and Declaring an Emergency.

Introduction, first reading, 455.

Reference, 455.

Withdrawn, 601.

House Bill No. 314—(Aker and Johnson of Richland)

House Bill No. 314. A Bill for an Act to Repeal Section 8970 of the 1925 Supplement to the Compiled Laws of North Dakota for the Year 1913.

Introduction, first reading, 455.

Reference, 455.

Reported back, 526.

Indefinitely postponed, 583.

Other action, 583.

House Bill No. 315—(Aker and Johnson of Richland)

House Bill No. 315. A Bill for an Act to Amend and Re-enact Chapter 220 of the Session Laws of 1935, Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or Any of Its Subdivisions, While Upon Public Expense Account; Providing for a Penalty for Violation Thereof, and Declaring an Emergency. Repeal.

Introduction, first reading, 455.

Reference, 455.

Reported back, 615.

Second reading, 664.

Passed, 665.

Indefinitely postponed, 1088.

Emergency clause, 665.

Other action, 665.

Forwarded to Senate, 715.

Returned by Senate, 1088.

Senate action, 1088.

House Concurrent Resolution No. 316—(Twichell, Bergesen, Hofstrand)

House Concurrent Resolution No. 316. Seeks to Change the Old Law so that Beginning with the Election of 1942 All State Officers Are Elected for a Term of Four Years.

Introduction, first reading, 455.

Reference, 456.

Reported back, 618.

Indefinitely postponed, 618.

Other action, 618.

House Bill No. 317—(Johnson of Cass and Trydahl)

House Bill No. 317. A Bill for an Act to Amend and Re-enact Section 4929 of the 1925 Supplement to the Compiled Laws of North Dakota, 1913, Relating to Fees and Charges to Be Paid by Insurance Companies Doing Business in This State, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 456.

Reference, 457.
 Reported back, 683.
 Second reading, 799, 832.
 Indefinitely postponed, 800, 832.
 Other action, 683, 735, 832.

House Bill No. 318—(Morrison)

House Bill No. 318. A Bill for an Act to Declare a Tax on Turkeys Sold by Producers Within the State of North Dakota.

Introduction, first reading, 457.
 Reference, 457.
 Reported back, 493.
 Indefinitely postponed, 493.
 Other action, 493.

House Bill No. 319—(Crockett and Morrison)

House Bill No. 319. A Bill for an Act to Amend and Re-enact Chapter 247 of the Session Laws of 1931, Providing for the Payment of Per Capita School Tax; Repealing Acts in Conflict and Declaring an Emergency.

Introduction, first reading, 457.
 Reference, 457.
 Reported back, 677.
 Amended, 677.
 General orders, 711.
 Engrossed, 739.
 Second reading, 797.
 Passed, 798, 982.
 Emergency clause, 798.
 Forwarded to Senate, 855, 1029.
 Returned by Senate, 982, 1123.
 Senate action, 982.
 Enrolled, 1013.
 Signed by Speaker, 1018.
 Forwarded to Governor, 1146.

**House Concurrent Resolution No. 320—(Hofstrand and Berge-
 sen)**

House Concurrent Resolution No. 320. Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota, as Amended, Relating to County Officers.

Introduction, first reading, 457.
 Reference, 458.
 Reported back, 524.
 Amended, 524.
 General Orders, 589.
 Engrossed, 612.
 Second reading, 643.
 Indefinitely postponed, 643.
 Other action, 643.

House Bill No. 321—(Aker and Johnson of Richland)

House Bill No. 321. A Bill for an Act to Amend and Re-enact Section 25 of Chapter 97 of the Session Laws of North Dakota for 1933, as amended by Chapter 123 of the Session Laws of North Dakota for 1935, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare

Board by the Board of County Commissioners; Repeal; Emergency.

Introduction, first reading, 458.
 Reference, 458.
 Reported back, 568.
 Second reading, 634.
 Passed, 635.
 Indefinitely postponed, 1224.
 Emergency clause, 635.
 Other action, 635.
 Forwarded to Senate, 717.
 Returned by Senate, 1224.
 Senate action, 1224.

House Bill No. 322—(Trydahl and Johnson of Richland)

House Bill No. 322. A Bill for an Act Prohibiting Highway Patrolmen from Engaging in Political Activities; Regulating the Suspension, Demotion or Discharge of Highway Patrolmen; Providing for Hearings and Appeal; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 458.
 Reference, 458.
 Reported back, 614.
 Indefinitely postponed, 614.
 Other action, 614.

House Bill No. 323—(Johnson, Crockett, Twichell)

House Bill No. 323. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 159, Session Laws of 1927, Relating to the Department of State Highways.

Introduction, first reading, 458.
 Reference, 458.
 Reported back, 685.
 Amended, 685.
 General orders, 745.
 Engrossed, 807.
 Second reading, 808.
 Passed, 809, 1213.
 Other action, 809.
 Forwarded to Senate, 854, 1271.
 Returned by Senate, 1213, 1429.
 Senate action, 1213.
 Enrolled, 1246.
 Signed by Speaker, 1253.
 Forwarded to Governor, 1431.

House Bill No. 324—(Aker)

House Bill No. 324. A Bill for an Act to Amend and Re-enact Section 6768a1 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to Elevator Companies Making Written Applications to the Register of Deeds for an Abstract of Mortgages and Liens Upon Grains. Repeal.

Introduction, first reading, 458.
 Reference, 458.
 Reported back, 610.
 Indefinitely postponed, 610.
 Other action, 610.

House Bill No. 325—(Crockett, Twichell, Larson, Brusseau and Panko)

House Bill No. 325. A Bill for an Act to License and Regulate the Business of Making Small Loans and Providing the Maximum Interest Rates to Be Charged Thereon, Exempting Credit Unions and Providing a Penalty.

- Introduction, first reading, 458.
- Reference, 459.
- Reported back, 613.
- Indefinitely postponed, 613.
- Other action, 613.

House Bill No. 326—(Bergesen)

House Bill No. 326. A Bill for an Act to Amend and Re-enact Sections 10770 and 10396 of the Compiled Laws of North Dakota for 1913 Relating to Trial by Jury and Waiver of Trial by Jury in Criminal Cases.

- Introduction, first reading, 458.
- Reference, 459.
- Reported back, 682.
- Amended, 682.
- General orders, 743.
- Engrossed, 807.
- Second reading, 804.
- Passed, 805.
- Indefinitely postponed, 1094.
- Emergency clause, 805.
- Forwarded to Senate, 856.
- Returned by Senate, 1094.
- Senate action, 1094.

House Bill No. 327—(Committee on Delayed Bills)

House Bill No. 327. A Bill for an Act Requiring the Filing of Monthly Reports of Expenditures and Balances, Collections and Disposal of Same, with the Governor, by the Head of Each State Department, Officer, Board or Commission in Charge of Any Educational, Charitable, Penal or Other Institution or Undertaking Supported Wholly or in Part by Appropriation by Legislative Action; and Also the Filing of Complete Financial Statement for the Eighteen Month Period and, Also the Biennial Period; Requiring the Governor to Make Monthly Compilations; Requiring the State Budget Board to File Financial Statements of Income and Expenditures; Providing for Penalty and Repealing All Acts in Conflict Herewith.

- Introduction, first reading, 557.
- Reference, 557.
- Reported back, 622.
- Second reading, 724.
- Indefinitely postponed, 725.
- Other action, 557, 725.

House Bill No. 328—(Johnson of Richland, Johnson of Cass and Trydahl)

House Bill No. 328. A Bill for an Act to Amend and Re-enact Section 200b12 and Section 200b14 of the 1925 Supplement to the Compiled Laws of North Dakota; Providing for the Cancellation of Liability of the State Bonding Fund

for Acts of Employees and Furnishing of Other Bonds; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Introduction, first reading, 557.
 Reference, 557.
 Reported back, 623.
 Second reading, 725.
 Passed, 726, 1212.
 Emergency clause, 726.
 Other action, 557, 623, 726.
 Forwarded to Senate, 780, 1269.
 Returned by Senate, 1212, 1426.
 Senate action, 1212.
 Enrolled, 1248.
 Signed by Speaker, 1250.
 Forwarded to Governor, 1430.

House Bill No. 329—(Committee on Delayed Bills)

House Bill No. 329. A Bill for an Act Providing for the Cancellation of Penalty and Interest on 1937 and Prior Hail Indemnity Taxes; Reduction from Surplus Fund of the State Insurance Department of the Amounts Cancelled; Declaring an Emergency.

Introduction, first reading, 557.
 Reference, 557.
 Reported back, 675.
 Second reading, 727.
 Passed, 728, 982.
 Emergency clause, 728.
 Other action, 557.
 Forwarded to Senate, 780, 1025.
 Returned by Senate, 982, 1123.
 Senate action, 982.
 Enrolled, 1013.
 Signed by Speaker, 1018.
 Forwarded to Governor, 1146.
 Approved by Governor, 1385.

House Bill No. 330—(Committee on Delayed Bills)

House Bill No. 330. A Bill for an Act to Amend and Re-enact Section 189b29 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 as Amended by Section 18 of Chapter 137 Session Laws of North Dakota for 1933, Providing for the Abatement of Hail Indemnity Tax, Correction of Records and Reduction from Surplus and Declaring an Emergency.

Introduction, first reading, 557.
 Reference, 557.
 Reported back, 610.
 Amended, 663.
 Second reading, 662.
 Passed, 663, 982.
 Other action, 557.
 Forwarded to Senate, 715, 1025.
 Returned by Senate, 982, 1123.
 Senate action, 982.
 Enrolled, 1013.
 Signed by Speaker, 1018.
 Forwarded to Governor, 1146.

House Bill No. 331—(Rohde and Fitch)

House Bill No. 331. A Bill for an Act Making an Appropriation of \$312.95 for the Purpose of Paying the Funeral Expenses of Representative Edward Rieker of Kidder County; and Declaring an Emergency.

Introduction, first reading, 632.

Reference, 632.

Reported back, 742.

Second reading, 802.

Passed, 803, 982.

Emergency clause, 803.

Other action, 613.

Forwarded to Senate, 855, 1025.

Returned by Senate, 982, 1123.

Senate action, 982.

Enrolled, 1013.

Signed by Speaker, 1018.

Forwarded to Governor, 1146.

Approved by Governor, 1385.

House Bill No. 332—(McInnes and Beede)

House Bill No. 332. A Bill for an Act Declaring a Land Use Policy Relative to Agricultural Lands Obtained by the County on Tax Deed Proceedings, and Empowering the Board of County Commissioners to Conform to Such Policy in the Sale and Lease of Such Lands. Declaring an Emergency.

Introduction, first reading, 692.

Reference, 692.

Reported back, 754.

Second reading, 810.

Passed, 811.

Emergency clause, 811.

Other action, 754.

Forwarded to Senate, 855, 1271.

Returned by Senate, 1217, 1429.

Enrolled, 1246.

Signed by Speaker, 1253.

Forwarded to Governor, 1431.

House Bill No. 333—(Johnson of Cass and Boulden)

House Bill No. 333. A Bill for an Act Providing for the Operation of Motor Vehicles Within This State by Non-Resident Owners, Authorizing the Motor Vehicle Registrar to Enter Into Reciprocal Agreements With Authorized Officials of Other States; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 692.

Reference, 692.

Reported back, 754.

Second reading, 811.

Passed, 812.

Indefinitely postponed, 1147.

Emergency clause, 812.

Other action, 812.

Forwarded to Senate, 855.

Returned by Senate, 1147.

Senate action, 1147.

House Bill No. 334—(Johnson of Richland and Bolmeier)

House Bill No. 334. A Bill for an Act to Amend and Re-enact Chapter 186 of the Session Laws of North Dakota for 1937, Relating to the Introduction and Printing of Bills and Providing for an Official Seal for Each Branch of the Legislative Assembly.

Introduction, first reading, 692.
 Reference, 692.
 Reported back, 762.
 Amended, 762, 822.
 General orders, 822.
 Engrossed, 859.
 Second reading, 866, 1329.
 Passed, 867, 1330.
 Other action, 815, 866, 867, 1328, 1330, 1347.
 Forwarded to Senate, 894, 1376.
 Returned by Senate, 1232, 1398.
 Senate action, 1347.
 Enrolled, 1373.
 Signed by Speaker, 1375.
 Forwarded to Governor, 1426.

House Bill No. 335—(Committee on Appropriations)

House Bill No. 335. A Bill for an Act to Transfer to the General Fund \$20,000 from the Balance on Hand on July 1, 1941, into the "Auto Transportation Fund".

Introduction, first reading, 718.
 Reported back 754.
 Amended, 812.
 Engrossed, 812.
 Second reading, 812.
 Passed, 813.
 Other action, 718, 812, 813.
 Forwarded to Senate, 855, 1115.
 Returned by Senate, 1085, 1186.
 Senate action, 1085.
 Signed by Speaker, 1105.
 Forwarded to Governor, 1272.

House Bill No. 336—(Levin and Collette)

House Bill No. 336. A Bill for an Act Making an Appropriation Out of the Board of Administration Emergency Fund for Institutions for the Purchase and Installation of New Water Evaporating Equipment at the Grafton State School; and Waiving the Necessity of Advertising for Bids; and Declaring an Emergency.

Introduction, first reading, 719.
 Reported back, 754.
 Second reading, 813.
 Passed, 814, 982.
 Other action, 718, 814.
 Forwarded to Senate, 855, 1025.
 Returned by Senate, 982, 1122.
 Senate action, 982.
 Enrolled, 1013.
 Signed by Speaker, 1019.
 Forwarded to Governor, 1322.
 Approved by Governor, 1385.

House Bill No. 337—(Johnson of Richland and Bolmeier)

House Bill No. 337. A Bill for an Act to Amend and Re-enact Section 53, Chapter 3, Article 4, Political Code, Compiled Laws of 1913, Relating to the Printing of Journals of Each Branch of the Legislative Assembly.

- Introduction, first reading, 751.
- Reference, 751.
- Reported back, 762.
- Second reading, 814.
- Passed, 815, 1212.
- Other action, 751, 815.
- Forwarded to Senate, 855, 1272.
- Returned by Senate, 1212, 1427.
- Senate action, 1212.
- Enrolled, 1246.
- Signed by Speaker, 1253.
- Forwarded to Governor, 1430.

House Bill No. 338—(Committee on Delayed Bills)

House Bill No. 338. A Bill for an Act to Amend Sub-section (3) of Section 5 of Chapter 91 of the 1935 Session Laws as Amended by Chapter 98 of the 1939 Session Laws.

- Introduction, first reading, 979.
- Reference, 979.
- Reported back, 1109.
- Amended, 1171.
- General orders, 1171.
- Second reading, 1208.
- Passed, 1209.
- Indefinitely postponed, 1307.
- Emergency clause, lost, 1209.
- Other action, 964, 978, 1109, 1209.
- Forwarded to Senate, 1221.
- Returned by Senate, 1307.
- Senate action, 1307.

House Bill No. 339—(Twichell and Crockett)

House Bill No. 339. A Bill for an Act to Amend and Re-enact Section 3, Chapter 152, Session Laws of 1939, State of North Dakota, Providing for the Designation of a State Feeder Highway System, and for the Division of the Cost of Improving Same, and for Maintenance, and Declaring an Emergency.

- Introduction, first reading, 979.
- Reference, 979.
- Reported back, 1013.
- Amended, 1099.
- General orders, 1099.
- Engrossed, 1105.
- Second reading, 1125.
- Passed, 1126.
- Indefinitely postponed, 1255.
- Emergency clause, 1126.
- Other action, 978, 980.
- Forwarded to Senate, 1202.
- Returned by Senate, 1255.
- Senate action, 1255.

House Bill No. 340—(Committee on Appropriations)

House Bill No. 340. A Bill for an Act to Amend and Re-enact Section 15 of Chapter 247 of the Session Laws for the Year 1939 Relating to the Commitment of Veterans; Appointing the Veteran's Service Commissioner as Special Guardian; Authorizing the Transfer of Veterans to Federal Veteran's Administration Hospitals; Requiring the County Judge to Give Written Notices of the Commitment of Veterans and Declaring an Emergency.

Introduction, first reading, 1088.
 Reference, 1088.
 Reported back, 1110.
 Second reading, 1148.
 Passed, 1149, 1307.
 Emergency clause, 1149.
 Other action, 1088, 1149.
 Forwarded to Senate, 1202, 1378.
 Returned by Senate, 1306, 1399.
 Senate action, 1307.
 Enrolled, 1348.
 Signed by Speaker, 1362.
 Forwarded to Governor, 1426.

HOUSE RESOLUTIONS

House Resolution "R"—(Blair)

Introduced, 443.
 Reference, 444.
 Reported back, 526.
 Indefinitely postponed, 526.
 Other action, 526.

HOUSE JOINT RESOLUTIONS

House Joint Resolution No. 1—(McIntyre)

Joint Memorial Resolution No. 1. A Memorial Resolution in Honor of the Late Rep. Rieker.

Introduced, 512.
 Adopted, 513.
 Enrolled, 520.
 Signed by Speaker, 520.
 Forwarded to Senate, 574.
 Returned by Senate, 574.

HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "B"—(Lillehaugen, Olson of Bowman, Halvorson and Severson)

House Concurrent Resolution "B". A Concurrent Resolution to Memorialize Congress to Abide by the President's Pledge Not to Involve the United States in Foreign Wars.

Introduced, 120.

Adopted, 121.

Other action, 460.

Forwarded to Senate, 140, 465.

Returned by Senate, 441, 499.

Signed by Speaker, 465.

House Concurrent Resolution "D"—(Symington, Bergesen, Myers, and Senators Greiser, Braun and Wog)

Introduced, 140.

Adopted, 141, 176.

Other action, 293.

Forwarded to Senate, 156.

Returned by Senate, 176.

House Concurrent Resolution "E"—(Myers, McIntyre, Glas, Brusseau, Rohde, Juhola, Halvorson, Schwartz and Larson)

House Concurrent Resolution "E". A Concurrent Resolution Urging the Enactment of the Wheat Income Certificate Bill and the Debt Adjustment Bill By Congress.

Introduced, 156.

Adopted, 157.

Other action, 365.

Forwarded to Senate, 166, 441.

Returned by Senate, 333, 499.

House Concurrent Resolution "G"—(Culver)

House Concurrent Resolution "G." A Resolution Appropriating Fifty Dollars (\$50.00) for Expense of Committee Investigating Conditions on Standing Rock Reservation.

Introduced, 191.

Adopted, 191.

Sent to Senate, 194.

Adopted by Senate, 200.

Returned by Senate, 200.

Other action, 269.

House Concurrent Resolution "K"—(Twichell, Beede, Crockett, Fitch)

House Concurrent Resolution "K". Petitioning the Congress of the United States to Amend the Agricultural Adjustment Act.

Introduced, 233.

Adopted, 234.

Sent to Senate, 255, 465, 539.

Adopted by Senate, 403.
 Returned by Senate, 403, 500, 575.
 Enrolled, 425.
 Signed by Speaker, 461.

House Concurrent Resolution "L"—(Haugland, Smart, Benno)
 House Concurrent Resolution "L". A Concurrent Resolution Urging the Continuance of the Existing Embargo Applying to All Countries Where Foot-and-mouth Disease Exists.

Introduced, 256.
 Adopted, 257.
 Sent to Senate, 271, 465.
 Adopted by Senate, 403.
 Returned by Senate, 403, 499.
 Other action, 257.
 Enrolled, 425.
 Signed by Speaker, 461.

House Concurrent Resolution "N"—(Committee on Federal Relations)

House Concurrent Resolution "N." A Resolution Requesting Congress to Investigate Conditions on the Standing Rock Indian Reservation, and Relieve Needs Existing There.

Introduced, 343.
 Adopted, 344.
 Sent to Senate, 347, 780.
 Adopted by Senate, 636.
 Returned by Senate, 636.
 Enrolled, 714.

House Concurrent Resolution "O"—(Fitzharris and Coghlan)

House Concurrent Resolution "O." A Concurrent Resolution Memorializing Congress to Enact Legislation Giving to the United States District Court of the State of North Dakota Criminal Jurisdiction Within the Limits of the Indian Reservations in the State of North Dakota for the Enforcement of the Criminal Laws and the Punishment of Crimes Committed Therein by Indians Upon Persons of Indian Blood.

Introduced, 344.
 Adopted, 345, 1218.
 Sent to Senate, 347, 1320.
 Returned by Senate, 1218, 1424.
 Enrolled, 1290.
 Signed by Speaker, 1316.

House Concurrent Resolution "P"—(Committee on Employment)

House Concurrent Resolution "P". A Concurrent Resolution Providing and Designating Additional House Employees and Naming and Fixing Their Salaries.

Introduced, 362.
 Adopted, 362.
 Sent to Senate, 371.
 Adopted by Senate, 378.
 Returned by Senate, 378.

House Concurrent Resolution "Q"—(Ireland, Nystrom and Juhola)

House Concurrent Resolution "Q". A Concurrent Resolution Petitioning Congress to Enact the Capper Bill Establishing a Division of Cooperatives in the United States Department of Agriculture.

Introduced, 372.

Adopted, 373, 950.

Sent to Senate, 378, 999.

Adopted by Senate, 950.

Returned by Senate, 950, 1121.

Other action, 975.

Signed by Speaker, 970.

House Concurrent Resolution "S"—(Twichell and Beede)

House Concurrent Resolution "S". A Concurrent Resolution Providing that House Bill No. 289, Being a Complete Revision of the Military Code of the State of North Dakota, Be Not Printed in the Session Laws.

Introduced, 629.

Adopted, 630, 631.

Sent to Senate, 714.

Returned by Senate, 1258.

Other action, 613.

Indefinitely postponed, 1258.

House Concurrent Resolution "U"—(Fitch, Crockett)

House Concurrent Resolution "U". A Concurrent Resolution Memorializing the Congress of the United States to maintain a military post at Fort Lincoln.

Introduced, 1081.

Adopted, 1082.

Sent to Senate, 1110, 1375.

Adopted by Senate, 1256.

Returned by Senate, 1256, 1424.

Other action, 1256.

Enrolled, 1348.

Signed by Speaker, 1363.

House Concurrent Resolution "V"—(Joint Committee on Employment)

House Concurrent Resolution "V." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

Introduced, 1136.

Adopted, 1137.

Indefinitely postponed, 1256.

Forwarded to Senate, 1202.

Returned by Senate, 1256.

House Concurrent Resolution "W"—(Joint Committee on Employment)

House Concurrent Resolution "W." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

Introduced, 1137.

Adopted, 1139.

Indefinitely postponed, 1256.
 Forwarded to Senate, 1202.
 Returned by Senate, 1256.

House Concurrent Resolution "X"—(Joint Committee on Employment)

House Concurrent Resolution "X." A Concurrent Resolution providing for Employment of After-session help and Compensation therefor.

Introduced, 1139.
 Adopted, 1141.
 Indefinitely postponed, 1256.
 Forwarded to Senate, 1202.
 Returned by Senate, 1256.

House Concurrent Resolution "Y"—(Joint Committee on Employment)

House Concurrent Resolution "Y." A Concurrent Resolution to Transfer Monies from the Mileage and Per Diem of Members Fund, the Printing Fund and the Miscellaneous Fund to the Mileage and Per Diem Fund of the Officers and Employees.

Introduced, 1141.
 Adopted, 1142, 1255, 1389.
 Forwarded to Senate, 1202, 1318.
 Returned by Senate, 1255, 1389.
 Enrolled, 1290.
 Signed by Speaker, 1315.

House Concurrent Resolution "Z"—(McInnes)

House Concurrent Resolution "Z." A Concurrent Resolution Declaring the Legislative Policy of the State of North Dakota With Reference to the Payment of the Principal and Interest of the State's Bonded Indebtedness.

Introduced, 1197.
 Adopted, 1200, 1342.
 Forwarded to Senate, 1202.
 Returned by Senate, 1256.
 Amended, 1256.
 Other action, 1342, 1347.

House Concurrent Resolution "Z-1"—(Bergesen, Beede and Haugen)

House Concurrent Resolution "Z-1." A Concurrent Resolution providing for Assistance of the Judicial Council in Operation of the State Work Farm.

Introduced, 1296.
 Adopted, 1297, 1307.
 Other action, 1297.
 Forwarded to Senate, 1298, 1375.
 Returned by Senate, 1307, 1399.
 Senate action, 1307.
 Enrolled, 1373.
 Signed by Speaker, 1374.

House Concurrent Resolution "Z-2"—(Twichell)

House Concurrent Resolution "Z-2". A Resolution Com-

mending Members of the Original North Dakota Capitol Commission on Their Services.

Introduced, 1337.
 Adopted, 1338.
 Enrolled, 1374.
 Signed by Speaker, 1375.
 Forwarded to Senate, 1375.
 Returned by Senate, 1427.

House Concurrent Resolution "Z-3"—(Joint Committee on Employment)

House Concurrent Resolution "Z-3". Providing for Employment of Necessary Help Following Adjournment of the Legislative Session.

Introduced, 1364.
 Adopted, 1366.
 Forwarded to Senate, 1364.
 Returned by Senate, 1380.
 Senate action, 1380.

House Concurrent Resolution "Z-4"—(Joint Committee on Employment)

House Concurrent Resolution "Z-4". A Resolution Providing for a Compilation Showing Action Taken on All House Bills.

Introduced, 1366.
 Adopted, 1367.
 Forwarded to Senate, 1369.
 Returned by Senate, 1380.
 Senate action, 1380.

House Concurrent Resolution "Z-5"—(Joint Committee on Employment)

House Concurrent Resolution "Z-5". Providing for the Indexing of the Senate and House Journals.

Introduced, 1367.
 Adopted, 1368, 1384.
 Indefinitely postponed, 1373.
 Forwarded to Senate, 1369, 1382.
 Returned by Senate, 1373, 1384.

HOUSE MEMORIAL RESOLUTIONS

House Resolution "A"—(Kee)

Introduced, 74.
Adopted, 74.

House Resolution "C"—(Culver and Gress)

Introduced, 141.
Adopted, 141.
Enrolled, 156.
Signed by Speaker, 164.

House Resolution "F"—(Haag, Welder, Wolf of McIntosh)

Introduced, 157.
Adopted, 157.
Signed by Speaker, 164.
Enrolled, 170.

House Resolution "H"—(Stormon, McInnes, Levin, Myers and Beede)

House Resolution "H". A Resolution Favoring An Amendment to the AAA Docket for North Dakota for 1941, in Regard to Use of Flax as a Nurse Crop.

Introduced, 203.
Adopted, 204.
Enrolled, 212.
Signed by Speaker, 216.

House Resolution "I"—(Kindem)

Introduced, 204.
Adopted, 204.
Enrolled, 212.
Signed by Speaker, 216.

House Resolution "J"—(Hogoboom, Morland and Olson of Bowman)

Introduced, 214.
Adopted, 214.
Enrolled, 212.
Signed by Speaker, 230.

House Resolution "M"—(Crockett and Fitch)

Introduced, 291.
Adopted, 291.
Enrolled, 307.
Signed by Speaker, 308.

House Resolution "T"—(Joint Session—Lincoln's Birthday)

Introduced, 678.
Adopted, 680.

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "A"

Senate Concurrent Resolution "A". A Resolution Pertaining to Relief and Debt Survey Commission and Their Continued Duties During the Present Legislative Session.

Received from Senate, 72.

Reference, 72.

Reported back, 85.

Adopted, 91.

Returned to Senate, 95, 111.

Other action, 103.

Signed by Speaker, 107.

Senate Concurrent Resolution "B"

Senate Concurrent Resolution "B". A Concurrent Resolution Providing and Designating Senate and House Employees and Naming and Fixing Their Salaries.

Received from Senate, 103.

Amended, 109.

Adopted, 109.

Returned to Senate, 111.

Other action, 111, 113, 119.

Senate Concurrent Resolution "C"

Received from Senate, 86.

Adopted, 90.

Returned to Senate, 95, 111.

Other action, 90, 103.

Signed by Speaker, 107.

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "D". A Concurrent Resolution in Regard to University and School Land Oil Leases and If Production of Oil Is Realized.

Received from Senate, 221.

Adopted, 229.

Returned to Senate, 241, 305.

Other action, 292.

Signed by Speaker, 293.

Senate Concurrent Resolution "F"

Senate Concurrent Resolution "F." A Concurrent Resolution Urging Congress to Grant North Dakota an Opportunity to Participate in the Present Defense Program with a View to Using Our Fuel and Other Natural Resources.

Received from Senate, 109.

Adopted, 112.

Returned to Senate, 113, 165.

Other action, 140.

Signed by Speaker, 164.

Senate Concurrent Resolution "G"

Senate Concurrent Resolution "G." A Concurrent Resolution Memorializing Congress to Pass Legislation to Enable the Federal Government to Increase the Loan Value on Grains and Farm Products at Least 25%.

Received from Senate, 335, 1392.
First reading, 360.
Reference, 360.
Reported back, 1012.
Adopted, 1127.
Returned to Senate, 1226, 1413.
Signed by Speaker, 1409.

Senate Concurrent Resolution "H"

Senate Concurrent Resolution "H". For the Appointment of an Interim Legislative Committee on Code Revision; Prescribing the Duties and Compensation of the Committee.

Received from Senate, 254, 573.
Reference, 281.
Reported back, 429.
Adopted, 429.
Returned to Senate, 469, 639.
Signed by Speaker, 631.

Senate Concurrent Resolution "I"

Senate Concurrent Resolution "I". A Resolution Memorializing the U. S. Department of the Interior (Fish and Wild Life Service) to Enact More Suitable Hours for the Taking of Migratory Waterfowl During the Open Season as Provided for by the Fish and Wild Life Service.

Received from Senate, 273.
Reference, 281, 332.
Reported back, 332, 341.
Adopted, 391.
Returned to Senate, 438, 538.
Other action, 499.

Senate Concurrent Resolution "J"

Senate Concurrent Resolution "J". A Concurrent Resolution Requesting the Board of Administration to Require a Monthly Rental from Federal Agencies Housed in the Capitol Building.

Received from Senate, 638, 949.
Adopted, 795.
Returned to Senate, 854, 998.
Signed by Speaker, 975.

Senate Concurrent Resolution "L"

Senate Concurrent Resolution "L". A Concurrent Resolution Specifying the Number of Copies of the Report of the Code Revision Commission to Be Prepared for Submission to the Twenty-eighth Legislative Assembly.

Received from Senate, 536.
Reference, 558.
Reported back, 972.
Adopted, 999.
Returned to Senate, 1022, 1268.
Other action, 999.
Signed by Speaker, 1268.

Senate Concurrent Resolution "M"

Senate Concurrent Resolution "M". A Resolution Memorializing Congress to Construct the Proposed Missouri River Diversion Project.

Received from Senate, 638, 795.

Adopted, 795.

Returned to Senate, 854, 998.

Signed by Speaker, 975.

Senate Concurrent Resolution "N"

Senate Concurrent Resolution "N." A Concurrent Resolution In Regard to Third House Session and Dance in Capitol Corridors.

Received from Senate, 519, 949.

Adopted, 795.

Returned to Senate, 854, 998.

Signed by Speaker, 976.

Senate Concurrent Resolution "O"

Senate Concurrent Resolution "O". A Resolution Requesting Congress to Give Consideration to Need for Appropriations for Roads on Strategic Military Network.

Received from Senate, 1254, 1395.

Adopted, 1297.

Returned to Senate, 1300, 1416.

Signed by Speaker, 1413.

Senate Concurrent Resolution "P"

Senate Concurrent Resolution "P." A Concurrent Resolution Requesting Congress to Amend Social Security Act to Provide Federal Grants to State for Public Assistance on Equalization Basis.

Received from Senate, 1218, 1395.

Reference, 1247.

Adopted, 1348.

Returned to Senate, 1351, 1416.

Signed by Speaker, 1413.

Senate Concurrent Resolution "Q"

Senate Concurrent Resolution "Q." A Concurrent Resolution Requesting Governor John Moses to Place Special Protection on Upland Game Birds for 1941 and 1942 as an Aid in Grasshopper Eradication.

Received from Senate, 1105.

Adopted, 1148.

Returned to Senate, 1430.

Other action, 1132, 1148.

Senate Concurrent Resolution "R"

Senate Concurrent Resolution "R." A Concurrent Resolution Providing for a Method of Expenditure of Funds Appropriated for Old Age Assistance for the Biennium Beginning July 1, 1941, and Ending June 30, 1943.

Received from Senate, 1305.

Amended, 1348.

Adopted, 1349.

Returned to Senate, 1351.

Senate Concurrent Resolution "S"

Senate Concurrent Resolution "S". A Concurrent Resolution Requesting the Bank of North Dakota with the Approval of the Industrial Commission to Make Loans to the Public Welfare Board of North Dakota to Meet the Emergencies for Funds to Match Federal Grants Under the Social Security Programs or General Relief Requirements.

Received from Senate, 1305, 1395.

Adopted, 1349.

Returned to Senate, 1351, 1416.

Signed by Speaker, 1399.

Senate Concurrent Resolution "T"

Senate Concurrent Resolution "T." A Concurrent Resolution Relative to Quadruplets Born to Mr. and Mrs. Nick Brown of Cass County, North Dakota.

Received from Senate, 1215.

Indefinitely postponed, 1247.

Returned to Senate, 1310.

Senate Concurrent Resolution "U"

Senate Concurrent Resolution "U." Referring to Extra Work of Comparing and Indexing Permanent Journal of Twenty-Seventh Legislative Assembly— and Appropriation for Same.

Received from Senate, 1254.

Returned to Senate, 1299.

Other action, 1297.

Indefinitely postponed, 1297.

Senate Concurrent Resolution "V"

Senate Concurrent Resolution "V." Calling for Compilation of Actions Taken on All Bills Introduced During the Session of the Twenty-seventh Legislative Assembly.

Received from Senate, 1254, 1370, 1393.

Adopted, 1372.

Returned to Senate, 1299, 1373, 1417.

Other action, 1337, 1367, 1371.

Indefinitely postponed, 1298.

Signed by Speaker, 1401.

Senate Concurrent Resolution "W"

Senate Concurrent Resolution "W." Authorizing Extra Post-session Help for Proofreading and Mailing Out Last Journals of Twenty-seventh Legislative Assembly and Stating Compensation Therefor.

Received from Senate, 1254, 1370, 1393.

Adopted, 1373.

Returned to Senate, 1299, 1373, 1417.

Other action, 1337, 1367, 1371.

Indefinitely postponed, 1298.

Signed by Speaker, 1401.

Senate Concurrent Resolution "X"

Senate Concurrent Resolution "X." A Concurrent Resolution Recommending and Authorizing Dedication of the State Capitol Building and Grounds.

Received from Senate, 1254.
Returned to Senate, 1299.
Other action, 1298.
Indefinitely postponed, 1298.

Senate Concurrent Resolution "Y"

Senate Concurrent Resolution "Y." Providing for Congress to Enact Legislation Declaring the Yellowstone River and Part of the Missouri River to Be Non-navigable.

Received from Senate, 1310, 1395.
Adopted, 1349.
Returned to Senate, 1351, 1417.
Signed by Speaker, 1400.

SENATE JOINT RESOLUTIONS

Senate Joint Resolution No. 1

Senate Joint Resolution No. 1. A Joint Resolution requesting that the State of North Dakota be represented on the Committee on Agriculture of the House of Representatives in Congress.

Received from Senate, 24.
Adopted, 24.
Returned to Senate, 47.
Other action, 58, 62.

RECORD OF SENATE BILLS IN THE HOUSE

Senate Bill No. 1

Senate Bill No. 1. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Institutions of Higher Learning of the State of North Dakota, and Providing for Offsets for Federal Aid Granted to Said Institutions and the Subdivisions Thereof.

Received from Senate, 839, 1395.

First reading, reference, 875.

Reported back, 1142.

Amended, 1142, 1175.

General orders, 1172.

Second reading, 1237.

Passed, 1237.

Returned to Senate, 1294, 1418.

Conference Committee, 1303, 1331, 1342, 1347, 1349.

Signed by Speaker, 1402.

Other action, 1359.

Senate Concurrent Resolution No. 2

Senate Concurrent Resolution 2. A Concurrent Resolution Providing for the Amendment of Section 176 of Article 29 of the Constitution of North Dakota.

Received from Senate, 839, 1188.

First reading, reference, 875.

Reported back, 931.

Passed, 977.

Returned to Senate, 1023, 1268.

Signed by Speaker, 1268.

Senate Bill No. 2

Senate Bill No. 2. A Bill for an Act Making an Appropriation to the Livestock Sanitary Board, for its Operation and Maintenance Expense and for Indemnifying Owners of Animals, to the Glanders and Dourine Fund, to the Bovine Tuberculosis Fund and to the Bangs Disease Fund.

Received from Senate, 112, 1188, 1389.

First reading, reference, 115.

Reported back, 1003.

Amended, 1027.

Second reading, 1027.

Passed, 1028.

Returned to Senate, 1034, 1268, 1422.

Signed by Speaker, 1408.

Other action, 1027, 1347.

Senate Concurrent Resolution No. 3

Senate Concurrent Resolution No. 3. A Concurrent Resolution Providing for the Amendment of Sections 53, 56 and 60 of Article 2 of the Constitution of the State of North

Dakota, Relating to the Convening of the Legislative Assembly.

Received from Senate, 890.
 First reading, reference, 900.
 Reported back, 1013.
 Indefinitely postponed, 1013.
 Returned to Senate, 1061.
 Other action, 1013.

Senate Bill No. 3

Senate Bill No. 3. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves, Coyotes and Magpies; and Declaring an Emergency.

Received from Senate, 637, 1395.
 First reading, reference, 791.
 Reported back, 1013, 1145, 1146.
 Amended, 1176.
 General orders, 1175.
 Second reading, 1238, 1378.
 Passed, 1238, 1378.
 Returned to Senate, 1246, 1416.
 Conference Committee, 1258, 1301, 1345, 1378, 1379.
 Signed by Speaker, 1412.
 Other action, 1013, 1146, 1378.
 Emergency clause, 1238, 1379.

Senate Concurrent Resolution No. 4

Senate Concurrent Resolution No. 4. A Concurrent Resolution Providing for the Amendment of the Constitution to Empower the Legislative Assembly or the Electors by Initiated Measure to Provide for an Appointive Board to Manage the Permanent Funds of the State, Which Board, If Established, Will Supersede, the Board of University and School Lands, and the Local Board of Appraisal, and Repealing Sections 156 and 157 of the Constitution.

Received from Senate, 402.
 First reading, reference, 477.
 Indefinitely postponed, 940.
 Returned to Senate, 998.
 Other action, 926, 940.

Senate Bill No. 4

Senate Bill No. 4. A Bill for an Act Making an Appropriation to the State Historical Society, for Salary and General Expenses and Maintenance of State Parks.

Received from Senate, 637, 1350, 1395.
 First reading, reference, 791.
 Reported back, 686, 1157.
 Amended, 1157, 1344.
 General orders, 1176.
 Second reading, 1239, 1351.
 Passed, 1240, 1352.
 Returned to Senate, 1246, 1355, 1419.
 Conference Committee, 1258, 1301, 1344.
 Signed by Speaker, 1404.
 Other action, 1240, 1347, 1351, 1352.

Senate Concurrent Resolution No. 5

Senate Concurrent Resolution No. 5. A Concurrent Reso-

lution Providing for the Amendment of the Constitution to Provide That the Governor or Legislative Assembly Shall Have Authority to Require Advisory Opinions From the Supreme Court.

Received from Senate, 254.
 First reading, reference, 281, 480.
 Reported back, 428, 535.
 Second reading, 480.
 Indefinitely postponed, 535.
 Returned to Senate, 572.
 Other action, 535.

Senate Bill No. 5

Senate Bill No. 5. A Bill for an Act Making an Appropriation for the Operating and Maintenance Expenses of the Public Health Department, Public Health Laboratories and Division of Child Hygiene.

Received from Senate, 536, 1188.
 First reading, reference, 558.
 Reported back, 1003.
 Second reading, 1026.
 Passed, 1027.
 Returned to Senate, 1061, 1268.
 Signed by Speaker, 1268.

Senate Bill No. 6

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection and Coal Mine Safety Work.

Received from Senate, 207, 1388.
 First reading, reference, 209.
 Reported back, 1002.
 Amended, 1014.
 Second reading, 1014.
 Passed, 1015.
 Returned to Senate, 1059, 1421.
 Signed by Speaker, 1406.
 Other action, 1014.

Senate Bill No. 7

Senate Bill No. 7. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from Senate, 112.
 First reading, reference, 115.
 Reported back, 928.
 Second reading, 940.
 Passed, 941.
 Returned to Senate, 994, 1064.
 Came for signing, 1049.
 Signed by Speaker, 1056.

Senate Bill No. 8

Senate Bill No. 8. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society

of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from Senate, 112.
 First reading, reference, 115.
 Reported back, 928.
 Second reading, 941.
 Passed, 942.
 Returned to Senate, 994, 1064.
 Came for signing, 1050.
 Signed by Speaker, 1056.

Senate Bill No. 9

Senate Bill No. 9. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Method of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from Senate, 112.
 First reading, reference, 115.
 Reported back, 928.
 Second reading, 942.
 Passed, 943.
 Returned to Senate, 994, 1064.
 Came for signing, 1050.
 Signed by Speaker, 1056.

Senate Bill No. 10

Senate Bill No. 10. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from Senate, 112.
 First reading, reference, 115.
 Reported back, 929.
 Second reading, 943.
 Passed, 944.
 Returned to Senate, 994, 1064.
 Came for signing, 1050.
 Signed by Speaker, 1056.

Senate Bill No. 11

Senate Bill No. 11. A Bill for an Act Making an Appropriation for the Lutheran Welfare Society of North Dakota, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from Senate, 112.
 First reading, reference, 115.
 Reported back, 929.
 Second reading, 944.
 Passed, 945.
 Returned to Senate, 994, 1064.
 Came for signing, 1048.
 Signed by Speaker, 1055.

Senate Bill No. 12

Senate Bill No. 12. A Bill for an Act Making an Appropriation for the Crippled Children's School at Jamestown, North Dakota, for the Care and Education of Crippled Children,

Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from Senate, 176.

First reading, reference, Jan. 31st.

Reported back, 929.

Second reading, 945.

Passed, 945.

Returned to Senate, 995, 1065.

Came for signing, 1050.

Signed by Speaker, 1057.

Senate Bill No. 13

Senate Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Received from Senate, 112.

First reading, reference, 115.

Reported back, 929.

Second reading, 945.

Passed, 946.

Returned to Senate, 995, 1065.

Came fore signing, 1050.

Signed by Speaker, 1057.

Senate Bill No. 14

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Provide a State Contingency Fund to be Placed at the Disposal of the State Emergency Commission.

Received from Senate, 467.

First reading, reference, Feb. 17th.

Reported back, 929.

Second reading, 946.

Passed, 947.

Returned to Senate, 995, 1065.

Came for signing, 1050.

Signed by Speaker, 1057.

Senate Bill No. 15

Senate Bill No. 15. A Bill for an Act Making an Appropriation for the Purpose of Paying Premiums on Bonds of State Officials.

Received from Senate, 116.

First reading, reference, 116.

Reported back, 929.

Second reading, 947.

Passed, 948.

Returned to Senate, 995, 1065.

Came for signing, 1050.

Signed by Speaker, 1057.

Senate Bill No. 16

Senate Bill No. 16. A Bill for an Act Making an Appropriation to Pay the Expenses of the State Board of Veterinary Medical Examiners as Authorized Under Sections 2711 to 2720, Inclusive, of the Compiled Laws of North Dakota for the Year 1913.

Received from Senate, 116.

First reading, reference, 116.

Reported back, 929.
Second reading, 954.
Passed, 955.
Returned to Senate, 995, 1065.
Came for signing, 1050.
Signed by Speaker, 1057.

Senate Bill No. 17

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Received from Senate, 116.
First reading, reference, 116.
Reported back, 929.
Second reading, 955.
Passed, 956.
Returned to Senate, 995, 1064.
Came for signing, 1048.
Signed by Speaker, 1055.

Senate Bill No. 18

Senate Bill No. 18. A Bill for an Act Providing an Appropriation for the Paying of Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Session Laws of North Dakota for 1927, and as Amended by Chapter 254 of the Session Laws of 1937.

Received from Senate, 1388.
First reading, reference, 477.
Reported back, 1087.
Amended, 1087.
Second reading, 1210.
Passed, 1211.
Returned to Senate, 1226, 1421.
Conference Committee, 1303, 1304, 1345.
Signed by Speaker, 1407.
Other action, 1211, 1347.

Senate Bill No. 19

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Received from Senate, 116.
First reading, reference, 116.
Reported back, 929.
Second reading, 956.
Passed, 957.
Returned to Senate, 995, 1064.
Came for signing, 1048.
Signed by Speaker, 1055.

Senate Bill No. 20

Senate Bill No. 20. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Received from Senate, 152, 1050.
First reading, reference, 152.

Reported back, 929.
Second reading, 957.
Passed, 958.
Returned to Senate, 995.
Signed by Speaker, 1056.

Senate Bill No. 21

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota: Providing for Reports and Deductions.

Received from Senate, 195, 1396.
First reading, reference, 202.
Reported back, 1011.
Second reading, 1070.
Passed, 1071.
Returned to Senate, 1111, 1416.
Signed by Speaker, 1399.
Other action, 1071.

Senate Bill No. 22

Senate Bill No. 22. A Bill for an Act Making an Appropriation to Provide Funds for the Arrest and Return of Fugitives from Justice.

Received from Senate, 116.
First reading, reference, 117.
Reported back, 930.
Second reading, 958.
Passed, 959.
Returned to Senate, 995, 1064.
Came for signing, 1048.
Signed by Speaker, 1055.

Senate Bill No. 23

Senate Bill No. 23. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys' and Girls' Club Work at State and District Fairs.

Received from Senate, 207, 1047.
First reading, reference, 209.
Reported back, 930.
Second reading, 959.
Passed, 960.
Returned to Senate, 995, 1062.
Signed by Speaker, 1051.

Senate Bill No. 24

Senate Bill No. 24. A Bill for an Act Making an Appropriation Into the Administrative Fund for General Administrative and Operative Expenses of the Water Conservation Commission, According to Chapter 255, Session Laws of 1937 and Section 31 Thereof, Providing for Reimbursement and Providing for Validity.

Received from Senate, 839, 1391.
First reading, reference, 875.
Reported back, 1157.
Second reading, 1228.
Passed, 1229.
Returned to Senate, 1248, 1414.
Signed by Speaker, 1410.

Senate Bill No. 25

Senate Bill No. 25. A Bill for an Act Making an Appropriation for Inquest and Burial of Penal Inmates, Headstones for Soldiers and Sailors, Actions to Release Insane and List of New Taxable Lands.

Received from Senate, 152, 1047.
First reading, reference, 152.
Reported back, 930.
Second reading, 962.
Passed, 963.
Returned to Senate, 995, 1062.
Signed by Speaker, 1052.

Senate Bill No. 26

Senate Bill No. 26. A Bill for an Act Making an Appropriation for the State Employment Service Provided for in Section 13 and Section 14b, Chapter 232, Session Laws of 1937, in Co-operation with the Social Security Act of Congress.

Received from Senate, 176, 1396.
First reading, reference, 209.
Reported back, 1011.
Second reading, 1071.
Passed, 1072.
Returned to Senate, 1111, 1416.
Signed by Speaker, 1399.

Senate Bill No. 27

Senate Bill No. 27. A Bill for an Act Making an Appropriation for Salaries, Operation, Maintenance, General and Miscellaneous Expenses for the State Laboratories Department.

Received from Senate, 839, 1350, 1395.
First reading, reference, 875.
Reported back, 1120.
Amended, 1120, 1171, 1344.
General orders, 1171.
Second reading, 1232, 1352.
Passed, 1233, 1353.
Returned to Senate, 1245, 1418, 1355.
Conference Committee, 1258, 1301, 1344.
Signed by Speaker, 1403.
Other action, 1347, 1352, 1353.

Senate Bill No. 28

Senate Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Maintaining and Operating the Bridge Across the Yellowstone River in McKenzie County, North Dakota.

Received from Senate, 467, 1395.
First reading, reference, 477.
Reported back, 930.
Amended, 961.
General Orders, 1183.
Second reading, 961.
Passed, 962, 1183.
Returned to Senate, 996, 1416.
Conference Committee, 1100; 1110, 1182.
Signed by Speaker, 1412.
Other action, 961, 962, 1183, 1186.

Senate Bill No. 29

Senate Bill No. 29. A Bill for an Act Making an Appropriation for the Financing of the Operations of the State Soil Conservation Committee or the Activities of the State Soil Conservation Districts.

Received from Senate, 292, 1390.

First reading, reference, 329.

Reported back, 930.

Amended, 930.

General orders, 1004.

Second reading, 1031.

Passed, 1032.

Returned to Senate, 1059, 1415.

Signed by Speaker, 1412.

Other action, 1032.

Senate Bill No. 30

Senate Bill No. 30. A Bill for an Act Making an Appropriation to the North Dakota Firemen's Association.

Received from Senate, 207, 1392.

First reading, reference, 210.

Reported back, 1142.

Amended, 1142.

General orders, 1171.

Second reading, 1234.

Passed, 1235.

Returned to Senate, 1246, 1418.

Signed by Speaker, 1402.

Senate Bill No. 31

Senate Bill No. 31. A Bill for an Act Making an Appropriation to the Code Revision Commission.

Received from Senate 207, 1394.

First reading, reference, 210.

Reported back, 1003.

Amended, 1003, 1043.

General orders, 1043.

Second reading, 1083.

Passed, 1084.

Returned to Senate, 1112, 1418.

Signed by Speaker, 1403.

Emergency clause, 1084.

Senate Bill No. 32

Senate Bill No. 32. A Bill for an Act to Provide for the Payment of the Expenses of Auditing and Examining the Affairs of the State Industrial Institutions, and the Special Departments and its Subdivisions, of the State of North Dakota, Designating and Appropriating the Funds from which Paid; Providing for the Payment of Said Collection into the Special Fund in the State Treasury; Providing for Repeal of Acts.

Received from Senate, 207, 1395.

First reading, reference, 210.

Reported back, 1157.

Second reading, 1227.

Passed, 1228.

Returned to Senate, 1247, 1417.

Signed by Speaker, 1400.

Senate Bill No. 33

Senate Bill No. 33. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Received from Senate, 292, 1391.
First reading, reference, 329.
Reported back, 1121.
Second reading, 1162.
Passed, 1163.
Returned to Senate, 1247, 1414.
Signed by Speaker, 1410.

Senate Bill No. 34

Senate Bill No. 34. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Received from Senate, 892, 1350, 1395.
First reading, reference, 900.
Reported back, 1121.
Amended, 1121, 1344.
General orders, 1171.
Second reading, 1233, 1353.
Passed, 1234, 1354.
Returned to Senate, 1246, 1355, 1416.
Conference Committee, 1258, 1301, 1344.
Signed by Speaker, 1412.
Other action, 1347, 1353.

Senate Bill No. 35

Senate Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Received from Senate, 468, 1391.
First reading, reference, 477.
Reported back, 1121.
Second reading, 1134.
Passed, 1135.
Returned to Senate, 1184, 1415.
Signed by Speaker, 1410.
Other action, 1135.

Senate Bill No. 36

Senate Bill No. 36. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Received from Senate, 467, 1188.
First reading, reference, 477.
Reported back, 1003.
Second reading, 1028.
Passed, 1029.
Returned to Senate, 1061, 1268.
Signed by Speaker, 1268.

Senate Bill No. 37

Senate Bill No. 37. A Bill for an Act Making an Appropriation out of the Teachers Insurance and Retirement Fund in

the State Treasury for Operation and Maintenance, Equipment, Supplies, Travel and Miscellaneous Expenses for the Teachers Insurance and Retirement Fund.

Received from Senate, 208, 1396.

First reading, reference, 210.

Reported back, 1011.

Second reading, 1072.

Passed, 1073.

Returned to Senate, 1111, 1416.

Signed by Speaker, 1399.

Senate Bill No. 38

Senate Bill No. 38. A Bill for an Act Making an Appropriation out of the Motor Patrol Fund in the State Treasury, for the Operation, Maintenance, Equipment, Supplies, Outfitting of Patrolmen, Travel and Miscellaneous Expenses for the Motor Patrol Branch.

Received from Senate, 837, 1350, 1387.

First reading, reference, 875.

Reported back, 1157.

Amended, 1157.

Second reading, 1238, 1354.

Passed, 1239, 1355.

Returned to Senate, 1294, 1355, 1420.

Conference Committee, 1310, 1346.

Signed by Speaker, 1405.

Other action, 1239, 1313, 1347, 1354.

Senate Bill No. 40

Senate Bill No. 40. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 249 of the Session Laws of North Dakota for 1937, as Amended by Section 1 of Chapter 234 of the Session Laws of North Dakota for 1939, Relating to the Levying and Imposing of a Retail Sales Tax and the Disposition of the Funds Collected Therefrom, and to Readopt Sections 1, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, and 22 of Chapter 249 of the Session Laws of North Dakota for 1937 by Reference, and to Amend and Re-enact Section 7 and Paragraphs (1), (2), (3), (4), and (5) of Section 15 of Said Chapter 249 of the Session Laws of North Dakota for 1937, and to Amend and Re-enact Section 25 of Chapter 249 of the Session Laws of North Dakota for 1937, as Amended by Section 2, Chapter 234 of the Session Laws of North Dakota for 1939, and Declaring an Emergency.

Received from Senate, 93, 1392.

First reading, reference, 94.

Reported back, 436.

Amended, 436, 483, 1203.

General orders, 482, 548.

Second reading, 632, 1207.

Passed, 633, 1207.

Returned to Senate, 716, 1418.

Conference Committee, 969, 1203.

Signed by Speaker, 1402.

Other action, 483, 548, 633, 1207, 1208, 1214.

Senate Bill No. 41

Senate Bill No. 41. A Bill for an Act to Divide the State of North Dakota into Two (2) Congressional Districts, and

Defining the Boundaries of Each of Said Congressional Districts.

Received from Senate, 110.
 First reading, reference, 112.
 Reported back, 288.
 Indefinitely postponed, 289.
 Returned to Senate, 318.
 Other action, 290.

Senate Bill No. 43

Senate Bill No. 43. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 241 of the Session Laws of North Dakota for the Year 1939, Being an Act to Impose a Tax on the Storage, Use or Consumption in This State of Tangible Personal Property, as Such Terms Are Defined Therein; to Provide Certain Exemptions Therefrom; to Provide for the Collection of Such Tax and the Administration of the Act; to Fix Fines and Penalties for the Violation of the Provisions of the Act, and Declaring an Emergency.

Received from Senate, 151, 1393.
 First reading, reference, 153, 964.
 Reported back, 917, 1067.
 Amended, 1067, 1189.
 General orders, 1151.
 Second reading, 939, 1189.
 Passed, 940, 1190.
 Returned to Senate, 1201, 1418.
 Signed by Speaker, 1402.
 Other action, 940, 1189, 1190, 1214.
 Emergency clause, 940, Lost, 1190.

Senate Bill No. 44

Senate Bill No. 44. A Bill for an Act to Encourage and Promote the Payment of Personal Property Taxes by Providing for a Rebate on Prepayments; Providing Certain Exemptions; and Declaring an Emergency.

Received from Senate, 116.
 First reading, reference, 117.
 Reported back, 151.
 Indefinitely postponed, 151.
 Returned to Senate, 155.

Senate Bill No. 45

Senate Bill No. 45. A Bill for an Act to Re-enact Chapter 110 of the Session Laws of North Dakota for the Year of 1935, Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Received from Senate, 254.
 First reading, reference, 268.
 Reported back, 532.
 Second reading, 908.
 Passed, 909.
 Returned to Senate, 953, 1064.
 Came for signing, 1048.

Signed by Speaker, 1055.
Other action, 909.

Senate Bill No. 46

Senate Bill No. 46. A Bill for an Act to Amend Section 3787 of the Compiled Laws of North Dakota for 1913 Prescribing Qualifications of Officers Under the Commission Form of City Government.

Received from Senate, 335.
First reading, reference, 360.
Reported back, 530.
Second reading, 883.
Indefinitely postponed, 884.
Returned to Senate, 950.
Other action, 884, 1015.

Senate Bill No. 48

Senate Bill No. 48. A Bill for an Act to Repeal Chapter 138 of the Session Laws of the State of North Dakota for the Year 1929 Creating the Office of Grain Storage Commissioner.

Received from Senate, 112, 499.
First reading, reference, 115.
Reported back, 341.
Second reading, 390.
Returned to Senate, 437, 538.
Signed by Speaker, 520.

Senate Bill No. 50

Senate Bill No. 50. A Bill for an Act Assessing and Levying from July 1, 1941, to July 1, 1943, on All Licensed Dealers of Motor Vehicle Fuels, a Special Additional License Tax of One Cent Per Gallon on Motor Vehicle Fuels Used or Sold by Them in Addition to All Other Taxes Now Imposed Upon Them; Appropriating the Proceeds of Such Special Tax to the State Highway Fund for Specific Purposes; Making All Provisions of Initiated Measures Approved July 30, 1936, and Amendments Thereto and Known as the "Motor Vehicle Fuel Tax Law", Other Than Division of Proceeds Between the State and Counties and Other Than for Costs of Administration and Collection and Other Than Penalties for Violation Applicable to Said Special License Tax; Providing for Exemption of Motor Vehicle Fuels Sold and Used for Agricultural and Industrial Purposes; and Fixing Fines and Penalties for the Violation of the Provisions of this Act.

Received from Senate, 221, 441.
First reading, reference, 230.
Reported back, 255.
Second reading, 346.
Passed, 347.
Returned to Senate, 371.
Came for signing, 500.
Signed by Speaker, 461.
Returned to Senate, 465, 539.
Other action, 255, 284, 343, 347.

Senate Bill No. 51

Senate Bill No. 51. A Bill for an Act Creating a Lien in Favor of the State for All Rentals Due From, and For All Damages Done by Tenants or Trespassers Upon Lands Be-

longing to the State of North Dakota and Being a Part of the Permanent School Fund Upon All Crops Raised By, and Upon All Buildings, Structures, Fences or Other Improvements Put Upon Leased or Occupied Lands, By Tenants or Trespassers Upon Such Lands; Providing for the Priority and for the Enforcement and Satisfaction Thereof and Declaring an Emergency.

Received from Senate, 152.
 First reading, reference, 152.
 Reported back, 219.
 Second reading, 269.
 Indefinitely postponed, 270.
 Returned to Senate, 304.
 Conference Committee, 403.
 Other action, 247, 270.

Senate Bill No. 53

Senate Bill No. 53. A Bill for an Act Providing for a Lien in Favor of House-movers and Providing for the Filing, Perfection and Enforcement of Said Lien.

Received from Senate, 208, 499.
 First reading, reference, 210.
 Reported back, 275.
 Second reading, 384.
 Passed, 384.
 Returned to Senate, 437, 538.
 Signed by Speaker, 520.

Senate Bill No. 55

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 276 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 97 of the Laws of North Dakota for the Year 1919 Relating to the Contingent Fund at State Institutions.

Received from Senate, 113, 1396.
 First reading, reference, 116.
 Reported back, 1011.
 Second reading, 1075.
 Passed, 1076.
 Returned to Senate, 1111, 1416.
 Signed by Speaker, 1400.

Senate Bill No. 58

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Chapter 259, Laws 1935; Chapter 218, Laws 1937 Relating to Meetings of Boards of Common School Districts, Provide for Notices of Same and Relating to Attendance Per Diem and Mileage of School Officers and to Duties and Compensation of Clerks of Such Districts.

Received from Senate, 195, 499.
 First reading, reference, 202.
 Second reading, 384.
 Passed, 385.
 Returned to Senate, 437, 538.
 Signed by Speaker, 520.

Senate Bill No. 59.

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 5, Laws 1937 and Section

2 of Chapter 5, Laws 1937 as Amended by Chapter 14, Laws 1939 Relative to the Regulation and Licensing of Dealers in Livestock, Poultry and Wool, Requiring Bond of Such Dealers, Prohibiting the Licensing of Those Convicted of Felony and Declaring an Emergency.

Received from Senate, 151, 573.
 First reading, reference, 153.
 Reported back, 231.
 Amended, 231.
 General orders, 265.
 Second reading, 283, 396.
 Passed, 284, 397.
 Returned to Senate, 304, 639.
 Conference Committee, 378, 381, 395, 438.
 Signed by Speaker, 631.
 Other action, 284, 358.
 Emergency clause, 284, 397.

Senate Bill No. 60

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Chapter 107 of the Session Laws of North Dakota for 1933 and Amending and Re-enacting Section 1004 of the Compiled Laws of North Dakota for 1913.

Received from Senate, 221, 500.
 First reading, reference, 230.
 Amended, 386.
 Second reading, 385.
 Passed, 386.
 Returned to Senate, 436, 538.
 Signed by Speaker, 521.
 Other action, 386, 387.

Senate Bill No. 63

Senate Bill No. 63. A Bill for an Act to Regulate the Practice of Lobbying Requiring Certain Information to be Filed Relative to Lobbyists and Providing Penalty for the Violation Thereof.

Received from Senate, 334, 1048.
 First reading, reference, 360.
 Reported back, 686.
 Second reading, 926.
 Passed, 926.
 Returned to Senate, 954, 1064.
 Signed by Speaker, 1055.
 Other action, 927.

Senate Bill No. 65

Senate Bill No. 65. A Bill for an Act Imposing a Tax Upon Tickets for Admission to All Theaters, Movies, Pin Alleys, Ball Alleys, and Other Places of Amusement; Declaring an Emergency.

Received from Senate, 839.
 First reading, reference, 875.
 Reported back, 1106.
 Indefinitely postponed, 1106.
 Returned to Senate, 1184.
 Other action, 1106.

Senate Bill No. 66

Senate Bill No. 66. A Bill for an Act to Amend and Re-enact Chapter 243 of the Session Laws of 1939 Relating to the Distribution of Seeds and Planting Stock by the State Forester, and Declaring an Emergency.

Received from Senate, 292, 1049.

First reading, reference, 329.

Reported back, 532.

Second reading, 907.

Passed, 908.

Returned to Senate, 953, 1064.

Signed by Speaker, 1054.

Emergency clause, 908.

Senate Bill No. 67

Senate Bill No. 67. A Bill for an Act to Amend and Re-enact Section 714a7 of the Supplement to the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 102 of the Session Laws of North Dakota for the Year 1939 Relating to Pledging Securities for Public Deposits.

Received from Senate, 207, 1125.

First reading, reference, 210.

Reported back, 970.

Second reading, 988.

Passed, 988.

Returned to Senate, 1024, 1176.

Signed by Speaker, 1159.

Senate Bill No. 68

Senate Bill No. 68. A Bill for an Act Creating Pensions for Disabled or Retired City Employees, Other Than Policemen, Their Widows, and Children Under Sixteen Years of Age; and Widows of City Employees Who Die in the Service and Their Children Under Sixteen Years of Age; in Cities Now or Hereafter Having a Population of 10,000 or Over by the Last Official Census, Federal or State; and Providing for a Fund out of Which Such Pensions Shall Be Paid; and for the Establishment of a Pension Board for the Management, Control and Distribution of Such Fund, and Declaring an Emergency.

Received from Senate, 273.

First reading, reference, 281.

Reported back, 311.

Second reading, 382.

Passed, 383.

Returned to Senate, 437.

Signed by Speaker, 521.

Returned to Senate, 538.

Other action, 383.

Emergency clause, 383.

Senate Bill No. 69

Senate Bill No. 69. A Bill for an Act to Amend Sections 1, 3 and 4 of Chapter 207 Session Laws of 1935, Relating to Refunding Special Improvement Warrants and Declaring an Emergency.

Received from Senate, 221, 335.

First reading, reference, 230.

Reported back, 234.
Second reading, 271.
Passed, 272.
Returned to Senate, 303, 342.
Signed by Speaker, 339.
Other action, 272.
Emergency clause, 272.

Senate Bill No. 70

Senate Bill No. 70. A Bill for an Act to Amend and Re-enact Sections 5 and 11 of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at a Special Election Held September 22, 1933 and as Amended and Re-enacted by Chapter 97 of the Session Laws for the Year 1935, Relating to the Manufacture, Sale, and Distribution of Beer.

Received from Senate, 221, 335.
First reading, reference, 229.
Reported back, 231.
Second reading, 282.
Passed, 283.
Returned to Senate, 303, 342.
Signed by Speaker, 339.

Senate Bill No. 72

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 8 of the 1939 Session Laws Relating to Unfair Discrimination in the Purchase of Certain Farm Products; Repealing Acts in Conflict, and Declaring an Emergency.

Received from Senate, 292.
First reading, reference, 329.
Reported back, 532.
Indefinitely postponed, 907.
Returned to Senate, 954.
Other action, 907.

Senate Bill No. 75

Senate Bill No. 75. A Bill for an Act to Amend and Re-enact Sub-section 4 of Section 1 and to Repeal Sub-section 9 of Section 3, of Chapter 241, Session Laws of 1939, Relating to the Use Tax.

Received from Senate, 333.
First reading, reference, 359, 963.
Reported back, 931, 1203.
Indefinitely postponed, 1203.
Returned to Senate, 1247.
Other action, 1203.

Senate Bill No. 77

Senate Bill No. 77. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 221 of the Session Laws of North Dakota for the Year 1935, Providing for the Appointment of Members of the State Board of Public Welfare.

Received from Senate, 296.
First reading, reference, 329.
Reported back, 1012.
Indefinitely postponed, 1012.

Returned to Senate, 1060.
Other action, 1012.

Senate Bill No. 78

Senate Bill No. 78. A Bill for an Act to Amend and Re-enact Section 3352 of the Compiled Laws of 1913, to Authorize the Registration of Warrants Issued by Taxing Districts Not Paid for Want of Funds; Limiting the Rate of Interest of Registered Warrants; Requiring Notice for Presentation for Payment Thereof; and Declaring an Emergency.

Received from Senate, 207, 1389.
First reading, reference, 210, 282.
Reported back, 231, 978.
Amended, 1099.
General orders, 1045, 1099.
Second reading, 1129.
Passed, 1130.
Returned to Senate, 1186, 1421.
Signed by Speaker, 1408.
Other action, 978, 1130.
Emergency clause, 1130.

Senate Bill No. 79

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Subdivisions (a), (b) and (c) of Section 4 and Section 10 of Chapter 235 of the Session Laws of 1929 Relating to Limitations Upon the Rate of Tax Levies for General and Special County Purposes; Providing for Exceptions to Such Levies; Authorizing the Levy of Taxes for Emergency Purposes and Limiting the Use Thereof.

Received from Senate, 840, 1124.
First reading, reference, 876.
Reported back, 932.
Second reading, 977.
Passed, 978.
Returned to Senate, 1023, 1176.
Signed by Speaker, 1159.

Senate Bill No. 82

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Chapter 178, Session Laws for the Year 1939 Relating to the Funding and Refunding of Existing Indebtedness of Municipalities and Declaring an Emergency.

Received from Senate, 779, 1161, 1388.
First reading, reference, 791.
Reported back, 1070, 1164.
Amended, 1164, 1177.
General orders, 1177.
Second reading, 1240.
Passed, 1241.
Indefinitely postponed, 1070.
Returned to Senate, 1112, 1293, 1421.
Conference Committee, 1265, 1301.
Signed by Speaker, 1407.
Other action, 1070, 1147, 1154, 1241.
Emergency clause, 1241.

Senate Bill No. 83

Senate Bill No. 83. A Bill for an Act to Amend and Re-

enact Chapter 246 of the Session Laws of 1931, Relating to the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for Supervision Thereof and for Maintenance of Instruction by Tuition Fees.

Received from Senate, 442, 1124.

First reading, reference, Feb. 15th.

Reported back, 971.

Second reading, 991.

Passed, 991.

Returned to Senate, 1024, 1176.

Signed by Speaker, 1160.

Other action, 992.

Senate Bill No. 87

Senate Bill No. 87. A Bill for an Act to Provide for Payments from the North Dakota Workmen's Compensation Fund in Certain Cases Where No Actual Dependency Is Shown and Providing an Option in Certain Cases.

Received from Senate, 292, 573.

First reading, reference, 329.

Reported back, 428.

Second reading, 479.

Passed, 480.

Returned to Senate, 498, 639.

Signed by Speakers, 631.

Senate Bill No. 88

Senate Bill No. 88. A Bill for an Act Amending and Re-enacting Paragraph I of Section 4 of Chapter 162, Session Laws of 1919, as Amended by Chapter 314, Session Laws of 1931, Chapter 286, Session Laws of 1935, and Chapter 251, Session Laws of 1939.

Received from Senate, 334.

First reading, reference, 360.

Reported back, 428.

Second reading, 478, 480.

Indefinitely postponed, 479, 481.

Returned to Senate, 497.

Other action, 480, 481.

Senate Bill No. 89

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 3854 of the 1925 Supplement of the Compiled Laws of North Dakota and Allowing Villages to Elect Trustees at Large, and Declaring an Emergency.

Received from Senate, 335, 573.

First reading, reference, 360.

Reported back, 394.

Second reading, 449.

Passed, 450.

Returned to Senate, 469, 639.

Signed by Speaker, 631.

Other action, 450.

Senate Bill No. 90

Senate Bill No. 90. A Bill for an Act to Appropriate Seven Thousand, Five Hundred (\$7,500.00) Dollars for the Biennium

to Provide for the Control of Predatory Animals Such as Wolves, Coyotes, Bobcats and Other Predatory Animals Which Are Injurious to Livestock, Poultry and Game Animals and Birds; to Authorize Co-operation with the United States in the Control of Such Predatory Animals; and to Provide for Funds to Enable the Department of Agriculture and Labor to Carry Out the Provisions of This Act; Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Received from Senate, 334, 1391.
 First reading, reference, 360, 1012.
 Reported back, 1011, 1110.
 Second reading, 1132.
 Passed, 1133.
 Indefinitely postponed, 1012.
 Returned to Senate, 1184, 1415.
 Signed by Speaker, 1410.
 Other action, 1013, 1133.
 Emergency clause, 1133.

Senate Bill No. 91

Senate Bill No. 91. A Bill for an Act to Amend and Re-enact Chapter 7 of the Session Laws of 1935, Relating to Wolf and Coyote Bounty and Declaring an Emergency.

Received from Senate, 334, 1390.
 First reading, reference, 359.
 Reported back, 1110.
 Second reading, 1133.
 Passed, 1134.
 Returned to Senate, 1184, 1415.
 Signed by Speaker, 1411.
 Other action, 1013, 1134.
 Emergency clause, Lost, 1134.

Senate Bill No. 93

Senate Bill No. 93. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 252 of the Session Laws of North Dakota for the Year 1937, as Amended by Chapter 245 of the Session Laws of North Dakota for the Year 1939, Relating to Bounty for Tree Planting.

Received from Senate, 654, 1393.
 First reading, reference, 792.
 Reported back, 973.
 Amended, 973, 1044.
 General orders, 1044.
 Second reading, 1089.
 Passed, 1090.
 Returned to Senate, 1112, 1418.
 Signed by Speaker, 1402.
 Other action, 1090, 1214.

Senate Bill No. 94

Senate Bill No. 94. A Bill for an Act Prohibiting Any Sheriff, Deputy Sheriff or Employee in the Sheriff's Office or Any Constable from Acting as a Collector or Collection Agent for Any Person, Firm or Corporation in the Collection of Any Accounts or Claims in the County Where He

Is Acting as Such Sheriff, Deputy Sheriff or Employee, and Prescribing Penalties.

Received from Senate, 334, 1049.

First reading, reference, 360.

Reported back, 685.

Second reading, 914.

Passed, 915.

Returned to Senate, 954, 1063.

Signed by Speaker, 1054.

Other action, 915.

Senate Bill No. 95

Senate Bill No. 95. A Bill for an Act to Provide for the Taxation of Leasehold, Equitable, and Executory Interests in Real Property, of Which the Principal Estate is Exempt; to Provide for the Creation of a Lien in Favor of the State as Security for the Payment of Such Taxes; to Provide for the Mode of Foreclosing Such Lien; to Impose Duty to Collect Such Taxes; to Make Officials Liable for Neglect of Such Duty; to Repeal Section 2118 of the North Dakota 1913 Compiled Laws and All Acts and Parts of Acts in Conflict with This Act; and to Create an Emergency.

Received from Senate, 840.

First reading, reference, 876.

Reported back, 1008.

Indefinitely postponed, 1008.

Returned to Senate, 1060.

Other action, 1009.

Senate Bill No. 96

Senate Bill No. 96. A Bill for an Act Providing for the Establishment of a Community Youth Council, Prescribing the Duties Thereof and Authorizing a Tax Levy for the Maintenance of Youth Activities.

Received from Senate, 221, 452, 1048.

First reading, reference, 229.

Reported back, 312, 534.

Amended, 534.

General orders, 881.

Second reading 937.

Passed, 938.

Indefinitely postponed, 312.

Returned to Senate, 343, 996, 1064.

Signed by Speaker, 1055.

Other action, 312, 391, 441, 938, 1002.

Senate Bill No. 98

Senate Bill No. 98. A Bill for an Act to Provide for an Annual Audit of the Affairs of the North Dakota Mill and Elevator Association as of the 30th Day of June in Each Year, and Such Other Audits as May Be Deemed Necessary by the Industrial Commission, and Repealing Conflicting Portions of Prior Acts.

Received from Senate, 273, 499.

First reading, reference, 282.

Reported back, 341.

Second reading, 389.

Passed, 390.

Returned to Senate, 437, 538.

Signed by Speaker, 520.

Senate Bill No. 99

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 144 Laws of North Dakota for 1929 Relating to Hotels, Restaurants, Lodging Houses and Boarding Houses to Provide for Application for License and Payment of License Fees.

Received from Senate, 254, 499.

First reading, reference, 267.

Reported back, 332.

Second reading, 388.

Passed, 389.

Returned to Senate, 438, 538.

Signed by Speaker, 521.

Senate Bill No. 100

Senate Bill No. 100.—A Bill for an Act to Permit Sales of Total Assets and Reorganizations of Corporations When Authorized by a Two-thirds Vote of Stockholders or Members, to Validate Past Sales and Reorganizations Where Such Two-thirds Vote Has Authorized Same and to Declare an Emergency.

Received from Senate, 296, 983.

First reading, reference, 329, 480.

Reported back, 394, 567.

Amended, 394, 567, 728.

General orders, 453, 695.

Second reading, 728.

Passed, 729.

Returned to Senate, 781, 1065.

Signed by Speaker, 1033.

Other action, 728, 729.

Emergency clause, 729.

Senate Bill No. 102

Senate Bill No. 102. A Bill for an Act Relating to the Appointment, Powers and Duties of the State Engineer, to Amend and Re-enact Section 8239 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 224 of the Session Laws of 1929, and to Repeal Section 8240 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 2 of Chapter 224 of the Session Laws of 1929.

Received from Senate, 836, 1124.

First reading, reference, 876.

Reported back, 972.

Second reading, 999.

Passed, 1000.

Returned to Senate, 1024, 1177.

Signed by Speaker, 1160.

Other action, 1000.

Senate Bill No. 103

Senate Bill No. 103. A Bill for an Act Recognizing the Rule Making Powers of the Supreme Court; Providing That Existing Statutes of Procedure Shall Be Continued in Effect as Rules of Court Until Altered by the Supreme Court; Providing That Procedural Statutes Exist as Rules of Court; Authorizing the Supreme Court to Amend Rules Promulgated

By It and Statutes Governing Procedure; Permitting the Supreme Court to Make New Rules; Providing for Hearings on Rules Before the Same Are Promulgated By the Court; Providing for the Making of a Complaint to the Supreme Court Against Rules and for Hearing on Such Complaint; Providing for Giving Notice of the Effective Date of the Rules Promulgated By the Court; and Authorizing the Supreme Court to Make Rules Governing the Practice of Law and for the Admission, Disbarment, Discipline, and Reinstatement of Attorneys at Law.

Received from Senate, 333, 1049.

First reading, reference, 359.

Reported back, 533.

Second reading, 912.

Passed, 913.

Returned to Senate, 953, 1063.

Signed by Speaker, 1054.

Senate Bill No. 104

Senate Bill No. 104. A Bill for an Act to Repeal Chapter 235 of the Session Laws for the Year 1917, Being Sections 5604a1 to 5604a82, Both Inclusive, of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Registration of Land and the Title Thereto in the State of North Dakota.

Received from Senate, 254, 1049.

First reading, reference, 268.

Reported back, 533.

Second reading, 911.

Passed, 912.

Returned to Senate, 953, 1063.

Signed by Speaker, 1054.

Senate Bill No. 105

Senate Bill No. 105. A Bill for an Act to Repeal Sections 6553 to 6619, Both Inclusive, of the 1913 Compiled Laws of the State of North Dakota, Relating to Marine Insurance.

Received from Senate, 254, 1049.

First reading, reference, 268.

Reported back, 533.

Second reading, 910.

Passed, 911.

Returned to Senate, 953, 1063.

Signed by Speaker, 1054.

Senate Bill No. 107

Senate Bill No. 107. A Bill for an Act to Provide a Method of Assigning Sheriff's Certificates, Mortgages, and Other Instruments and of Conveying Title to Lands Which Have Been Acquired by the State and Departments and Agencies Thereof.

Received from Senate, 254.

First reading, reference, 268.

Reported back, 533.

Second reading, 909.

Indefinitely postponed, 910.

Returned to Senate, 954.

Other action, 910.

Senate Bill No. 108

Senate Bill No. 108. A Bill for an Act Prescribing Uniform Rules of Practice for Administrative Agencies from the Determination of Which an Appeal to the Court is Provided; and to Provide a Uniform Method of Reviewing Determinations of Administrative Agencies by the Courts.

Received from Senate, 402, 1387.
First reading, reference, 557, 570.
Reported back, 533, 972.
Amended, 972.
General orders, 1043.
Second reading, 1080.
Passed, 1081.
Returned to Senate, 1112, 1420.
Signed by Speaker, 1405.
Other action, 1081.

Senate Bill No. 109

Senate Bill No. 109. A Bill for an Act to Authorize the Disorganization of Counties by Petition and Election; and for the Elimination of County Officers and the Termination of Their Terms of Office; and for the Attachment to an Organized County for Judicial and Administrative Purposes; and Providing for the Duties of the Officers of the Organized County to Which Attached, Including the Powers and Limitations to Tax; to Maintain Separate Records, to Act as Trustee, Collect the Revenue and to Disburse the Expenses for the Operation of the Unorganized County; and for the Repeal of Acts in Conflict Herewith.

Received from Senate, 637, 1188.
First reading, reference, 792.
Reported back, 971.
Second reading, 1039.
Passed, 1040.
Returned to Senate, 1061.
Signed by Speaker, 1268.
Other action, 999, 1040.

Senate Bill No. 111

Senate Bill No. 111. A Bill for an Act Appropriating the Sum of \$16,291.58 out of the Special Bridge Fund of the State to Walsh County, North Dakota, and the State Highway Fund, and Apportioning Such Appropriation and Declaring an Emergency.

Received from Senate, 838, 1396.
First reading, reference, 876.
Reported back, 1065.
Second reading, 1093.
Passed, 1094.
Returned to Senate, 1111, 1417.
Signed by Speaker, 1400.
Other action, 1094.
Emergency clause, 1094.

Senate Bill No. 114

Senate Bill No. 114. A Bill for an Act to Amend and Re-enact Article 29, Section 2791 of the 1913 Compiled Laws.

Received from Senate, 467.

First reading, reference, 477.
 Reported back, 1003.
 Second reading, 1040.
 Passed, 1041.
 Indefinitely postponed, 1003.
 Returned to Senate, 1061, 1268.
 Came for signing, 1188.
 Signed by Speaker, 1268.
 Other action, 1003, 1015, 1041.

Senate Bill No. 115

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Subdivision (f) of Section 4609b8 of the Supplement to the Compiled Laws of North Dakota of 1913; Relating to Articles of Incorporation of Co-operative Marketing Associations.

Received from Senate, 292, 499.
 First reading, reference, 329.
 Reported back, 332.
 Amended, 387.
 Second reading, 387.
 Passed, 388.
 Returned to Senate, 437, 538.
 Signed by Speaker, 520.

Senate Bill No. 116

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 2093 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 229, of the Session Laws for 1939, Relating to the Manner of Listing Real and Personal Property for Assessment Purposes, and Providing that as to Stocks of Merchandise, the Average Value Thereof for the Year Preceding the Time of Assessment, Shall Be Taken as the Value Thereof for Assessment Purposes, and Declaring an Emergency.

Received from Senate, 334.
 First reading, reference, 359.
 Reported back, 973.
 Second reading, 1001.
 Passed, 1002.
 Returned to Senate, 1024, 1268.
 Came for signing, 1188.
 Signed by Speaker, 1268.
 Other action, 1002.
 Emergency clause, 1002.

Senate Bill No. 117

Senate Bill No. 117. A Bill for an Act to Amend and Re-enact Sections 2, 4, 5, 6, 7, 8, 9, 12 and 17 as Amended by Chapter 215, Laws of 1939, the Same Being Known as the North Dakota Unemployment Compensation Law; Providing for Definitions of the Terms Used in Said Act; Providing a Definition of Agricultural Labor; Providing for Included and Excluded Services; Providing for the Payment of Contributions Into an Unemployment Compensation Fund; Providing for Contribution Rates Based Upon a System of Experience Rating; Providing for the payment of benefits to Unemployed Individuals and Specifying the Amount and Duration Thereof; Providing Conditions of Eligibility for Benefits; Providing

for the Disqualification of Individuals Under Certain Circumstances; Providing the Procedure for making Claims for Benefits and the Determination Thereof; Providing Procedure for Appeals; Providing for the Period, Election and Termination of Coverage for Employers; Providing for a System of Reciprocal Arrangements With Other States and With the United States; Providing Penalties for Violations of the Unemployment Compensation Law; Providing Prohibiting the Disclosure of Information; Providing for the Reimbursement of Funds in Certain Circumstances.

Received from Senate, 837, 1387.

First reading, reference, 876.

Reported back, 931.

Amended, 931, 1004, 1032.

General orders, 1004.

Second reading, 1032.

Passed, 1033.

Returned to Senate, 1059, 1420.

Conference Committee, 1135, 1136, 1190, 1201, 1203, 1232.

Signed by Speaker, 1406.

Other action, 1032, 1033.

Senate Bill No. 118

Senate Bill No. 118. A Bill for an Act Amending and Re-enacting the Workmen's Compensation Act by Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 142 of the Session Laws of 1921, Chapter 222 of the Session Laws of 1925, and Chapter 286 of the Session Laws of 1935; Subsection "C" of Section 3 of Chapter 162 of the Session Laws of 1919 as Amended by Chapter 260 of the Session Laws of 1929 and Chapter 286 of the Session Laws of 1935; Paragraph "o" of Subsection "G" of Section 1 of Chapter 251 of the Session Laws of 1939; Section 15 of Chapter 162 of the Session Laws of 1919; Section 16 of Chapter 162 of the Session Laws of 1919; and Chapter 351 of the Session Laws of 1923, Being Section 396a29 of the 1925 Supplement.

Received from Senate, 468, 1394.

First reading, reference, 477, 933.

Reported back, 836, 974.

Amended, 974.

General orders, 1044.

Second reading, 933, 1090.

Passed, 1091.

Returned to Senate, 1113, 1418.

Signed by Speaker, 1403.

Other action, 1091, 1310.

Senate Bill No. 119

Senate Bill No. 119. A Bill for an Act Amending and Re-enacting Section 2 of Article II, Chapter 164 of the Session Laws of 1933 Providing for the Supervision and Regulation of the Transportation of Persons and Property for Compensation Over Any Public Highway by Motor Propelled Vehicles; Defining and Classifying Transportation by Motor Propelled Vehicles Affected Hereby; Providing Safety and Sanitary Regulations for the Operation of Motor Propelled Vehicles Used for the Purpose of Transporting Persons and Property for Compensation Over Any Public Highway; Providing for

the Supervision and Regulation Thereof by the Board of Railroad Commissioners of the State of North Dakota; Providing for the Enforcement of the Provisions of This Act and for Penalties for the Violation Thereof.

Received from Senate, 654, 1337.
 First reading, reference, 792.
 Reported back, 1161.
 Amended, 1161, 1180.
 General orders, 1180.
 Second reading, 1241.
 Passed, 1243.
 Returned to Senate, 1293, 1419.
 Signed by Speaker, 1405.
 Other action, 1243.

Senate Bill No. 121

Senate Bill No. 121. A Bill for an Act to Exempt New Farm Machinery, Purchased to Be Used in Farming Operations from Personal Property Tax in First Year After the Purchase.

Received from Senate, 891, 1048.
 First reading, reference, 900.
 Reported back, 931.
 Second reading, 963.
 Passed, 964.
 Returned to Senate, 995, 1064.
 Signed by Speaker, 1056.
 Other action, 964.
 Emergency clause, 964.

Senate Bill No. 123

Senate Bill No. 123. A Bill for an Act to Amend and Re-enact Section 8793 of the Compiled Laws of North Dakota, Relating to Petitions for Conveyance of Real Estate Sold on Contracts, and Contents of Petition and Decree, and Declaring an Emergency.

Received from Senate, 334, 1387.
 First reading, reference, 359.
 Reported back, 533.
 Amended, 533.
 General orders, 880.
 Second reading, 936.
 Passed, 937.
 Returned to Senate, 996, 1420.
 Signed by Speaker, 1406.
 Emergency clause, 937.

Senate Bill No. 124

Senate Bill No. 124. A Bill for an Act to Prohibit the Sale, Offering or Exposing for Sale of Fireworks, and to Regulate the Manner of Their Use, and to Provide Penalties for the Violation of the Provisions of This Act.

Received from Senate, 712.
 First reading, reference, 792.
 Reported back, 1003.
 Second reading, 1030.
 Indefinitely postponed, 1031.
 Returned to Senate, 1061.
 Other action, 1030, 1031.

Senate Bill No. 125

Senate Bill No. 125. A Bill for an Act Amending Article 2889b6, 1925 Supplement to the 1913 Compiled Laws of North Dakota Known as the North Dakota Food and Drugs Act and Chapter 132 of 1937 Laws of North Dakota; to Regulate the Sale of Dangerous Drugs; and to Provide for the Control of New Drugs.

Received from Senate, 637.
First reading, reference, 792.
Reported back, 965.
General orders, 965, 1005.
Indefinitely postponed, 1037.
Returned to Senate, 1061.
Other action, 1036, 1037.

Senate Bill No. 126

Senate Bill No. 126. A Bill for an Act Amending and Re-enacting Section 30, of Chapter 96 of the Session Laws for the State of North Dakota, as Amended by Chapter 96 of the Session Laws of North Dakota for the Year 1937, Relating to Reserve Fund Requirements for State Banking Associations.

Received from Senate, 369, 1188.
First reading, reference, 382.
Reported back, 970.
Second reading, 989, 1041.
Passed, 1042.
Indefinitely postponed, 989.
Returned to Senate, 1061, 1267.
Signed by Speaker, 1267.
Other action, 989, 1015, 1042.

Senate Bill No. 127

Senate Bill No. 127. A Bill for an Act to Amend and Re-enact Section 22 of Chapter 96 of the Session Laws of the State of North Dakota for the Year 1931, as Amended by Chapter 95 of the Session Laws of North Dakota for the Year 1937, Relating to the Responsibility of Shareholders of State Bank Stock.

Received from Senate, 369, 1124.
First reading, reference, 382.
Reported back, 970.
Second reading, 990.
Passed, 990.
Returned to Senate, 1024, 1177.
Signed by Speaker, 1162.
Other action, 991.

Senate Bill No. 129

Senate Bill No. 129. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 148, Laws of 1931, Relative to Trespassing While Hunting.

Received from Senate, 574, 1390.
First reading, reference, 595.
Reported back, 1109.
Second reading, 1131.
Passed, 1132.
Returned to Senate, 1184, 1415.

Signed by Speaker, 1412.
Other action, 1132.

Senate Bill No. 130

Senate Bill No. 130. A Bill for an Act Defining Citizens of the State of North Dakota; Providing for a Judicial Proceeding for the Establishment of Citizenship for the State of North Dakota; And Repealing Section 13 of the 1913 Compiled Laws of the State of North Dakota.

Received from Senate, 334, 1387.
First reading, reference, 359.
Reported back, 532.
Amended, 532.
General orders, 880.
Second reading, 935.
Passed, 936.
Returned to Senate, 997, 1420.
Signed by Speaker, 1405.

Senate Bill No. 131

Senate Bill No. 131. A Bill for an Act Validating the Record of Mineral Deeds in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Received from Senate, 368, 1049.
First reading, reference, 381.
Reported back, 531.
Second reading, 884.
Passed, 885.
Returned to Senate, 950, 1063.
Signed by Speaker, 1053.
Other action, 885.
Emergency clause, 885.

Senate Bill No. 132

Senate Bill No. 132. A Bill for an Act Validating the Record of All Deeds and Mortgages in the Office of the Register of Deeds of the Counties of the State Made Prior to the Passage and Approval of This Act, and Declaring an Emergency.

Received from Senate, 368, 1049.
First reading, reference, 381.
Reported back, 531.
Second reading, 897.
Passed, 898.
Returned to Senate, 950, 1063.
Signed by Speaker, 1053.
Emergency clause, 898.

Senate Bill No. 133

Senate Bill No. 133. A Bill for an Act to Amend and Re-enact Sections 5518 and 5519 of the Compiled Laws of North Dakota for 1913, Relating to Aid to Assessors in Valuing Coal Deposits Reserved to Grantors by Providing That All Deeds and Transfers of Real Property Which Reserves the Coal Deposits to the Grantor Shall Contain a Full Description of the Coal Deposits so Reserved, Its Length, Width, and Thickness, and Validating All Reser-

ventions and Conveyances of Other Minerals or Mineral Deposits Made Prior to the Passage and Taking Effect of This Act, and Limiting the Time Within Which Actions May Be Commenced in the Courts of This State to Contest the Validity or Legality of Such Reservations or Conveyances, and Declaring an Emergency.

Received from Senate, 369, 1048.

First reading, reference, 381.

Reported back, 531.

Second reading, 898.

Passed, 899.

Returned to Senate, 951, 1074.

Signed by Speaker, 1070.

Emergency clause, 899.

Senate Bill No. 134

Senate Bill No. 134. A Bill for an Act to Authorize the Leasing of Land Owned by School Districts, Cities, Villages, Townships and Park Districts, for Oil and Gas; Authorizing the Governing Boards to Make Such Leases; Providing for the Consolidation of Such Oil and Gas Leases with Adjoining Lands for Operation and Development; Repealing All Laws and Parts of Laws in Conflict Herewith; and Declaring an Emergency.

Received from Senate, 369, 1046.

First reading, reference, 382.

Reported back, 531.

Second reading, 899.

Passed, 900.

Returned to Senate, 951, 1063.

Signed by Speaker, 1053.

Other action, 900.

Emergency clause, 900.

Senate Bill No. 135

Senate Bill No. 135. A Bill for an Act Authorizing Executors and Administrators of Decedents and Guardians of Minors and Incompetents to Execute Oil and Gas Leases, Providing for the Procedure for the Approval and Confirmation of Such Leases, and Validating All Such Leases Executed Prior to the Passage and Taking Effect of This Act, and Declaring an Emergency.

Received from Senate, 369, 1046.

First reading, reference, 382.

Reported back, 531.

Second reading, 904.

Passed, 905.

Returned to Senate, 952, 1063.

Signed by Speaker, 1053.

Emergency clause, 905.

Senate Bill No. 136

Senate Bill No. 136. A Bill for an Act to Legalize the Execution and Acknowledgment of Certain Deeds, Mortgages and Other Instruments in Writing, and the Record Thereof, and Making the Same or Certified Copies Thereof, Admissible in Evidence.

Received from Senate, 369, 1047.

First reading, reference, 382.
Reported back, 531.
Second reading, 905.
Passed, 906.
Returned to Senate, 952, 1062.
Signed by Speaker, 1053.

Senate Bill No. 137

Senate Bill No. 137. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 254 of the Session Laws of 1935; Providing That Deeds Taken in Lieu of Foreclosure Shall Have the Force and Effect of a Sheriff's Certificate on Foreclosure Sale as to All Subsequent Lien Holders; for Notice to Subsequent Lien Holders, of the Record of Such Deeds Preserving to Such Subsequent Lien Holders the Same Rights of Redemption as They Would Have Had, Had Foreclosure Been Made; Providing That After the Period of Redemption Expires, Such Deeds Shall Have the Full Force and Effect of a Sheriff's Deed on Foreclosure as Against Subsequent Lien Holders Who Do Not Redeem.

Received from Senate, 369.
Reported back, 532.
Amended, 532.
General orders, 880.
Indefinitely postponed, 934.
Returned to Senate, 998.
Other action, 934.

Senate Bill No. 139

Senate Bill No. 139. A Bill for an Act to Provide a Method for the Satisfaction of Chattel Mortgages, Crop Mortgages, Conditional Sale Contracts and Other Liens Filed in the Office of the Register of Deeds and Specifying the Form of Such Satisfaction, and Declaring an Emergency.

Received from Senate, 712.
First reading, reference, 792.
Reported back, 971.
Indefinitely postponed, 971.
Returned to Senate, 1022.
Other action, 971.

Senate Bill No. 140

Senate Bill No. 140. A Bill for an Act Authorizing the Sale by Executors, Administrators and Guardians of Estates of Oil, Gas and Mineral Interests in Land, Providing for the Procedure Relative to Such Sales, and Declaring an Emergency.

Received from Senate, 1393.
First reading, reference, Feb. 14th.
Reported back, 532.
Amended, 532.
General orders, 880.
Second reading, 934.
Passed, 935.
Returned to Senate, 997, 1418.
Signed by Speaker, 1402.
Other action, 934.
Emergency clause, 935.

Senate Bill No. 141

Senate Bill No. 141. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of the State of North Dakota, for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, by Chapter 168 of the Session Laws for 1935, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith. Repeal of All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from Senate, 536.

First reading, reference, 558.

Reported back, 971.

Second reading, 999.

Indefinitely postponed, 999.

Returned to Senate, 1023.

Other action, 999, 1342.

Senate Bill No. 142

Senate Bill No. 142. A Bill for an Act Authorizing the Board of County Commissioners of the Counties of the State of North Dakota to Confirm, Approve and Adopt Oil and Gas Leases, Executed by Owners of the Right of Redemption, Owners of the Title to and Owners of Interests in Lands Subject to Delinquent Tax Charges, Including Lands the Tax Charges Against Which Have Been Adjusted by Contract, and Lands Forfeited to the County Under Tax Proceedings, and Held by the County by Tax Deeds Sufficient to Constitute Color of Title in the County; and Providing That Upon Such Confirmation, Approval or Adoption, That Such Oil and Gas Leases Shall Be and Become Binding Upon the County and the Lessee Named Therein and Assigns, with Like Force and Effect as Though the County Had Become a Party to the Said Leases; and Providing for the Payment of Rentals, Bonuses and Royalties and the Distribution and Allocation Thereof; and Providing for Constructive Notice to Purchasers of Said Lands from the County, and Validating Prior Proceedings of County Commissioners in Substantial Compliance Herewith.

Received from Senate, 402, 1047.

First reading, reference, Feb. 14th.

Reported back, 531.

Second reading, 906

Passed, 907.

Returned to Senate, 953, 1062.

Signed by Speaker, 1052.

Senate Bill No. 143

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 2212, of the Supplement to the Compiled Laws of 1913, of the State of North Dakota, as Amended by Chapter 271 of the Laws of 1927, as Amended by Chapter 121 of the Laws of 1931, Relating to the Duty of the County Auditor and Requirements of the Transfer of Real Property as to Taxes, Deeds, Mineral Deeds and Other Instruments of Conveyances, and Declaring an Emergency.

Received from Senate, 441, 1393.

First reading, reference, Feb. 15th.
 Reported back, 531.
 Amended, 531.
 General orders, 880.
 Second reading, 933.
 Passed, 934.
 Returned to Senate, 996, 1418.
 Signed by Speaker, 1401.
 Other action, 934.
 Emergency clause, 934.

Senate Bill No. 144

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Section 499 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 212 of the 1931 Session Laws of the State of North Dakota Relating to Who Exempt from Employing a Registered Pharmacist and Providing for Sale by Certain Retailers of Emergency Household Medicines and Poisons.

Received from Senate, 839.
 First reading, reference, 877.
 Reported back, 1106.
 Indefinitely postponed, 1106.
 Returned to Senate, 1185.
 Other action, 1106.

Senate Bill No. 145

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Chapter 236 of the Session Laws of 1937. An Act to Provide for the Assessment of Car Line Companies, Express Companies, and Air Transportation Companies. Providing for the Allocation of the Tax to the State of North Dakota; and Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Received from Senate, 837, 1394.
 First reading, reference, 877.
 Amended, 1097.
 General orders, 1097.
 Second reading, 1226.
 Passed, 1227.
 Returned to Senate, 1232.
 Signed by Speaker, 1403.
 Emergency clause, 1227.

Senate Bill No. 146

Senate Bill No. 146. A Bill for an Act Authorizing City Councils of Cities in the State Having a Population 15,000 and Over to Provide Ordinances for the Regulating and Inspecting of Food Markets, Stores and Other Places of Business Where Food Intended for Human Consumption Is Sold at Retail and to Prohibit the Operation Thereof on Sundays, Legal Holidays Not Inconsistent with the Provisions of Any State Laws Relating to the Same Subject Matter; Declaring an Emergency.

Received from Senate, 442, 1047.
 Reported back, 685.
 Second reading, 915.
 Passed, 916.

Returned to Senate, 954, 1062, 1419.
Signed by Speaker, 1052.
Emergency clause, 916.

Senate Bill No. 147

Senate Bill No. 147. A Bill for an Act Providing Relief for the Poor, Prescribing the Procedure Therefor, Defining the Duties of the County Commissioners, Township Supervisors, City Commissioners, City Councilmen and Village Trustees in Respect Thereto, Granting the District Courts Power to Determine Issues Involving Removal of Poor Persons and the Legal Residence Thereof; Providing for County Welfare Boards; Providing for Financial Responsibility of Counties and Local Subdivisions for the Aid to Needy Persons; Prescribing Method for Distribution of Funds by Public Welfare Board of North Dakota to Counties; and Repealing Chapter 97 of the Session Laws of North Dakota for 1933, as Amended by Chapters 119 and 123 of the Session Laws of 1935, and Chapters 124 and 126 of the Session Laws of North Dakota for 1939, and All Acts or Parts of Acts in Conflict Herewith.

Received from Senate, 840.
First reading, reference, 877.
Reported back, 1009.
Indefinitely postponed, 1009.
Returned to Senate, 1060.
Other action, 1010.

Senate Bill No. 148

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Section 7408 of the 1913 Compiled Laws of North Dakota, Relating to Continuance of Actions and Procedure in Case of Death or Other Disability of a Party, and Section 7411 of the 1913 Compiled Laws of North Dakota, Relating to Procedure in Case of Death of One or More Plaintiffs or Defendants.

Received from Senate, 536.
First reading, reference, 558, 976.
Reported back, 1110.
Indefinitely postponed, 1110.
Returned to Senate, 1185.
Other action, 1110.

Senate Bill No. 149

Senate Bill No. 149. A Bill for an Act to Amend and Re-enact Sections 1 and 10 of Chapter 109 of the Session Laws of North Dakota for the Year 1935 Relating to Mutual Aid Corporations and Declaring an Emergency.

Received from Senate, 467, 1390.
First reading, reference, 478.
Reported back, 930.
Second reading, 984, 1119.
Passed, 1120.
Indefinitely postponed, 984.
Returned to Senate, 1184, 1415.
Signed by Speaker, 1412.
Returned to Senate, 1022.
Other action, 963, 1094, 1110, 1120, 1132.
Emergency clause, 1120.

Senate Bill No. 150

Senate Bill No. 150. A Bill for an Act Providing for the Change of Place of Trial of Civil and Criminal Actions Triable to a Jury in Counties Where Jury Terms Have Not Been Held for a Period of One Year, and Providing the Necessary Procedure Therefor, in Addition to That Now Provided by Law for the Change of Place of Trial of Criminal and Civil Actions.

Received from Senate, 536.
 First reading, reference, 557.
 Reported back, 971.
 Second reading, 993.
 Indefinitely postponed, 994.
 Returned to Senate, 1023.
 Other action, 993, 994.

Senate Bill No. 151

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Subsection (E) of Chapter 279 of the Session Laws of 1931, the Same Being an Amendment of Section 2166 C. L. 1913 as Amended by Section 3 of Chapter 241 of the Session Laws of 1929, Relating to Collection of Personal Property Taxes by County Sheriff, and Declaring an Emergency.

Received from Senate, 637, 1394.
 First reading, 792.
 Reference, 793.
 Reported back, 978.
 Amended, 978.
 General orders, 1045.
 Second reading, 1092.
 Passed, 1093.
 Returned to Senate, 1113, 1419.
 Signed by Speaker, 1404.
 Emergency clause, 1093.

Senate Bill No. 152

Senate Bill No. 152. A Bill for an Act to Authorize, Regulate and Control the Handling and Distribution, Sale, Possession, Purchase and Dispensing of Merchandising Boards, and the Sale and Exhibition of Goods and Merchandise Through the Merchandising Board, Providing the Method of Taxing and Licensing of Merchandising Boards; and Providing Penalties for Violations of the Provisions of Said Act.

Received from Senate, 779, 1390.
 First reading, reference, 793.
 Reported back, 1067.
 Second reading, 1116, 1130.
 Passed, 1131.
 Indefinitely postponed, 1117.
 Returned to Senate, 1184, 1415.
 Signed by Speaker, 1411.
 Other action, 976, 1067, 1116, 1130, 1131.

Senate Bill No. 153

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Section 3585 of the Compiled Laws of 1913 as Amended by Chapter 170 of the Session Laws of 1937 Relating to

the Qualifications of City Aldermen, Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from Senate, 536.
 First reading, reference, 558.
 Reported back, 565.
 Indefinitely postponed, 565.
 Returned to Senate, 639.
 Other action, 565.

Senate Bill No. 155

Senate Bill No. 155. A Bill for an Act Authorizing the Bank of North Dakota to Transfer Funds for Necessary Operation and Maintenance Expenses of the Grafton State School, the State Hospital for the Insane and the State Tuberculosis Sanatorium, Subject to the Supervision of the Industrial Commission; and Declaring an Emergency.

Received from Senate, 840, 1390.
 First reading, 877.
 Reference, 878.
 Reported back, 931.
 Second reading, 1200.
 Passed, 1201.
 Returned to Senate, 1247, 1415.
 Signed by Speaker, 1411.
 Other action, 1037, 1201.
 Emergency clause, 1201.

Senate Bill No. 158

Senate Bill No. 158. A Bill for an Act to Amend and Re-enact Section 3080a6 of the 1925 Supplement to the 1913 Code, Relating to the Transporting and Shipping of Kerosene and Gasoline Into the State of North Dakota, and Providing for Inspection Fees and Reports Relating Thereto.

Received from Senate, 891.
 First reading, reference, 900.
 Reported back, 1106.
 Indefinitely postponed, 1106.
 Returned to Senate, 1185.
 Other action, 1106.

Senate Bill No. 159

Senate Bill No. 159. A Bill for an Act Amending and Re-enacting Chapter 147, Laws of 1939, Permitting the Purchase of Motor Vehicle Fuel to Be Used Solely for Agricultural, Industrial, and Domestic Purposes, Without the Payment of a Motor Vehicle Fuel Tax on the Purchase Price Thereof; Licensing Purchasers and Dealers; and Providing Conditions for Licensing; and Providing Penalties for the Violations of This Act.

Received from Senate, 779, 1394.
 First reading, reference, 793.
 Reported back, 973.
 Amended, 973, 1193.
 General orders, 1044, 1167.
 Second reading, 1193.
 Passed, 1194.
 Returned to Senate, 1201, 1419.
 Signed by Speaker, 1404.
 Other action, 1045, 1125, 1128, 1167, 1193, 1194.

Senate Bill No. 161

Senate Bill No. 161. A Bill for an Act to Amend and Re-enact Section 1504 of the Compiled Laws of 1913 and Sections 1505, 1515, 1518, 1521, 1523 and 1528 of the 1925 Supplement to Compiled Laws of 1913 Relating to the Teacher's Insurance and Retirement Fund

Received from Senate, 891, 1394.
 First reading, reference, 900.
 Reported back, 1010.
 Amended, 1011, 1099, 1287.
 General orders, 1098.
 Second reading, 1126, 1287.
 Passed, 1127, 1288.
 Returned to Senate, 1186, 1418.
 Conference Committee, 1192, 1214, 1287.
 Signed by Speaker, 1403.
 Other action, 1127, 1292.

Senate Bill No. 162

Senate Bill No. 162. A Bill for an Act to Amend and Re-enact § 1179 of the Compiled Laws for 1913 Relating to Powers of School Districts to Admit Pupils from Other Districts Providing for Payment of Tuition, and Transportation.

Received from Senate, 779, 1388.
 First reading, reference, 793.
 Reported back, 972.
 Amended, 992.
 Second reading, 992.
 Passed, 992.
 Returned to Senate, 1026, 1421.
 Signed by Speaker, 1407.
 Other action, 993.

Senate Bill No. 164

Senate Bill No. 164. A Bill for an Act to Promote and Protect the Public Health Through the Regulation of the Business of Plumbing; Creating a State Board of Plumbing and Empowering Said Board to Adopt Rules Governing the Practice of Plumbing and Establishing a Code of Minimum Standards for Plumbing Work; Providing for the Licensing and Regulation of Plumbers and the Regulation, Supervision and Inspection of Plumbing Work; Providing Concurrent Authority for Cities and Villages; and Fixing Penalties.

Received from Senate, 838, 1393.
 First reading, reference, 877.
 Reported back, 1067.
 Second reading, 1115, 1209.
 Passed, 1210.
 Indefinitely postponed, 1116.
 Returned to Senate, 1247, 1417.
 Signed by Speaker, 1400.
 Other action, 1181, 1201, 1210.

Senate Bill No. 165

Senate Bill No. 165. A Bill for an Act Providing for the Issue of Stock Without Par Value with Such Qualifications, Limitations, Restrictions, and Such Special and Relative

Rights and Value as Shall Be Stated in the Articles of Incorporation, or in the By-Laws of the Corporation.

Received from Senate, 536, 1086, 1381.
 First reading, reference, 558.
 Reported back, 972.
 Second reading, 1000, 1118.
 Passed, 1119.
 Indefinitely postponed, 1001.
 Returned to Senate, 1023, 1184, 1383.
 Signed by Speaker, 1382.
 Other action, 1015, 1073, 1078, 1119.

Senate Bill No. 166

Senate Bill No. 166. A Bill for an Act Providing for Special Audits and Investigations of the North Dakota Mill and Elevator Association, the Bank of North Dakota, the State Highway Department and the Office of State Highway Commissioner, the Board of Administration, the Board of University and School Lands, the Industrial Commission and the State Securities Commission, and Such Other Offices, Departments, Institutions and Commissions of the State as the Governor Shall Designate; Providing for the Appointment of a Special Examining Commissioner and for the Prosecution of Any Action or Proceeding Which May Be Deemed Warranted as a Result of Such Audit, Investigation or Check Up; Providing for an Appropriation to Carry Out the Purposes of This Act, and Declaring an Emergency.

Received from Senate, 891, 1390.
 First reading, 900.
 Reference, 901.
 Reported back, 974.
 Second reading, 1079.
 Passed, 1080.
 Returned to Senate, 1111, 1415.
 Signed by Speaker, 1411.
 Other action, 974, 1080.
 Emergency clause, Lost, 1080.

Senate Bill No. 167

Senate Bill No. 167. A Bill for an Act to Provide for the Creation of the State Equalization Fund; Providing for Its Distribution in the Payment of Costs of Correspondence Work, Costs of Vocational Education, High School Tuition and in the Payment of Direct Aid to School Districts Upon a Teacher-Unit and Per Pupil Basis and Providing for the Distribution of an Emergency Fund and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; and to Provide for Penalty for Making False Reports; Repealing Chapter 209 of the Session Laws of 1939 and All Acts or Parts of Acts in Conflict Therewith.

Received from Senate, 838, 1393.
 First reading, reference, 878.
 Reported back, 972.
 Amended, 972.
 General orders, 1043.
 Second reading, 1084.
 Passed, 1085.

Returned to Senate, 1112, 1417.
Signed by Speaker, 1401.
Other action, 1085, 1214.

Senate Bill No. 169

Senate Bill No. 169. A Bill for an Act Providing for the Destruction of Certain Bonds, Coupons, Warrants and Other Evidences of Debt of Cities and Villages, Providing the Procedure to Be Adopted and Used Before Destruction and the Time During Which Such Documents Must Be Kept Before Destruction Thereof.

Received from Senate, 536, 1047.
First reading, reference, 558.
Reported back, 568.
Second reading, 913.
Passed, 914.
Returned to Senate, 954, 1062.
Signed by Speaker, 1052.

Senate Bill No. 170

Senate Bill No. 170. A Bill for an Act to Amend and Re-enact Chapter 304 of the Session Laws of 1931 Relating to Validating Certain Deeds, Judgment, Mortgage Foreclosures, and Other Transactions of Real Property.

Received from Senate, 637.
First reading, reference, 793.
Reported back, 971.
Indefinitely postponed, 971.
Returned to Senate, 1022.
Other action, 971.

Senate Bill No. 171

Senate Bill No. 171. A Bill for an Act Authorizing the Board of Commissioners of the Workmen's Compensation Bureau to Limit the Right to Unemployment Compensation Benefits in the Case of Workers in Seasonal Industries and Classes of Occupations Within Seasonal Industries; Providing for Determinations of Seasonal Industries and Seasonal Occupations Within Such Industries.

Received from Senate, 892.
First reading, reference, 901.
Reported back, 931.
Indefinitely postponed, 931.
Returned to Senate, 998, 1060.
Other action, 931.

Senate Bill No. 172

Senate Bill No. 172. A Bill for an Act Defining and Prohibiting Unfair Sales and Unfair Trade Practices, Prohibiting the Advertising or Offering for Sale or Selling Merchandise Below Actual Cost for the Purpose of Having the Effect of Injuring Competitors or Destroying Competition, and Providing Penalties for the Violation and Remedies for the Enforcement of the Provisions Thereof.

Received from Senate, 891, 1393.
First reading, reference, 901.
Reported back, 1107.
Amended, 1107.

General orders, 1168.
Second reading, 1230.
Passed, 1231.
Returned to Senate, 1232, 1417.
Signed by Speaker, 1401.
Other action, 1230, 1231.

Senate Bill No. 173

Senate Bill No. 173. A Bill for an Act Conferring Additional Powers Upon Cities and Park Districts; Authorizing the Leasing or Rental of Public Property Thereof; Limiting the Terms of Such Leases or Rental Agreements; Validating Certain Acts of Municipalities.

Received from Senate, 712.
First reading, reference, 793.
Reported back, 1012.
Indefinitely postponed, 1012.
Returned to Senate, 1060.
Other action, 1012.

Senate Bill No. 174

Senate Bill No. 174. A Bill for an Act Providing for the Dissolution of Irrigation Districts; Providing for the Sale of the Assets of Such Districts; Providing for the Disposition of Cash Assets of the District After All District Obligations Have Been Fully Paid; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Received from Senate, 574.
First reading, reference, 595.
Reported back, 1003.
Second reading, 1029.
Passed, 1030.
Returned to Senate, 1061, 1268.
Came for signing, 1188.
Signed by Speaker, 1268.
Emergency clause, 1030.

Senate Bill No. 175

Senate Bill No. 175. A Bill for an Act to Amend and Re-enact Sections 92 and 93 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to the Printing and Distribution of the Legislative Manual or North Dakota Blue Book.

Received from Senate, 837, 1392.
First reading, reference, 875.
Reported back, 1069.
Second reading, 1117.
Passed, 1118.
Returned to Senate, 1184, 1413.
Signed by Speaker, 1408.
Other action, 1118.

Senate Bill No. 177

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of 1913 as Amended and Re-enacted by Section 1 of Chapter 232, Laws of 1935, and Declaring an Emergency.

Received from Senate, 713, 1392.
First reading, reference, 793.
Reported back, 964.
Second reading, 987.
Passed, 987.
Returned to Senate, 1024, 1413.
Signed by Speaker, 1408.
Other action, 987.
Emergency clause, 987.

Senate Bill No. 179

Senate Bill No. 179. A Bill for an Act to Encourage Rural Electrification; Classifying the Personal Property of Rural Electric Cooperatives and Imposing a Gross Receipts Tax on Such Cooperatives in Lieu of All Other Taxes on Their Personal Property; Providing for the Collection of Such Tax and Appropriating the Proceeds; and Repealing All Acts and Parts of Acts in Conflict Herewith.

Received from Senate, 891, 1124.
First reading, reference, 901.
Reported back, 931.
Second reading, 985.
Passed, 985.
Returned to Senate, 1023, 1177.
Signed by Speaker, 1160.
Other action, 963, 985.

Senate Bill No. 182

Senate Bill No. 182. A Bill for an Act Amending and Re-enacting Section 25 of Chapter 164 of the Session Laws of 1933, Providing for the Collection of Certificate and Permit Fees and Providing for an Identification Tag Fee from Carriers by Motor Vehicle, Except Passenger Common Carriers Who Pay the Seat Tax Under Chapter 180 of the Session Laws of 1935.

Received from Senate, 892, 1392.
First reading, reference, 901.
Reported back, 1161.
Second reading, 1229.
Passed, 1230.
Returned to Senate, 1248, 1418.
Signed by Speaker, 1408.

Senate Bill No. 183

Senate Bill No. 183. A Bill for an Act Providing that County Funds Used for Relief Are Not a Gift; Providing for a General Claim by the County Against the Estate of a Recipient; Providing that the Statute of Limitations Shall Not Run Against Such Claim; and Declaring an Emergency.

Received from Senate, 713, 1265, 1383.
First reading, reference, 793.
Reported back, 974.
Amended, 1340.
General orders, 1045.
Second reading, 1340.
Passed, 1341.
Indefinitely postponed, 1078.
Returned to Senate, 1112, 1342, 1420.
Signed by Speaker, 1405.

Other action, 1002, 1045, 1078, 1244, 1245, 1265, 1340, 1341.
Emergency clause, 1341.

Senate Bill No. 184

Senate Bill No. 184. A Bill for an Act to Create a Governmental Reform Commission; Providing for the Number of Its Members; Their Appointment and Qualifications; the Term of Office and Filling of Vacancies; Providing for its Organization; Prescribing Its Powers and Duties; Providing for an Appropriation; and Declaring an Emergency.

Received from Senate, 891, 1392.
First reading, reference, 901.
Reported back, 1065.
Amended, 1065, 1150.
General orders, 1149.
Second reading, 1163.
Passed, 1164.
Returned to Senate, 1226, 1413.
Signed by Speaker, 1409.
Other action, 1164.
Emergency clause, Lost, 1164.

Senate Bill No. 185

Senate Bill No. 185. A Bill for an Act to Amend and Re-enact Section 6789, of the Compiled Laws of North Dakota, for the Year 1913; and Repealing Section 6786, of the Compiled Laws of North Dakota for the Year 1913, Relating to the Sale of Pledged Securities.

Received from Senate, 712.
First reading, reference, 794.
Second reading, 989.
Indefinitely postponed, 990.
Returned to Senate, 1023.
Other action, 990, 1015.

Senate Bill No. 186

Senate Bill No. 186. A Bill for an Act Removing Statutory Limitations on Salaries to Be Paid to the State Highway Commissioner, Chief Engineer, Engineers, Assistant Engineers and Draftsmen in the Highway Department Between April 1, 1941 and June 30, 1943; Repealing All Acts and Parts of Acts in Conflict Herewith and Declaring an Emergency.

Received from Senate, 838, 1386.
First reading, reference, 878.
Reported back, 1013.
Second reading, 1076.
Passed, 1077.
Returned to Senate, 1111, 1419.
Signed by Speaker, 1404.
Other action, 1077.
Emergency clause, Lost, 1077.

Senate Bill No. 188

Senate Bill No. 188. A Bill for an Act to Amend and Re-enact Section 9 of Chapter 259 of the Session Laws of 1937; Being and Act to Authorize, Regulate, and Control the Transportation, Importation, Handling, Possession, Purchase, Sale and Dispensing of Alcohol, and Alcoholic Bever-

ages in the State of North Dakota; Defining Alcoholic Beverages, Providing the Method of Taxing and Licensing the Same, Providing the Manner of Expending and Distributing the Revenues from Such Licenses and Taxes; Providing Penalties for Violations of the Provisions of Said Act, Providing for a Saving Clause as to the Constitutionality of Any Part of the Act; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Received from Senate, 840, 1392.
 First reading, reference, 878.
 Reported back, 1010.
 Amended, 1010, 1194.
 General orders, 1098.
 Second reading, 1194.
 Passed, 1196.
 Returned to Senate, 1226, 1414.
 Signed by Speaker, 1409.
 Other action, 1194, 1196.

Senate Bill No. 189

Senate Bill No. 189. A Bill for an Act Making an Appropriation to Pay for a Portion of the Cost of Constructing a New Highway Approach to the Great Northern Railway Bridge Across the Yellowstone River in McKenzie County, North Dakota, and Declaring an Emergency.

Received from Senate, 536, 1394.
 First reading, reference, 558.
 Reported back, 1120.
 Second reading, 1192.
 Passed, 1193.
 Returned to Senate, 1247, 1419.
 Signed by Speaker, 1403.
 Other action, 1120, 1161, 1193.
 Emergency clause, 1193.

Senate Bill No. 190

Senate Bill No. 190. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 235 of the Session Laws of 1929 Relating to Tax Levy Limitations.

Received from Senate, 637.
 First reading, reference, 794.
 Reported back, 971.
 Indefinitely postponed, 971.
 Returned to Senate, 1022.
 Other action, 971.

Senate Bill No. 191

Senate Bill No. 191. A Bill for an Act to Repeal Chapter 120 of the Session Laws of 1915 Relating to Poor Relief Fund Transfer.

Received from Senate, 837.
 First reading, reference, 878.
 Reported back, 1012.
 Indefinitely postponed, 1012.
 Returned to Senate, 1060.
 Other action, 1012.

Senate Bill No. 192

Senate Bill No. 192. A Bill for an Act Providing for the Payment of Final Judgments Obtained by the State or Any

Agency, Bureau, Department or Officer Thereof Against Any County; Limiting the Amount of Tax That Can Be Levied and Extended in Any One Year; Creating a Special Fund Therefor and Providing for the Disbursement of Such Fund.

Received from Senate, 840, 1391.
 First reading, 878.
 Reference, 879.
 Reported back, 974.
 Amended, 1196.
 Second reading, 976, 1196.
 Passed, 1197.
 Returned to Senate, 1201, 1414.
 Signed by Speaker, 1409.
 Other action, 976, 1037, 1196, 1197.

Senate Bill No. 193

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 1155 Compiled Laws of North Dakota for 1913, Providing for Notice of Annual Election for Common School Districts; Providing for the Designation of Polling Places; Providing for the Appointment of Judge and Clerks of Election; Repeal, and Declaring an Emergency.

Received from Senate, 712, 1391.
 First reading, reference, 794.
 Reported back, 1011.
 Amended, 1190.
 Second reading, 1191.
 Passed, 1192.
 Indefinitely postponed, 1011.
 Returned to Senate, 1060, 1226, 1414.
 Signed by Speaker, 1409.
 Other action, 1011, 1101, 1110, 1132, 1190.
 Emergency clause, 1192.

Senate Bill No. 194

Senate Bill No. 194. A Bill for an Act Making an Appropriation for a Pension for Patricia Ann Crites and Dennis Duane Crites, Minor Children of National Guardsman John E. Crites.

Received from Senate, 713, 1047.
 First reading, reference, 794.
 Reported back, 930.
 Second reading, 960.
 Passed, 970.
 Returned to Senate, 995, 1062.
 Signed by Speaker, 1052.

Senate Bill No. 195

Senate Bill No. 195. A Bill for an Act Declaring Assessments of Taxable Property in Excess of the Full and True Value in Money Void; Providing for Administrative and Judicial Review of Valuations of Individual or Classes of Taxable Property and the Equalization of Valuations Between Assessment Districts Within and Among the Several Counties of the State, and Prescribing Procedure for Such Review; Providing for the Annual Meetings of the State Board of Equalization to Assess and Equalize Taxable

Property, Fixing the Time When Real, Personal and Other Taxes Become Due and Delinquent with Penalties; Prescribing the Time for the Levy of State Taxes, and the Fixation of the Mill Rate for State Purposes; Providing That the Act Operate Prospectively Only; Repealing Sub-division 7 of Section 1, Chapter 276 of the Session Laws of 1931, Chapter 225 of the Session Laws of 1939, Section 2141a of the 1925 Supplement to the Compiled Laws of 1913, Chapter 246 of the Session Laws of 1937 and Chapter 233 of the Session Laws of 1939, and Declaring an Emergency.

Received from Senate, 892, 1391.
 First reading, reference, 702.
 Reported back, 970, 1142.
 Amended, 1142, 1235.
 General orders, 1172.
 Second reading, 1235.
 Passed, 1236.
 Returned to Senate, 1246, 1414.
 Signed by Speaker, 1410.
 Other action, 1235, 1236.
 Emergency clause, Lost, 1236.

Senate Bill No. 196

Senate Bill No. 196. A Bill for an Act to Provide Revenue for the Enforcement of the Paint and Varnish Laws of This State; to Prevent Fraud and Deception in the Sale of Paints and Varnishes; to Prevent Adulteration and Misbranding Thereof; to Provide Licensing, Payment and Disposition of License Fees; and Provide Penalties for Violations Thereof.

Received from Senate, 637.
 First reading, reference, 794.
 Reported back, 1106.
 Indefinitely postponed, 1106.
 Returned to Senate, 1185.
 Other action, 1106.

Senate Bill No. 197

Senate Bill No. 197. A Bill for an Act to Provide Revenue for the Enforcement of the North Dakota Food and Drugs Act and the North Dakota Cosmetic Act; Prevent Adulteration and Misbranding of Foods, Drugs and Cosmetics; to Provide for Registration and Licensing Thereof; and to Provide Penalties for Violation Thereof.

Received from Senate, 713.
 First reading, reference, 794.
 Reported back, 976.
 Indefinitely postponed, 976.
 Returned to Senate, 1022.
 Other action, 965, 976.

Senate Bill No. 198

Senate Bill No. 198. A Bill for an Act Authorizing the Issuance of Bonds of North Dakota, Real Estate Refunding Series, for the Purpose of Refunding Outstanding Bonds of North Dakota, Real Estate Series; Prescribing the Terms and Conditions Thereof; Providing a Tax Levy for the Payment Thereof; Providing for the Extension of Maturing Bonds,

and Making an Appropriation to Carry Out the Provisions of This Act, and Declaring an Emergency.

Received from Senate, 839.
First reading, reference, 879.
Reported back, 1069.
Amended, 1070.
Indefinitely postponed, 1070.
Returned to Senate, 1112.
Other action, 1037, 1070.

Senate Bill No. 201

Senate Bill No. 201. A Bill for an Act Specifying the Duties of the Clerks of the District Court and of the County Court with Increased Jurisdiction Relating to the Furnishing of Information to the State Registrar of Vital Statistics.

Received from Senate, 713, 1395.
First reading, reference, 794.
Reported back, 964.
Amended, 1038.
Second reading, 988, 1038.
Passed, 1039.
Returned to Senate, 1060, 1416.
Signed by Speaker, 1412.
Other action, 988, 1038.

Senate Bill No. 202

Senate Bill No. 202. A Bill for an Act Providing for Proof of Birth, the Correction of Birth Records, the Issuance by the State Registrar of Vital Statistics of a Certification of the Record of the Proof of Birth, Providing that All Records of State Registrar of Vital Statistics are Confidential, Repealing Chapter 109 of the Session Laws for the Year 1939 and Declaring an Emergency.

Received from Senate, 713, 1395.
First reading, reference, 794.
Reported back, 964.
Amended, 964.
General orders, 1005.
Second reading, 1034.
Passed, 1035.
Returned to Senate, 1059, 1416.
Signed by Speaker, 1413.
Other action, 1035.
Emergency clause, 1035.

Senate Bill No. 203

Senate Bill No. 203. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Counties in This State in Counties Where Tax Levies Upon Taxable Real and Personal Property Have Been Declared Null and Void and Vacated by Courts of Competent Jurisdiction to Meet and Make Proper Tax Levies Upon the Property So Involved for the Year or Years in Which Such Tax Levies Have Been Vacated; Providing for the Giving of Notice of Such Meeting to the Owners of Such Property or Their Successors in Interest; the Levying and Extension of Taxes Upon Such Property; Making Such Taxes a Lien Upon Such Property and Further Providing that All General Statutes

Relating to Due and Delinquent Taxes and the Collection Thereof Shall Be Applicable to the Tax Levies Made Under the Provisions of This Act, hereof and Making the Act Retroactive.

Received from Senate, 837, 1388.
 First reading, reference, 879.
 Reported back, 974.
 Amended, 974.
 General orders, 1044.
 Second reading, 1091.
 Passed, 1092.
 Returned to Senate, 1113, 1421.
 Signed by Speaker, 1407.

Senate Bill No. 204

Senate Bill No. 204. A Bill for an Act to Make an Appropriation to Pay Expenses Resulting from the Death of Honorable Max Rabinovich, Member of the State Board of Pardons, While Away from His Home in the Performance of His Official Duties; and Declaring an Emergency.

Received from Senate, 837, 1396.
 First reading, reference, 879.
 Reported back, 1012.
 Second reading, 1076.
 Passed, 1076.
 Returned to Senate, 1111, 1417.
 Signed by Speaker, 1400.
 Other action, 1012.

Senate Bill No. 205

Senate Bill No. 205. A Bill for an Act Providing for the Giving of Notice and Fixing the Time of the Expiration of the Period of Redemption on Property Sold to the County for Delinquent Taxes Limiting the Amount of Delinquent Taxes to Be Included; Providing for the Service of Notice by Registered Mail and Publication; Prescribing the Effect of Failure to Redeem; Authorizing Issuance of Tax Deeds; Providing for Classification and Appraisal for Property for Sale; Fixing the Time of Notice and Terms of Public and Private Sale; Prescribing Form of Deed on Resale; Providing for Distribution of Proceeds; Reserving the Right to the Owner to Repurchase; Authorizing Cancellation of Taxes; Requiring Tender of Taxes in Actions; Repealing Chapters 235 and 238 of the Session Laws of 1939, and Declaring an Emergency.

Received from Senate, 838, 1387.
 First reading, reference, 878.
 Reported back, 939.
 Amended, 939, 1005, 1035, 1288.
 General orders, 1004.
 Second reading, 1035, 1289.
 Passed, 1036, 1290.
 Returned to Senate, 1059, 1406, 1420.
 Conference Committee, 1147, 1148, 1288.
 Other action, 1036, 1289, 1290, 1293.
 Emergency clause, 1036, 1290.

Senate Bill No. 206

Senate Bill No. 206. A Bill for an Act Providing for an Optional Form of County Government to Be Known as the "County Consolidated Office Form," Prescribing the Procedure for the Adoption Thereof, and Defining the Powers and Duties of the County Officers Provided for Thereunder.

Received from Senate, 892, 1394.
First reading, reference, 902.
Reported back, 1013.
Amended, 1013.
General orders, 1099.
Second reading, 1128, 1294.
Passed, 1295.
Indefinitely postponed, 1129.
Returned to Senate, 1185, 1300, 1339, 1419.
Signed by Speaker, 1404.
Other action, 1128, 1129, 1294, 1295.

Senate Bill No. 207

Senate Bill No. 207. A Bill for an Act Authorizing the Board of University and School Lands of the State of North Dakota to Expend From an Appropriation Made for That Purpose, Not to Exceed \$8,000.00 to Build, Improve, Rebuild, Repair, Construct or Reconstruct Buildings and Other Improvements Necessary to Carry Out the Purposes of This Act, on That Part of the South Half of Section 36, Township 137, Range 53, Cass County, North Dakota, Owned By the State; Creating a Special Commission to Be Known as the "Four C's Commission"; Defining Its Powers and Duties; Authorizing Said Commission to Employ All Necessary Labor, Purchase and Sell Materials and to Enter Into Any and All Contracts Necessary or Convenient for the Purpose of Carrying Out the Provisions Hereof; Directing Said Board of University and School Lands to Enter Into a Contract of Lease with Nick Brown and Ella H. Brown, His Wife, Jointly, of Leonard, North Dakota, for the Occupancy of Said Premises During the Period Stated Herein at a Rental of \$1.00 per Year; Granting Option to Purchase; and Declaring an Emergency.

Received from Senate, 890.
First reading, reference, 902.
Reported back, 1106.
Indefinitely postponed, 1106.
Returned to Senate, 1185.
Other action, 1106, 1107.

Senate Bill No. 208

Senate Bill No. 208. A Bill for an Act Authorizing Counties to Maintain Actions in Adverse Claims to Quiet Title to Lands Acquired Through Tax Deeds; Providing for the Joinder of the Causes of Action and Parties Defendant; Providing for Separate Trials and Judgments; Authorizing Judgments by Default and Prescribing the Procedure Applicable to the Service of Process and Trial of Such Actions.

Received from Senate, 892, 1124.
First reading, 902.
Reference, 903.

Reported back, 964.
Second reading, 986.
Passed, 986.
Signed by Speaker, 1160.
Returned to Senate, 1023, 1177.
Other action, 986.

Senate Bill No. 212

Senate Bill No. 212. A Bill for an Act to Prohibit the Manufacture, Sale or Storage of Imitation Butter, Patent or Processed Butter, or Ingredients Sold for the Purpose of Home Manufacture of Imitation Butter; excepting Oleomargarine; and Providing a Penalty; and Declaring an Emergency.

Received from Senate, 1215, 1392.
First reading, reference, 1209.
Reported back, 1224.
Second reading, 1244.
Passed, 1245.
Returned to Senate, 1248, 1413.
Signed by Speaker, 1408.
Other action, 1245.