

STATE OF NORTH DAKOTA

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

Begun and Held at the Capitol Building at Bismarck,
January 6, to March 6, 1959, Inclusive

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C. P. DAHL

Cooperstown, North Dakota
President of the Senate

VIC GILBREATH

Bismarck, North Dakota
Secretary of the Senate

OFFICERS AND EMPLOYEES

of the

SENATE OF NORTH DAKOTA

for the

THIRTY-SIXTH LEGISLATIVE ASSEMBLY, 1959

C. P. Dahl.....	Cooperstown	President
Amos Freed.....	Dickinson.....	President Pro Tem
Victor L. Gilbreath.....	Bismarck	Secretary
Arthur A. Herk.....	Fingal.....	Assistant Secretary
Dagny Olson.....	Devils Lake.....	Desk Reporter
Marjorie Daner.....	Bismarck	Bill Clerk
Kenneth J. Johnson.....	Minot.....	Supervisor of Personnel
Oswald Kruisk.....	Rock Lake	Sergeant-at-Arms
Edward Leonard.....	Dunseith.....	Ass't Sergeant-at-Arms
Della Erickson.....	Bismarck.....	Secretary to President
Genevieve Thompson.....	Fargo.....	Calendar Clerk
Rebecca Quanrud.....	Bismarck.....	Chief Stenog., Pay Clerk
Agnes Ellwein.....	Bismarck	Stenographer
Margaret Hofacre.....	Bismarck	Stenographer
Blanche Bailey.....	Bismarck	Stenographer
Bernice Wolf.....	Elgin	Typist
Dorothy Dick.....	Lisbon.....	Stenog. and Com. Clerk
Edna Sand.....	Bismarck.....	Stenog. and Com. Clerk
Myrtle Steen.....	Bismarck.....	Appro. Com. Clerk
Lois Scherr.....	Bismarck.....	Committee Clerk
Constance Hamers.....	Drake.....	Committee Clerk
Clara Heidt.....	Mandan.....	Committee Clerk
Janet L. Reager.....	Bismarck	Committee Clerk
Mildred Moore.....	Bismarck.....	Enroll. and Eng. Clerk
Vonny Mushik.....	Bismarck.....	Enroll. and Eng. Clerk
Robert Ellsworth.....	Maxbass	Proofreader
Anna Marie Ray.....	Bismarck	Proofreader
Ronald O. Johnson.....	Pembina	Page
Beverly Selby.....	Bismarck	Page
William Campbell.....	Fairmount	Page
Martina Ganje.....	Devils Lake.....	Page
Effie Hamry.....	Bismarck	Postmistress
Mrs. L. G. Fowler, Sr.....	Bismarck.....	Telephone Attendant
Norma Dalton.....	Bismarck.....	Information Desk
Marjorie Torkelson.....	Bismarck.....	Ass't. Information Desk
Elmer M. Sundlie.....	Forman.....	Chart Room
Erik L. Christensen.....	Jamestown.....	Chart Room
Frank J. Seavert.....	Forman.....	Supply Room
Martin Kilwein.....	Dickinson.....	Bill Room Clerk

OFFICERS AND EMPLOYEES — (Continued)

Albert Homelvig.....	Amidon.....	Bill Room Clerk
J. Phillip Schaeffer.....	Dickinson.....	Mess. to House and Gov.
Oscar E. Anstrom.....	Wilton	Doorkeeper
Arvid Kjos.....	Wyndmere	Doorkeeper
Peter J. Silbernagel.....	Linton	Doorkeeper
David P. Witteman.....	Mohall	Doorkeeper
Fred A. Shipman.....	Watford City.....	Doorkeeper
Iver Kval.....	Lisbon.....	Parking Lot Attendant
William A. Besant.....	Grand Forks.....	Bill Book Attendant
Robert G. Aune, Jr.....	Bismarck.....	Bill Book Attendant
Edwin Fischer.....	Streeter.....	Bill Book Attendant
Embrick O. Hougen.....	Wheelock.....	Bill Book Attendant
Claudia M. McCulloch.....	Bismarck.....	Bill Book Attendant
Mrs. Julia Stromberg.....	Mandan.....	Bill Book Attendant
Mrs. Victoria Stucke.....	Bismarck.....	Bill Book Attendant
Jacob Hoffart.....	Esmond.....	Bill Book Attendant
Jacob Albrecht.....	Steele.....	Mailing Room Clerk
George Anderson.....	Wing.....	Mailing Room Clerk
Edna Jones.....	Bismarck.....	Mailing Room Clerk
Sven K. Haugsjaa.....	Pekin.....	Mailing Room Clerk
Ed Huenink.....	Haynes.....	Mailing Room Clerk
H. P. Johnson.....	Werner.....	Mailing Room Clerk
E. Wilson Willoughby.....	Grace City.....	Cloak Room Attendant

SENATE MEMBERS

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

HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pembina	A. J. Christopher	Pembina
		F. M. Einarson	Mountain
		Don Halcrow	Drayton
2.	Pt. Ward	Walter Dahlund	Kenmare
3.	Pt. Walsh	Ludger Kadlec	Pisek
		George R. Berntson	Edinburg
4.	Pt. Walsh	Wilfred Collette	Grafton
5.	Pt. Grand Forks	Howard O. Bye	Gilby
6.	Pt. Grand Forks	Kenneth C. Lowe	Grand Forks
7.	Pt. Grand Forks	Kenneth Tweten	Reynolds
		Ralph Diehl	Hillsboro
		Oscar J. Sorlie	Buxton
8.	Traill	Elmer Strand	Portland
		Gordon S. Aamoth	Fargo
		Murray A. Baldwin	Fargo
		K. A. Fitch	Fargo
9.	Pt. Cass	C. Hilleboe	Fargo
		Jacque Stockman	Fargo
10.	Pt. Cass	Sophus Trom	Casselton
		J. Milton Myhre	Kindred
11.	Pt. Cass	Russell Idso	Amenia
		William L. Guy	Amenia
12.	Pt. Richland	Vernon Anderson	Dwight
		George A. Thompson	Wahpeton
13.	Sargent	Leonard A. Bopp	Cogswell
		Ole Breum	Rutland
14.	Ransom	Lawrence Dick	Englevale
		Hjalmar Nygaard	Enderlin
15.	Pt. Barpes	Ernest N. Johnson	Dazey
16.	Griggs-Steele	Otto Graving	Binford
		Kenneth Gronhovd	Hatton
		Gillman C. Olson	Cooperstown
17.	Nelson	Fred W. Klinger	McVille
		Lester Larson	Brocket
18.	Cavalier	Harry G. Renfrow	Calvin
		Carl G. Tollefson	Osnabrock
		Frank Bassingthwaite	Hannah
19.	Rolette	Oscar Solberg	Mylo
		Gerhart Wilkie	Rolla
20.	Benson	Byron Knutson	Harlow
		Elwin Sears	Minnewaukan
21.	Ramsey	Sybil Baker Kelly	Devils Lake
		Louis Leet	Webster
		Nels Overbo	Hampden
22.	Towner	Salmer Westlind	Cando
		Melfred Hogenson	Rock Lake
23.	Stutsman	Clifford L. Lindberg	Jamestown
		John Neukircher	Jamestown
		Ralph Scott	Spiritwood
		Scott Anderson	Jamestown
24.	LaMoure	Milo Knudsen	Edgeley
		Martin Smedshammer	Litchville
25.	Dickey	Ed N. Davis	Monango
		L. C. Mueller	Oakes
26.	Emmons	Howard F. Bier	Hazelton
		E. A. Tough	Strasburg

Dist.	County	Name	Address
27.	Burleigh	R. Fay Brown	Bismarck
		James W. Johnston	Bismarck
		R. W. Wheeler	Bismarck
28.	Bottineau	Chester Fossum	Maxbass
		M. E. Vinje	Bottineau
		Oliver Magnuson	Souris
29.	Pt. Ward	Bert A. Balerud	Minot
		Brynhild Haugland	Minot
		Stanley Saugstad	Minot
		Bruce M. Van Sickle	Minot
30.	Morton	Matt M. Schmidt	Flasher
		Charles F. Karabensh	Mandan
		Carl A. Meyer	Flasher
31.	Stark	George Gress	Dickinson
		Norbert Muggli	Dickinson
		Albert Schmalenberger	Hebron
32.	Eddy-Foster	Russell L. Belquist	New Rockford
		Don Nicolson	Carrington
33.	Wells	Arne Dahl	Harvey
		S. Bryce Streibel	Fessenden
34.	McHenry	J. T. Alme	Drake
		Emil Anderson	Upham
		Melvin L. Loftesnes	Granville
35.	Kidder-Sheridan	Gottlieb Frank	Kief
		Robert D. Mosal	Goodrich
36.	McIntosh-Logan	Eldon L. Goebel	Lehr
		T. E. Schuler	Streeter
		Ben J. Wolf	Zeeland
37.	Pt. Richland	Thomas R. Stallman	Barney
		Willard Strege	Lidgerwood
38.	Pt. Barnes	Ralph M. Winge	Litchville
39.	Billings-Bowman Golden Valley- Slope	C. W. Fries	Scranton
		Stanley J. Maixner	Bowman
		M. C. Tescher	Sentinel Butte
40.	Burke-Divide	Sam O. Bloom	Alkabo
		M. E. Glaspey	Lignite
		Rex Powell	Columbus
41.	McKenzie	Arthur A. Link	Alexander
		Halvor Rolfsrud	Watford City
42.	Pierce	Peter Hornstein	Rugby
		Harold O. Ostrem	Rugby
43.	Renville	Orville P. Witteman	Mohall
44.	Mountrail	E. O. Sjaastad	Tagus
		Harold Skaar	New Town
45.	Williams	Walter O. Burk	Williston
		Lloyd Esterby	Appam
		Clarence Poling	Williston
46.	McLean	Richard J. Thompson	Underwood
		Otto Hauf	Max
		Walter Hjelle	Garrison
47.	Grant-Sioux	Ralph Beede	Elgin
		Joseph Menz	Ft. Yates
48.	Mercer-Dunn- Oliver	Clarence P. Loewen	Hazen
		Howard F. Doherty	Killdeer
		Walter Kitzmann	Hannover
49.	Adams-Hettinger	I. E. Bratcher	Mott
		Herbert Halverson	Regent

MEMBERS OF THE SENATE, 1959

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

MEMBERS OF THE SENATE, 1959 — (Continued)

Dist.	Name	Address	Business or Occupation	Marital Status	Member during Session of
25	C. G. Kee	Ellendale	Implement Dealer	Married	1957-59
26	Adam Gefreh	Linton	Lawyer	Married	1959
27	Guy Larson	Bismarck	Music Store Owner	Married	1957-59
28	Edwin C. Becker, Jr.	Willow City	Farmer	Single	1959
29	Ernest C. Livingston	Minot	Farmer	Married	1953-55-57-59
30	Charles L. Murphy	Mandan	Lawyer	Married	1959
31	Amos Freed	Dickinson	Livestock Sales	Married	1949-51-53-55-57-59
32	C. W. Schrock	New Rockford	Chiropractor	Married	1943-45-47-49-51-53-55-57-59
33	Aloys Wartner, Jr.	Harvey	Lawyer	Married	1957-59
34	Isak Hystad	Velva	Farmer	Married	1959
35	H. W. George	Steele	Banker, Rancher	Married	1957-59
36	Gail H. Hernet	Ashley	Banker	Married	1955-57-59
37	Kenneth Morgan	Walcott	Farmer	Married	1957-59
38	Selmer Gilbertson	Nome	Farmer	Married	1955-57-59
39	Leland Roen	Bowman	Farmer	Married	1957-59
40	Rolland Redlin	Crosby	Farmer	Married	1959
41	John O. Garaas	Watford City	Lawyer	Married	1957-59
42	A. F. Gronvold	Rugby	Auto Dealer	Married	1959
43	Raymond G. Vendsel	Carpio	Farmer, Rancher	Married	1957-59
44	Clark Van Horn	Parshall	Farmer	Married	1959
45	Frank A. Wenstrom	Williston	Banker	Married	1957-59
46	Walter R. Fiedler	Ryder	Farmer	Married	1955-57-59
47	Fred Krause, Jr.	Carson	Retired Merchant	Single	1957-59
48	Dan Kisse	Halliday	Farmer, Rancher	Married	1959
49	Lloyd M. Erickson	Hettinger	Farmer	Single	1957-59

ERRATA

On page 890 after line 12 insert the following: "Delete lines 811 thru 836 inclusive, and insert the schedule which follows:"

On page 906 insert: "The President appointed as a Conference Committee on Senate Bill No. 282, Senators Ring-sak, Murphy and Brooks".

On page 922, insert the following:

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

Senate Concurrent Resolution "S"

And finds the same correctly engrossed.

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

On page 980, line 29, delete the figure "587" and insert in lieu thereof the figure "589".

On page 981, line 31, delete the figure "587" and insert in lieu thereof the figure "589".

On page 982, line 32, delete the figure "587" and insert in lieu thereof the figure "589".

On page 991, following line 25 insert the following: "Were delivered to the Governor for his approval at the hour of 5 o'clock p.m., March 6, 1959".

On page 991, line 45 delete the words "Governor for his approval" and insert in lieu thereof "Secretary of State".

Correct titles of Senate Bills as follows:

Senate Bill No. 2. A Bill for an Act making an appro-priation for the general maintenance, improvements and repairs, equipment, and miscellaneous items of the School for the Blind at Bathgate, North Dakota and making a supplemental appropriation for the construction of the school for the blind provided for in the initiated measure which was approved in June, 1958.

Senate Bill No. 7. A Bill for an Act making an appro-priation for the general maintenance, improvements and repairs, equipment, miscellaneous, new buildings and special projects for the State Training School at Mandan, North Dakota and declaring an emergency in regard to Section 2 of the bill.

Senate Bill No. 43. A Bill for an Act to create and enact chapter 54-44 and section 54-23411 of the North Dakota Re-vised Code of 1943 relating to the establishment of a de-partment of accounts and purchases and the setting forth of the powers and duties of such a department and to the examination and payment of monthly purchases by this department of accounts and purchases; to amend and re-enact sections 4-0114, 6-0917, 12-4906, subsection 4 of sec-tion 15-3916, sections 15-3932, 15-4006, 15-4402, 15-4403,

18-0303, 18-0304, 18-0305, 18-0307, 18-0512, 19-0509, 19-0510, 26-2209, 32-1203, 32-1204, 37-0602, 37-0603, 37-0606, 37-1513, 46-0101, 46-0102, 46-0201, 46-0203, 46-0210, 46-0211, 46-0212, 46-0214, 50-0607, 50-0614, 54-0606, 54-0608, 54-1001, 54-1002, 54-1003, 54-1004, 54-1101, 54-1102, 54-1103, 54-1207, 54-1401, 54-1402, 54-1505, 54-1506, 54-1508, 54-1509, 54-1608, 54-1609, 54-2119, 54-2306, 54-2330, 54-2331, 54-2333, 54-2334, 54-2335, 54-2336, 54-2337, 54-2338, 54-2340, 54-2614, 54-2703, 54-2704, 54-2705, 54-2706, 54-2707, 54-2709, 54-2711, 54-2714, 54-2715, 54-3016, 55-0104, 55-0107, 57-4508, and 61-0213 of the North Dakota Revised Code of 1943 and sections 6-01214, 15-3921, 15-4020, 15-4021, 18-0308, 18-0402, 18-0403, 18-0405, 18-0406, 18-0513, 19-0508, 20-1307, 20-1408, 24-0212, 24-0213, 24-0216, 24-0217, 24-0237, 24-0312, 24-0313, 24-0314, 36-2209, 37-1515, 39-0308, 44-0801, 46-0204, 46-0205, 46-0206, 46-0207, 46-0209, 46-0213, 54-1504, 54-1513, 54-1814, 54-2341, 54-2708, 54-27151, 57-27154 and 57-3724, of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the reorganization of certain departments and agencies of the state government, abolishing and consolidating certain departments; reorganizing fiscal, administrative, and purchasing procedures; transferring certain duties of the state auditor to a department of accounts and purchases; vesting the state auditor with the responsibility of conducting a true post audit; transferring authority to purchase for the various state departments and agencies from the board of administration to a department of accounts and purchases; and transferring certain tax collecting functions from the state treasurer to the state tax commissioner; and to repeal chapter 54-22 and sections 12-4907, 46-0103, 54-1005, 54-1006, 54-1007, 54-1008, 54-1009, 54-1011, 54-2115, 54-2116, 54-2332 and 65-0210 of the North Dakota Revised Code of 1943 and sections 6-0121, 54-1512, 54-1513, 54-1514, and 54-27152 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to state fiscal, administrative, and purchasing procedures, the director of state budget board, board of auditors, state purchasing agent, state printer and printing commission, and to provide for an effective date of July 1, 1960.

Senate Bill No. 48. A Bill for an Act to amend and reenact sections 19-0108, 25-0810, 25-0813, 25-0814, 25-0816, 25-0817, 25-0819, 25-0820, and 25-0821 of the North Dakota Revised Code of 1943, and sections 15-2102, 25-0811, 25-0815 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of a part of the functions of the state auditor to the department of accounts and purchases, and to repeal chapter 54-13 of the North Dakota Revised Code of 1943 and chapter 54-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state board of auditors.

Senate Bill No. 53. A Bill for an Act to amend and reenact subsection 1 of section 10-0403, subsection 3 of section 10-0405, and sections 10-0406, 10-0408, 10-0409, 10-0410, 10-0411, 10-0413, 10-0415 and 10-0418 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to create and enact sections 10-04081, 10-04082, and 10-04121 as a part of chapter 10-04 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the administration of the securities laws; the registration of securities for sale to the public and of dealers, salesmen, and investment counsels; fraudulent practices; and the penalty for violation of the securities laws.

Senate Bill No. 88. A Bill for an Act to amend and reenact Section 24-0220 and Section 48-0204 of the North Dakota Revised Code, as amended, relating to the bidding requirements for state highway department contracts and to the construction of public buildings, contents for advertising bids, and providing for bidder's bond.

Senate Bill No. 89. A Bill for an Act transferring certain moneys to the general fund of this state and making an appropriation to the state highway department from the general fund.

Senate Bill No. 108. A Bill for an Act to appropriate money for the creation and development of a children's psychiatric outpatient clinic to be administered by the state board of administration.

Senate Bill No. 194. A Bill for an Act to amend and reenact section 20-0328 and subsection 1 of section 20-0329 of the North Dakota Revised Code of 1943 relating to the transportation of game or fish by nonresidents and to provide for a limitation on the total number of certain game birds which may be taken during the year by nonresidents and providing a penalty.

Senate Bill No. 207. A Bill for an Act to amend and reenact subsection 5 of section 23-0603 and section 50-0734 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the obligation of counties in paying burial costs of persons receiving old age assistance.

Senate Bill No. 213. A Bill for an Act to amend and reenact section 4-0815 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the one mill levy for county agent work, providing that all counties may levy such one mill regardless of taxable valuation.

Senate Bill No. 275. A Bill for an Act to abolish the office of justice of the peace and to confer the jurisdiction of such office elsewhere, and to amend and reenact sections 27-0820, 27-0702, 33-0108, 40-1801, 29-0114, 29-0706, 11-1002, 11-1006, 58-0502, 58-0507, 40-1501, 40-1401, 40-1803, 40-1807, 40-1808, 40-1810, 40-1811, 40-1813, 40-1814, 40-1816, 40-1817, 40-1818, 40-1819, 33-0312, 33-1212, 33-0123, 40-1806, and 40-1805 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, relating to the jurisdiction and powers of police magistrate, county court, county court of increased jurisdiction, and creating a new chapter 27-18 of the North Dakota Revised Code of 1943, relating to the creation of the office of county justice and prescribing the compensation, jurisdiction and powers thereof, and providing for appeal, and amending and reenacting section 40-0708 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, providing for the office of police magistrate in villages, and eliminating the office of justice of the peace conformable to section 1 of this Act, and repealing sections 40-1802 and 11-1003 of the North Dakota Revised Code of 1943, and providing for an effective date.

Senate Bill No. 290. A Bill for an Act establishing a revolving fund for the purpose of making loans to non-profit corporations for the construction of nursing homes and homes for the aged, providing for the administration of such loan program, and making an appropriation.

Senate Bill No. 220. A Bill for an Act to provide that irregularities and defects occurring in proceedings taken under the provisions of chapter 40-22 of the North Dakota Revised Code of 1943, as amended, relating to improvements by the special assessment method will not invalidate such proceedings, if the proceedings are for a lawful purpose and are unaffected by fraud, and declaring an emergency.

"Buy Dakota Maid Flour"

Journal of the Senate



Thirty-sixth Legislative Assembly

FIRST DAY

Bismarck, January 6, 1959

At the hour of twelve o'clock noon of the sixth day of January 1959, according to the Constitution of the State of North Dakota, the Legislative Assembly of the State of North Dakota, the hold-over members and members elected to the Senate of the Thirty-sixth Legislative Assembly, assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, were called to order by Vic Gilbreath, Secretary of the Thirty-fifth Legislative Assembly of the State of North Dakota.

The following communications were received from the Secretary of State:

STATE OF NORTH DAKOTA
Department of State
January 6, 1959

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

Dear Sir:

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

Dist.	County	Name	Address
2.	Pt. Ward	Lester N. Lautenschlager	Berthold
4.	Pt. Walsh	Elton W. Ringsak	Grafton
5.	Pt. Grand Forks	Duane Mutch	Kempton
6.	Pt. Grand Forks	George Saumur	Grand Forks
8.	Trail	Jerome Nesvig	Buxton
10.	Pt. Cass	John E. Yunker	Durbin
12.	Pt. Richland	A. W. Luick	Fairmount
14.	Ransom	Donald C. Holand	Lisbon
16.	Griggs-Steele	Raymond Andre	Hope
18.	Cavalier	O. S. Johnson	Langdon
20.	Benson	Bronald Thompson	Oberon
22.	Towner	H. B. Baeverstad	Cando
24.	LaMoure	Clayton Paulson	Marion
26.	Emmons	Adam Gefreh	Linton
28.	Bottineau	Edwin C. Becker, Jr.	Willow City
30.	Morton	Charles L. Murphy	Mandan
32.	Eddy-Foster	C. W. Schrock	New Rockford

JOURNAL OF THE SENATE

Dist.	County	Name	Address
34.	McHenry	Isak Hystad	Velva
36.	McIntosh-Logan	Gail H. Hernett	Ashley
33.	Pt. Barnes	Selmer Gilbertson	Nome
40.	Burke-Divide	Rolland Redlin	Crosby
42.	Pierce	A. F. Gronvold	Rugby
44.	Mountrail	Clark Van Horn	Parshall
46.	McLean	Walter R. Fiedler	Ryder
48.	Mercer-Dunn-Oliver	Dan Kisse	Halliday

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 6th day of January, A. D., 1959.

BEN MEIER
Secretary of State for
North Dakota

STATE OF NORTH DAKOTA
Department of State
January 6, 1959

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

Dear Sir:

I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of the hold-over Senators, elected at the General Election in 1956, and duly qualified by the Thirty-fifth Legislative Assembly.

Dist.	County	Name	Address
1.	Pembina	Grant Trenbeath	Neché
3.	Pt. Walsh	Mrs. Harry O'Brien	Park River
7.	Pt. Grand Forks	George Longmire	Grand Forks
9.	Pt. Cass	Lee F. Brooks	Fargo
11.	Pt. Cass	Harry W. Wadson	Alice
13.	Sargent	G. A. Klefstad	Forman
15.	Pt. Barnes	P. L. Foss	Valley City
17.	Nelson	Alex Miller	Michigan
19.	Rolette	Philip Berube	Belcourt
21.	Ramsey	Ralph J. Erickstad	Devils Lake
23.	Stutsman	R. E. Meidinger	Jamestown
25.	Dickey	C. G. Kee	Ellendale
27.	Burleigh	Guy Larson	Bismarck
29.	Pt. Ward	Ernest C. Livingston	Minot
31.	Stark	Amos Freed	Dickinson
33.	Wells	Aloys Wartner, Jr.	Harvey
35.	Kidder-Sheridan	H. W. George	Steele
37.	Pt. Richland	Kenneth Morgan	Walcott
39.	Billings-Bowman-Golden Valley-Slope	Leland Roen	Bowman
41.	McKenzie	John O. Garaas	Watford City
43.	Renville	Raymond G. Vendsel	Carpio
45.	Williams	Frank A. Wenstrom	Williston
47.	Grant-Sioux	Fred Krause, Jr.	Carson
49.	Adams-Hettinger	Lloyd M. Erickson	Hettinger

In Witness Whereof, I have hereunto set my hand and

affixed the Great Seal of the State of North Dakota, this 6th day of January, A. D., 1959.

BEN MEIER
Secretary of State for
North Dakota

Senator Holand moved that a committee of three be appointed by the Secretary to escort the Lieutenant Governor to the rostrum to be sworn in as President of the Senate, which motion prevailed.

The secretary appointed as such committee Senators Erickstad, Baeverstad, and Meidinger.

Senator Holand moved that the Secretary appoint a committee of three to escort Chief Justice P. O. Sathre of the Supreme Court of the State of North Dakota to the rostrum for the purpose of administering the oath of office to the Lieutenant Governor and the newly elected members of the Senate of the State of North Dakota, which motion prevailed.

The secretary appointed as such committee Senators Holand, Johnson and Longmire.

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

Chief Justice Sathre then administered the oath of office to twenty-four of the newly elected Senators, Senator Andre being absent.

Prayers by Chaplain A. E. Smith, St. George's Episcopal, Bismarck.

ROLL CALL

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

Present:

Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent:

Andre Miller

Senator Larson moved that Vic Gilbreath of Burleigh County be elected Secretary of the Senate.

ROLL CALL

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

Those voting in the affirmative were:

Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Andre	Miller
-------	--------

Vic Gilbreath was declared elected as Secretary of the Senate.

The Lt. Gov. then administered the oath of office to the Secretary of the Senate elect.

The Lt. Gov. then administered the oath of office to Senator Andre, who was absent at the time of the administering of the oaths of office by the Chief Justice.

Senator Erickstad moved that Dagny Olson of Ramsey County be elected as Desk Reporter.

ROLL CALL

The question being on the selection of Dagny Olson as Desk Reporter of the Senate, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Miller

Dagny Olson was declared elected as Desk Reporter.

The Lt. Gov. then administered the oath of office to the Desk Reporter-elect.

Senator Baeverstad moved that Oswald Kruisk of

Towner County, North Dakota be elected Sergeant-at-Arms of the Senate.

ROLL CALL

The question being on the selection of Oswald Kruisk as Sergeant-at-arms of the Senate, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luck	Vendsel
George	Meidinger	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Miller

Oswald Kruisk was declared elected as Sergeant-at-arms.

The Lt. Gov. then administered the oath of office to the Sergeant-at-arms elect.

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

The president appointed as such committee Senators Hernett, Yunker and Gronvold.

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

The president appointed as such committee Senators O'Brien, Krause, and Klefstad.

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

The Senate reconvened pursuant to recess taken at the call of the Chair.

MESSAGE FROM THE HOUSE

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

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

Senator Holand moved that the Rules of the Senate of the Thirty-fifth Legislative Assembly be adopted as the

temporary rules of the Senate of the Thirty-sixth Legislative Assembly, after the adoption of the proposed amendments to said rules, which amendments will be read from the desk.

The amendments to Senate Rule 39 were read from the desk as follows:

PROPOSED AMENDMENT TO SENATE RULE 39

- 1 SECTION 1. AMENDMENT.) Senate Rule 39 is
 1a hereby
 2 amended to read as follows:
 3 39. STANDING COMMITTEES
 4 The Senate shall elect a Committee on Committees to
 5 consist of seven members of which the President of
 5a the Senate
 6 shall be the Chairman, and which committee shall
 6a appoint the
 7 following standing committees classified in accordance
 7a with the
 8 usual amount of work and concerned with matters in
 8a the field
 9 as indicated:
 10 1. Agriculture, thirteen members.
 11 Agriculture; Livestock; Drainage and Irriga-
 11a tion;
 12 Warehouse and Grain Grading.
 13 2. Appropriations, seventeen members.
 14 All bills calling for appropriations in excess of
 15 two hundred dollars.
 16 3. Education, thirteen members.
 17 Public Schools, Libraries and Institutions of
 17a Higher
 18 Learning.
 19 4. Finance and Taxation, thirteen members.
 20 Public Debt; Taxes and Tax Laws.
 21 5. Judiciary, thirteen members.
 22 Elections and Election Privileges; Judiciary.
 23 6. State and Federal Government, thirteen
 23a members.
 24 State and Federal Affairs; Board of Ad-
 24a ministration
 25 and Industrial Commission and institutions
 25a under their
 26 supervision; State Historical Society and
 26a State Parks;
 27 Immigration and Statistics.
 28 (((7. General Affairs, eleven members.
 29 Ways and Means; Public Printing; Trades
 29a and Pro-
 30 fessions; Sports and Amusements; Matters not
 31 otherwise specified.
 32 8.))) 7. Industry, (((and))) Business and
 32a Labor, (((eleven)))
 33 thirteen members.
 34 Banks and Banking; Corporations;
 34a Insurance;
 35 Matters pertaining to private business
 35a and Industry;
 36 Workmen's Compensation; Unemploy-
 36a ment Compensa-
 37 tion; Labor Laws and kindred subjects.

- 38 ((9. Labor Relations, Eleven members.
 39 Workmen's Compensation; Unemploy-
 39a ment
 40 Compensation; Labor Laws and kind-
 40a dred
 41 subjects.
 42 10.)) 8. Natural Resources, eleven members.
 43 Game and Fish; Public Lands; Mines
 43a and Mining;
 44 Gas and Oil; Forestry.
 45 ((11.)) 9. Political Subdivisions, eleven mem-
 45a bers.
 46 Cities and Villages; Counties; Town-
 46a ships; Park
 47 Districts; Apportionment.
 48 ((12.)) 10. Social Welfare and Veterans Affairs,
 48a eleven
 49 members.
 50 Public Welfare; Public Health; Public
 50a Safety; Temper-
 51 ance; Matters affecting the Military
 51a and Veterans.
 52 ((13.)) 11. Transportation, ((eleven)) thirteen
 52a members.
 53 Highways and Bridges; Railroads;
 53a Motor Vehicles;
 54 Airlines and Airports.
 55 ((14. Veterans and Military Affairs, eleven
 55a members.))
 56 (PROCEDURAL COMMITTEES)
 57 ((15.)) 12. Delayed Bills, to consist of five mem-
 57a bers.
 58 ((16.)) 13. Employment, to consist of six members.
 59 ((17.)) 14. Enrolled and Engrossed Bills, to con-
 59a sist of five
 60 members.
 61 ((18.)) 15. Mileage and Per Diem, to consist of
 61a three
 62 members.
 63 ((19.)) 16. Revision and Correction of Journal,
 63a to consist of
 64 three members.
 65 ((20.)) 17. Rules, to consist of nine members.
 66 18. Legislative Research Resolution Com-
 66a mittee, to
 67 consist of five members, no one of
 67a which is a
 68 member of the Legislative Research
 68a Committee.
 69 In all cases a majority of the Committee shall consist
 70 of a quorum. The Committee Chairman or such person
 70a who
 71 is duly appointed to act as Chairman shall insure that
 71a minutes
 72 of each Committee meeting be kept. Such minutes
 72a shall in-
 73 clude the names of all Committee members present; the
 74 bills or resolutions discussed by number, and a short
 75 phrase explaining what such bill or resolution relates
 75a to;

76 the names of all persons and their addresses who appear
 77 in relation to any certain bill or resolution. The minutes
 78 shall also include a record of recommended amend-
 78a ments
 79 to bills and resolutions, and the total aye and nay
 79a vote of
 80 the Committee on all bills and resolutions referred out
 81 of the Committee. Upon adjournment of the Legislative
 82 Session the minutes of all Committee meetings shall be
 83 delivered to the Legislative Research Committee and re-
 84 tained by such Committee for a period of thirty days
 85 following such adjournment.

The amendments to Senate Rule 40 were read from the desk as follows:

PROPOSED AMENDMENT TO SENATE RULE 40

1 SECTION 1. AMENDMENT.) Senate Rule 40 is
 1a hereby
 2 amended to read as follows:
 3 40. LIMITATIONS ON COMMITTEE MEMBERSHIP
 4 ((No member shall serve on more than two commit-
 4a tees number-
 5 ed from 1 to 6 inclusive. No member shall be appointed
 5a to
 6 serve on more than five standing committees other than
 7 Procedural.))) Each member shall serve on three
 7a standing
 8 committees, except that the Majority floor leader shall
 8a not
 9 serve on any standing committees and the Minority
 9a floor lead-
 10 er shall only serve on two standing committees. The
 10a Majority
 11 and Minority floor leaders shall be permitted to par-
 11a ticipate
 12 in all standing committees but shall not be permitted to
 13 vote therein unless they are duly appointed members
 13a of said
 14 committee.

The amendments to Rule 41 were read from the desk as follows:

PROPOSED AMENDMENT TO SENATE RULE 41

1 SECTION 1. AMENDMENT.) Senate Rule 41 is here-
 1a by
 2 amended to read as follows:
 3 41. MEETINGS OF COMMITTEES
 4 (((Four week days shall be reserved for meetings of
 5 Committees numbered from 1 to 7 inclusive, and two
 5a week days
 6 for Committees numbered from 8 to 14 inclusive. All
 6a other
 7 Committees shall meet as necessity may require.)))
 7a The
 8 Committee on Appropriations shall meet evenings. The
 9 Committees on Education, Finance and Taxation, and
 9a State
 10 and Federal Government shall meet on Monday and
 10a Tuesday of
 11 each week from 9:00 o'clock a.m. to 12:00 o'clock noon.
 11a The

- 12 Committees on Agriculture, Judiciary, and Industry,
 12a Business
 13 and Labor shall meet on Wednesday and Thursday of
 13a each week
 14 from 9:00 o'clock a.m. to 12:00 o'clock noon. The Com-
 14a mittees
 15 on Political Subdivisions, Natural Resources, Social
 15a Welfare and
 16 Veterans Affairs, and Transportation shall meet on
 16a Friday of
 17 each week from 9:00 o'clock a.m. to 12:00 o'clock noon.
 17a Any
 18 Committee may schedule Saturday morning meetings.

The amendments to Rule 71 were read from the desk as follows:

PROPOSED AMENDMENT TO SENATE RULE 71

- 1 SECTION 1. AMENDMENT.) Senate Rule 71
 2 is hereby amended to read as follows:
 3 71. COURTESY OF THE FLOOR
 4 No person shall be admitted to the floor of the Senate
 5 except (((State Officers; Judges of the Supreme and
 5a District
 6 Courts; present and former members of Congress; pres-
 6a ent and
 7 former members of the Legislative Assembly; members
 7a of the
 8 Constitutional Convention; reporters for newspapers,
 8a and any
 9 other person granted admission by the Senate.)))
 9a members of
 10 the Legislative Assembly, former members of the
 10a Legislative
 11 Assembly except those serving as lobbyists, Governor,
 11a former
 12 and present members of Congress, and only those legis-
 12a lative
 13 employees and members of the press that in the dis-
 13a cretion of
 14 the presiding officer are required to be on the floor,
 14a all of
 15 whom shall be issued a permanent pass signed by the
 15a pre-
 16 siding officer which will entitle them to the courtesy
 16a of the
 17 floor. All other persons to be entitled the courtesy of
 17a the
 18 floor shall be issued a temporary pass which will be
 18a signed
 19 and dated by the presiding officer and will entitle that
 19a person
 20 admission to the floor only on the date specified on the
 21 temporary pass. All persons possessing temporary
 21a passes,
 22 except wives or husbands and children of members of
 22a the
 23 Legislative Assembly and any special guest of a legis-
 23a lator who
 24 has received permission from the President of the
 24a Senate,
 25 shall not be permitted the courtesy of the floor of the

25a Senate
 26 Chamber for a period beginning fifteen minutes prior
 26a to the
 27 convening of the Senate and ending at the time of
 27a recess or
 28 adjournment of the Senate. The floor of the Senate is
 28a hereby
 29 defined as all of the first floor of the Senate Chamber
 29a in-
 30 cluding the corridor along the outer wall thereof.

Senator Holand moved that the proposed amendments to Senate Rule 39 be adopted, which motion prevailed.

Senator Holand moved that the proposed amendments to Senate Rule 40 be adopted, which motion prevailed.

Senator Holand moved that the proposed amendments to Senate Rule 41 be adopted, which motion prevailed.

Senator Holand moved that the proposed amendments to Senate Rule 71 be adopted, which motion prevailed.

Senator Brooks moved that the Rules of the Thirty-fifth Legislative Assembly, as amended, be adopted as the temporary Rules of the Thirty-sixth Legislative Assembly, which motion prevailed.

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

The President appointed as such committee Senators Foss, O'Brien, Baeverstad, Hernett, Fiedler, and Holand.

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

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

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

The President appointed as such committee Senators Larson, Vendsel and Longmire.

Senator Livingston moved that the President appoint a committee of two to serve as a committee on arrangements for chaplains.

ROLL CALL

The question being on the appointment of a committee to arrange for chaplain service, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath

Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:
Klefstad Miller

So the motion was declared carried.

The President appointed as such committee Senators Livingston and Saumur.

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

The President appointed as such committee Senators Wartner, Garaas and Mutch.

Senator Wadeson moved that the President appoint a committee of six to serve as a committee on employment during the session.

ROLL CALL

The question being on the appointment of an employment committee consisting of six members, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:
Miller

So the motion was declared carried.

The President appointed as such committee Senators Wadeson, Erickstad, Becker, Klefstad, Murphy and Berube.

Senator O'Brien moved that a committee of three be appointed by the President to confer with the Board of Administration relative to making arrangements for necessary stationery and supplies for the Thirty-sixth Session of the Senate.

ROLL CALL

The question being on the appointment of a committee of three to confer with the Board of Administration relative

to stationery and supplies, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Miller

So the motion was declared carried.

The President appointed as such committee Senators O'Brien, Hernett and Gilbertson.

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

The President announced that the appointment of such committee would be made after the committee on committees have met.

Senator Gronvold moved that the President appoint a committee of three to act as a committee to arrange for telephone service for the Senate.

ROLL CALL

The question being on the appointment of a committee to arrange for telephone service, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Miller

So the motion was declared carried.

The President appointed as such committee Senators Gronvold, Brooks and Schrock.

Senator Krause moved that the President appoint a committee of three to serve on the committee on mileage and per diem.

ROLL CALL

The question being on the appointment of a committee on mileage and per diem, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Miller

So the motion was declared carried.

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

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

ROLL CALL

The question being on authorizing the committee on committee rooms to contract for a room for the Appropriations Committee at the Quain & Ramstad Clinic Building, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson

Gilbertson
Gronvold
Hernett

Morgan
Murphy
Mutch

Wartner
Wenstrom
Yunker

Absent and not voting:

Miller

So the motion was declared carried.

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

The Senate reconvened pursuant to recess taken, the President presiding.

Senator Luick: Mr. President, it is with a great deal of pleasure that I have the opportunity to place in nomination a name for President Pro Tem. This man is the second in length of service of any man in the Senate. He has served in the Senate since 1945. The group here has thought well of this man and think at this time he should be honored with the position of President Pro Tem. At this time I take great pleasure in placing in nomination for President Pro Tem of the Senate, the name of Senator Amos Freed.

Senator O'Brien: I too would like to place the name of a member of the Senate as a candidate for the office of President Pro Tem. I should like to recommend Senator Schrock of Eddy-Foster Counties, who has served in this body for eight years and has shown outstanding ability on the floor and in his committee work, and we all know him as a devoted worker and a well informed member of the Senate. It gives me great pleasure to present the name of Senator Schrock as a candidate for President Pro Tem.

Senator Vendsel: It is an honor and pleasure for me to second the nomination of Senator Schrock as a candidate for President Pro Tem of this body. He has served his district and the state well. We all know his fair sense of justice and ability to get things done. I truly believe that this body will set a precedent of electing a member of the minority to serve as President Pro Tem of this Senate Body.

Senator Baeverstad: I would like to second the nomination of Senator Amos Freed as President Pro Tem of the Senate. I can remember last session when Mr. Luick and I took after the Senator from Dickinson; we had all his livestock friends from there who were in the business of hauling cattle in here supporting him in his efforts to kill our transportation bill. We had a real tough battle— and we know Amos Freed will make a splendid officer as President Pro Tem.

Senator Brooks moved that nominations be closed, which motion prevailed.

ROLL CALL

The question being on the election of President Pro Tem, the roll was called and there were voting for Schrock, 18; for Freed, 30; absent and not voting, 1.

Those voting for Schrock were:

Andre
Berube

Hystad
Johnson

Paulson
Redlin

Fiedler	Lautenschlager	Thompson
Freed	Murphy	Van Horn
Garaas	Nesvig	Vendsel
Gilbertson	O'Brien	Yunker

Those voting for Freed were:

Baeverstad	Holand	Morgan
Becker	Kee	Mutch
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Foss	Larson	Schrock
Gefreh	Livingston	Trenbeath
George	Longmire	Wadeson
Gronvold	Luick	Wartner
Hernett	Meidinger	Wenstrom

Absent and not voting:

Miller

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

The Lieutenant Governor then administered the oath of office to Senator Freed as President Pro Tem of the Senate.

Senator Freed was presented to the Senate and invited to address the Senate.

Senator Freed:

Mr. President and Members of the Senate. I feel highly honored by your vote of confidence which elected me President Pro Tem. I want to thank you all from the bottom of my heart. It is indeed a high honor—it is the highest honor that has ever been bestowed upon me during my whole life. It makes me feel very grateful and proud. As I look back when I was 12 years old that it would ever be possible that some day I would serve in the North Dakota Senate. I was the son of one of the poorest families in Dickinson. My father was a common laborer. Most of the winter months he could not find employment. I didn't have a bicycle like most youngsters have today, but I had a wagon that I pulled around the railroad yards in Dickinson, up and down the track, looking for kindling wood and coal to haul home to keep the home fire burning. There was no welfare board, no poor relief, no poor aid of any kind, those days. However, I grew up with the rest of the boys. I knew I had one responsibility and that was to keep the home supplied with wood and coal, especially during the winter months. And 47 years later I am elected President Pro Tem of the North Dakota Senate. That is why I am grateful—not only that I am elected President Pro Tem—but I also am grateful that I am living in America where a son of a common laborer may become Senator and have the opportunity to assist and serve in our Democratic way of life.

All my life I tried my best to do what is right. I have stood with men, and against men. I did not fight men. I fought for or against principle. No matter which side was most popular, but which was right. I shall continue to discharge my duties accordingly. I am not an educated man. I had to quit school after I passed the sixth grade. But I have heard it said, and I quote, "It is a thousand times better to have common sense without education than

to have education without common sense." Now, I take education seriously. I think it is very important, so is common sense very important, and prayer. If we believe in those three I am sure our country will survive. I thank you very kindly.

Senator Longmire moved that the remarks of Senator Freed be printed in the journal, which motion prevailed.

Mr. President: At this time I would like to advise that I have a communication from the Secretary of State in regard to an election contest in the Second District, and in which communication are enclosed Notice of Contest by Glenn R. Dolan of the Second District of Ward County, North Dakota, and answer to said notice by Lester N. Lautenschlager, and several depositions.

**FIRST READING OF SENATE RESOLUTION
SENATE RESOLUTION NO. 1**

Introduced by Senator Holand

A resolution relating to the election contest in the Second Legislative District.

1 WHEREAS, Glenn R. Dolan of that part of Ward
1a County

2 constituting the Second Legislative District has filed
3 with the Secretary of State a notice of contest of
3a election

4 of Lester N. Lautenschlager of the Second Legislative
5 District; and

6 WHEREAS, such notice of contest of election has
6a been

7 forwarded to the Senate; and

8 WHEREAS, the charges contained in said notice of
9 contest should be investigated by the Senate;

10 NOW, THEREFORE, BE IT RESOLVED BY THE
11 SENATE OF THE THIRTY-SIXTH LEGISLATIVE
12 ASSEMBLY:

13 That the President of the Senate appoint a special
14 Senate Election Committee of five members for the
15 purpose of conducting an investigation into the charges
16 contained in the said notice of contest of election by
17 the said Glenn R. Dolan;

18 BE IT FURTHER RESOLVED that such committee
19 shall have all power and authority necessary to
20 investigate the charges contained in such notice of
21 contest, which shall specifically include the following
22 powers and authority:

- 23 1. Authority to subpoena witnesses;
- 24 2. Subpoena public and private records;
- 25 3. To administer oaths or affirmations to all
26 witnesses;
- 27 4. To apply to the Senate for the punishment of any
28 witnesses for contempt or for any disobedience
29 of a subpoena, a refusal to be sworn, or to
30 answer as a witness;
- 31 5. To reduce the testimony to writing as the
32 committee deems it advisable;
- 33 6. To conduct such hearing at such place or places
34 as the committee may deem necessary or
35 convenient;
- 36 7. That the committee be authorized to employ such
37 personnel or other assistance as they may deem
38 necessary;

39 BE IT FURTHER RESOLVED that the expenses of
 40 such investigation as are authorized by the committee
 40a be
 41 paid from legislative funds, including subpoena fees
 42 and the mileage and fees of subpoenaed witnesses at
 42a the
 43 rates provided for witnesses of the district courts.

Senator Holand moved the adoption of Senate Resolution No. 1.

Senator Vendsel made the substitute motion that Lester N. Lautenschlager, the elected Senator from the Second District of Ward County, be seated as a bona fide member of this body without prejudice.

ROLL CALL

The question being on the substitute motion of Senator Vendsel, the roll was called and there were ayes, 18; nays, 30; absent and not voting, 1

Those voting in the affirmative were:

Andre	Johnson	Redlin
Berube	Lautenschlager	Schrock
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	O'Brien	Vendsel
Hystad	Paulson	Yunker

Those voting in the negative were:

Baeverstad	Hernett	Meidinger
Becker	Holand	Morgan
Brooks	Kee	Mutch
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Roen
Foss	Krause	Saumur
Freed	Larson	Trenbeath
Gefreh	Livingston	Wadeson
George	Longmire	Wartner
Gronvold	Luick	Wenstrom

Absent and not voting:
 Miller

So the motion was declared lost.

Senator Vendsel rose to a point of inquiry and asked whether or not that motion required a two-thirds vote. The President of the Senate informed him that it did not require a two-thirds vote.

The question being on the motion of Senator Holand that Senate Resolution No. 1 be adopted, which motion prevailed.

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

ROLL CALL

The question being on the motion of Senator Holand to adopt Senate Resolution No. 1, the roll was called and there were ayes, 30; nays, 18; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hernett	Meidinger
Becker	Holand	Morgan
Brooks	Kee	Mutch
Erickson	Kisse	Ringsak

Erickstad	Klefstad	Roen
Foss	Krause	Saumur
Freed	Larson	Trenbeath
Gefreh	Livingston	Wadeson
George	Longmire	Wartner
Gronvold	Luick	Wenstrom

Those voting in the negative were:

Andre	Johnson	Redlin
Berube	Lautenschlager	Schrock
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	O'Brien	Vendsel
Hystad	Paulson	Yunker

Absent and not voting:

Miller

So the resolution was declared adopted.

The President appointed as such Senate Election Committee Senators Wartner, Longmire, Garaas, Johnson and Kee, and Senator Wartner announced that the committee would meet immediately after the close of the session today.

Senator Holand moved that the Senate recess until 1:00 P.M., January 7, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 7, 1959

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

REPORTS OF STANDING COMMITTEES

Senator Wadeson: The Employment Committee recommends the following employees:

Arthur A. Herk, Fingal.....	Asst. Secretary of Senate
Mrs. Genevieve Thompson, Bismarck.....	Calendar Clerk
Kenneth Johnson, Minot.....	Supervisor of Personnel
Mrs. Marjorie E. Daner, Bismarck.....	Bill Clerk
Miss Della Erickson, Bismarck.....	Sec. to the President
Mrs. Theodore Quanrud, Bismarck.....	Chief Stenographer
Mrs. Agnes Ellwein, Bismarck.....	Stenographer
Mrs. Margaret Hofacre, Bismarck.....	Stenographer
Lois Scherr, Bismarck.....	Stenographer
Blanche Bailey, Bismarck.....	Stenographer
Dorothy Dick, Bismarck.....	Stenographer
Janet Reager, Bismarck.....	Steno.-Committee Clerk
Constance Hamers, Bismarck.....	Stenographer
Bernice Wolf, Bismarck.....	Steno.-Committee Clerk
Phil Schaeffer, Dickinson.....	Bill Room Clerk
Martin Kilwein, Dickinson.....	Bill Room Clerk
Iver Kval, Lisbon.....	Parking Lot Attendant
Effie Hamry, Bismarck.....	Postmistress
Edna Jones, Bismarck.....	Asst. Postmistress and Telephone Attendant
Mrs. Walter Moore, Mandan.....	Enroll. and Engross, Clerk
Mrs. Frank Kosanda, Bismarck.....	Enroll. and Engross. Clerk
Ole Sletton, Williston.....	Messenger and Bill Book Clerk
Mrs. John Dalton, Bismarck.....	Attendant, Public Information Desk
Anna Marie Ray, Bismarck.....	Proofreader for Journal and Bill Book Clerk
Robert Ellsworth, Eckman.....	Proofreader for Journal and Bill Book Clerk
Ronald O. Johnson, Pembina.....	Page and Bill Book Clerk
William Campbell, Fairmount.....	Page and Bill Book Clerk
Martena Ganje, Devils Lake.....	Page and Bill Book Clerk
Beverly Selby, Bismarck.....	Page and Bill Book Clerk
E. W. Willoughby, Grace City.....	Cloakroom Attendant
Elmer M. Sundlie, Forman.....	Chief of Chart Room
E. L. Christianson, Jamestown.....	Chart Room

Jake Albrecht, Steele.....	Mail Room Clerk
Ed Huenink, Haynes.....	Mail Room and Bill Book Clerk
George Anderson, Wing.....	Mail Room and Bill Book Clerk
Claudia McCullough, Bismarck.....	Mail Room and Bill Book Clerk
Hans Johnson, Werner.....	Mail Room and Bill Book Clerk
Sven Haugsjaa, Pekin.....	Mail Room and Bill Book Clerk
Jacob Hoffart, Rugby.....	Mail Room and Bill Room Clerk
Eric Norberg, Minot.....	Mail Room and Bill Book Clerk
Bill Besant, Grand Forks.....	Mail Room and Bill Book Clerk
Mrs. Adam Heidt, Mandan.....	Committee Clerk
Marlis Hedner, Bismarck.....	Committee Clerk
Fred Shipman, Watford City.....	Doorkeeper
Dave Witteman, Mohall.....	Doorkeeper
Frank Seavert, Forman.....	Supply Room Attendant
Mrs. Victoria Stucke, Bismarck.....	Bill Book Clerk
Mrs. L. G. Fowler, Bismarck.....	Bill Book Clerk
Emil Schlaht, Mercer.....	Doorkeeper
Edward Leonard, Dunseith.....	Doorkeeper
Arvid Kjos, Wyndmere.....	Doorkeeper
Bob Aune, Bismarck.....	Bill Book Clerk

Senator Wadeson moved that the above named persons be employed.

Senator Holand moved that the report of the Committee on Employment be amended as follows:

1. delete the name of Kenneth Johnson as supervisor of personnel.
2. that the name of Oscar Anstrom be substituted for Emil Schlaht as doorkeeper.
3. that the designation for Edward Leonard be changed from doorkeeper to assistant sergeant-at-arms.
4. that the name of Julie Stromberg be added to the list of bill book clerks.
5. that the name of E. O. Hougen be substituted for Ole Sletton as messenger and bill book clerk.

Which motion prevailed.

Senator Holand moved that the report of the Committee on Employment be adopted, as amended.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom

Hernett
Holand

Mutch

Yunker

Absent and not voting:

Gilbertson

Miller

Roen

So the report was declared adopted.

The Lt. Gov. then administered the oath of office to all of the above named employees except Anna Marie Ray, Martena Ganje, Jacob Hoffart, Eric Norberg, Marlis Hedner, Fred Shipman, Edward Leonard, Arvid Kjos, and Bob Aune.

MOTIONS

Senator Longmire moved that the President appoint a committee of two to escort former Senator Rue to the rostrum, which motion prevailed.

The President appointed as such committee Senators Longmire and Vensel, and former Senator Rue was escorted to the rostrum and invited to address the Senate.

Mr. Rue: Mr. President, Members of the Senate. I guess C. P. knows I am not long winded in my remarks. I just want to say that I am happy to be here in the Senate chambers today meeting with you. A good many of you I know real well and I see we have a lot of new faces, and I know you will enjoy your work here in the Senate. I served in the House one term and eight terms in the Senate so I had 18 years in the legislative chambers of North Dakota and I can't think of a more pleasant experience in my life. After you retire from this body you always remember the fine people you met in the legislative halls of North Dakota and the people that come from throughout the state in behalf of various legislative bills, and I always feel with pride for any amount of work done in politics that I have been paid a thousand-fold over by the fine association with the great people we have in North Dakota. I know at this session and it has been at every session, and it will be at every session in the future, that people want money for the various departments of state government. You have so much money to allow and your requests will far exceed your amount to pay. That is one of the great difficult tasks the legislative body has, and always will have to confront with, but I am sure with the fine men and women here that the citizens of North Dakota will have their destiny or fate in good hands with the members of the legislative body that we have. I know you will do a good job and it is a pleasure to be here with you. Thank you, very much.

Senator Meidinger moved that the remarks of Senator Rue be printed in the journal, which motion prevailed.

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

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

VIC GILBREATH, Secretary.

SECOND DAY

Bismarck, January 7, 1959

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

Prayer by Chaplain Magnus P. Lutness, Trinity Lutheran, Bismarck.

Roll call: All Senators present except Senator Miller.

The President declared a quorum present.

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

Page 3, line 25, strike out the name "Grimson" and insert in lieu thereof the name "Sathre".

Page 14, line 49, correct the spelling of the word "will".

Page 15, line 54, strike out the word "principal" and insert in lieu thereof the word "principle".

Page 16, line 8, correct the spelling of the word "journal". And when so corrected that the same be approved.

C. G. KEE, Chairman.

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

REPORT OF SELECT COMMITTEE

Mr. President: Your Committee on Senate Committee Rooms submits the following:

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

GUY LARSON, Chairman.

Senator Larson moved that line "Appropriations — Quain Ramstad Clinic" be deleted from said report, which motion prevailed.

Senator Larson moved that the report of the Committee on Senate Committee Rooms be adopted, as amended, which motion prevailed.

MESSAGE FROM THE HOUSE

A committee from the House reported that the House was ready to receive the Senate in joint session.

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

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

Senator Holand moved that the Senate recess until 1:00 p.m., January 8, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

SECOND DAY AFTER RECESS AND THIRD DAY

Bismarck, January 8, 1959

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

The President administered the oath of office to the following employees:

Anna Marie Ray
Martena Ganje
Jacob Hoffart
Eric Norberg
Fred Shipman
Edward Leonard
Arvid Kjos
Bob Aune

Senator Meidinger: Mr. President, I rise to a point of personal privilege.

Mr. President: State your point, Senator.

Senator Meidinger:

In view of quite certain defeat I have reluctantly decided not to introduce the bill to sell the State Mill and Elevator.

Many of my friends have been put under severe pressure by some of their constituents not to vote for this bill even though they do not believe the state should be in business.

I still believe that by all accepted standards of good management or approved practices of accounting, this venture in socialism ranks as a financial failure in the past as well as the present and probably in the future. It is difficult for the Mill and Elevator to prosper in the areas for which it was designed due to changing times. Adequate programs of research and advertising will probably never be the institution's good fortune under state ownership.

If we are to bring about the economic development in North Dakota, which we all so desperately desire, then we must all help to sweep aside those state enterprises which hinder our development. If we are to take care of the people who are constantly leaving the land we must encourage those who are trying to create job opportunities in our North Dakota cities.

This is only one of the first chapters of this agonizing reappraisal.

I want the members of this body to know that I have been sincere in this proposal and have had no ulterior motives.

I have not been prompted by any group or association to bring about any of these activities.

I have no personal interest in any business which may be competitive with the State Mill and Elevator.

Senator Trenbeath moved that the remarks of Senator Meidinger be printed in the journal, which motion prevailed.

REPORT ON STANDING COMMITTEE

Mr. President, your Committee on Employment recommends the employment of the following employees:

Peter Silbernagel, Linton.....	Doorkeeper
Edwin Fischer, Streeter.....	Bill Room Clerk
Marjorie Torkelson, Bismarck.....	Assistant to the Public Information Attendant

Albert Homelvig, Amidon, to replace

Eric Norberg of Minot.....Mailing Room Attendant

Also that Edna Jones who was employed yesterday as Assistant Postmistress and Telephone Attendant be employed as Bill Book Clerk, and that Mrs. L. G. Fowler who was employed yesterday as Bill Book Clerk be employed as Assistant Postmistress and Telephone Attendant.

Senator Wadeson moved that the report be adopted.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Morgan	Vendsel
Gilbertson	Murphy	Wadeson
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker

Absent and not voting:

Berube	Kee	Miller
Garaas	Longmire	Wartner
Johnson		

So the motion was declared carried.

The Lt. Gov. then administered the oath of office to Peter Silbernagel, Edwin Fisher, Marjorie Torkelson and Albert Homelvig.

The President appointed as a temporary committee on Rules Senators Holand, Vendsel, Wartner, Johnson, Brooks, O'Brien, Freed, Meidinger and Morgan.

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

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

VIC GILBREATH, Secretary.

THIRD DAY

Bismarck, January 8, 1959

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

Prayer by Chaplain A. E. Smith, St. George's Episcopal, Bismarck.

Roll call: All Senators present except Senators Garaas, Johnson, Kee, Longmire, Miller and Wartner.

The President declared a quorum present.

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

Page 20, line 35, strike out the name "Haugen" and insert in lieu thereof the name "Hougen".

Page 21, line 10, strike out the name "Dave Witteman".

C. G. KEE, Chairman.

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

COMMUNICATIONS

A communication was presented from Congressman Short.

Senator Erickson moved that the communication from Congressman Short in the form of a telegram be printed in the journal, which motion prevailed.

January 8, 1959

Washington, D. C.

Honorable C. P. Dahl

North Dakota State Senate Thirty-sixth Legislative Assembly, State Capitol Building, Bismarck, North Dakota.

Greetings to yourself and the members of the North Dakota State Senate. Best wishes for a successful session.

DON L. SHORT, Member of Congress.

REPORT OF SELECT COMMITTEE

Senator Larson requested that a copy of a letter dated August 25, 1958, addressed to Mr. Spencer S. Boise, Business Manager of the Quain & Ramstad Clinic, be read from the desk, which request was granted.

Senator Larson moved that the Committee on Committee Rooms be authorized to contract with Quain & Ramstad Clinic for the use of a meeting room for the Senate Appropriations Committee at a monthly rental of \$250.00, plus an additional monthly payment of \$100.00 for custodian.

ROLL CALL

The question being on the motion of Senator Larson that the Senate approve the expenditure for a meeting room

for the Appropriations Committee, the roll was called and there were ayes, 42, nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hernett	O'Brien
Baeverstad	Hystad	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Luick	Trenbeath
Freed	Meidinger	Van Horn
Gefreh	Morgan	Vendsel
George	Murphy	Wadeson
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker

Absent and not voting:

Garaas	Kee	Miller
Holand	Longmire	Wartner
Johnson		

So the motion was declared carried.

Senator Holand moved that the Senate recess until 1:30 P.M., January 9, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

THIRD DAY AFTER RECESS AND FOURTH DAY

Bismarck, January 9, 1959

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

REPORT OF STANDING COMMITTEES

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

Myrtle Steen.....Appropriations Committee Clerk

Senator Wadeson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Wadeson that the report of the Committee on Employment be adopted, the roll was called and there were ayes, 43; nays, 0; absent and not voting 6.

Those voting in the affirmative were:

Andre	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Murphy	Wartner
Hernett	Nesvig	Wenstrom
Holand	O'Brien	Yunker
Hystad		

Absent and not voting:

Baeverstad	Freed	Morgan
Erickson	Klefstad	Mutch

So the motion was declared carried.

The President then administered the oath of office to Myrtle Steen and Ed Leonard.

REPORT OF STANDING COMMITTEE

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

Dist. No.	Mileage
1 Grant Trenbeath.....	730

Dist. No.	Mileage
2 Lester N. Lautenschlager.....	274
3 Mrs. Harry O'Brien.....	623
4 Elton W. Ringsak.....	640
5 Duane Mutch.....	548
6 George Saumur.....	570
7 George Longmire.....	560
8 Jerome Nesvig.....	536
9 Lee F. Brooks.....	400
10 John E. Yunker.....	375
11 Harry W. Wadeson.....	392
12 A. W. Luick.....	530
13 G. A. Klefstad.....	440
14 Donald C. Holand.....	374
15 P. L. Foss.....	280
16 Raymond Andre.....	280
17 Alex Miller.....	504
18 O. S. Johnson.....	540
19 Philip Berube.....	510
20 Bronald Thompson.....	340
21 Ralph J. Erickstad.....	380
22 H. B. Baeverstad.....	420
23 R. E. Meidinger.....	204
24 Clayton Paulson.....	280
25 C. G. Kee.....	340
26 Adam Gefreh.....	130
27 Guy Larson.....	None
28 Edwin C. Becker, Jr.....	400
29 Ernest C. Livingston.....	380
30 Charles L. Murphy.....	8
31 Amos Freed.....	210
32 C. W. Schrock.....	324
33 Aloys Wartner, Jr.....	376
34 Isak Hystad.....	230
35 H. W. George.....	100
36 Gail H. Hernet.....	240
37 Kenneth Morgan.....	430
38 Selmer Gilbertson.....	340
39 Leland Roen.....	372
40 Rolland Redlin.....	520
41 John O. Garaas.....	400
42 A. F. Gronvold.....	380
43 Raymond G. Vendsel.....	310
44 Clark Van Horn.....	300
45 Frank A. Wenstrom.....	504
46 Walter R. Fiedler.....	210
47 Fred Krause, Jr.....	None
48 Dan Kisse.....	258
49 Lloyd M. Erickson.....	270

FRED KRAUSE, JR., Chairman.

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

MOTIONS

Senator Wadeson moved that the name of Mrs. Vonny Mushik be substituted for the name of Mrs. Frank Kosanda on page 19 of the Senate Journal, line 32, which motion prevailed.

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

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

VIC GILBREATH, Secretary.

FOURTH DAY

Bismarck, January 9, 1959

The Senate convened at 2:00 p.m., President presiding. Prayer by Chaplain A. E. Smith, St. George's Episcopal, Bismarck.

Roll call: All Senators present except Senators Erickson, Freed, Klefstad, Morgan and Mutch.

The President declared a quorum present.

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

C. G. KEE, Chairman.

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

Senator Holand moved that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken the President presiding.

MOTION

Senator Wenstrom moved that a committee of two be appointed to escort Ladislav Polanka, of Prague, Czechoslovakia, to the rostrum, which motion prevailed.

The President appointed as such committee Senators Wenstrom and Schrock, and Mr. Polanka was escorted to the rostrum and invited to address the Senate.

Mr. Polanka: I have some experience with Americans from Naples because when I left Czechoslovakia in the fall of 1957, so I asked political asylum in Italy, and when I was kept in refugee camps first in Como, and later one in Naples, and they were refugee who were mostly from Yugoslavia, the number is maybe 20,000, a very high number, in Italy, in many camps, and refugees weren't allowed to work because of unemployment in Italy Italian government does not allow refugees to work, so I decided to get job in Italy, something to get money, in some outside way and I met very nice people who were Americans on the big base of Nato in Naples. They were all very friendly to me and I worked with them, such as car cleaning, baby sitting, painting of all kinds, gardening, something like that. I was glad that I could speak with them and to get some progress in English before I arrived in the States. I got a nice letter from Mr. Holkup, who is my sponsor, from Garrison, and he helped me to fill in all necessary forms, these affidavits of support and things, and that's why I am here today. I spent only six days here in United States so I have not yet too much experience and I know just a little of life and about things here. That it was very big and vast for me this first when arrived at New York, skyscrapers and so many cars, and so many people everywhere. You can imagine when people from Europe come to the United States they are surprised how big it really here is. If somebody like to ask questions I know more about Czechoslovakia than the States. I like to work as soon as possible. I finished what we call commercial high school in Czechoslovakia, but because of my political opinion I wasn't allowed to work in offices, so

I had to work more than three years in heavy industry, so like to do something else here if it would be possible for me.

Senator Wadeson moved that the remarks of Mr. Polanka be printed in the journal, which motion prevailed.

REPORT OF STANDING COMMITTEES

Senator Wadeson: The Employment Committee recommends the following employee:

Kenneth Johnson.....Supervisor of Personnel

Senator Wadeson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Wadeson that the report of the Committee on Employment be adopted, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Erickson	Klefstad	Ringsak
Freed	Morgan	Roen

So the motion was declared carried.

The President then administered the oath of office to Kenneth Johnson.

REPORT OF SELECT COMMITTEES

Mr. President: Your Senate Election Contest Committee relating to the election contest in the 2nd Legislative District in Ward County, North Dakota, begs to report the following:

WHEREAS, a special Senate Election Contest Committee appointed by the President of the Senate pursuant to Senate Resolution No. 1 of the 36th Legislative Assembly consisting of Senators Kee, Wartner, Longmire, Johnson and Garaas to investigate the charges made by Glen R. Dolan of the 2nd Legislative District in Ward County, North Dakota; and

WHEREAS, special Senate Election Contest Committee met and subpoenaed the ballots, poll books and tally sheets of the general election held on November 4, 1958, of the 2nd District in Ward County; and

WHEREAS, the Senate Election Contest Committee examined the poll books and tally sheets and made a recount of all the ballots cast in said district in said election

and the results of such recount are as follows:

Township or Village	Registered Votes	Lautenschlager County Canvass Board		Dolan County Canvass Board
Mayland	52	34	17	
Denmark	55	31	22	
Shealy	30	10	17	
Donnybrook	68	26	33	
Berthold				
1st precinct	59	28	29	
Kenmare 2nd Ward ..	223	69	141	
St. Mary's	39	21	6	
Berthold	51	31	20	
Greenbush	36	18	14	
Kenmare 3rd Ward ..	208	42	149	
Sauk Prairie	28	15	9	
Foxholm	77	35	31	
Des Lacs Village	46	17	23	
Kenmare	58	25	24	
Elmdale	79	62	15	
Tolgen	18	13	5	
Rolling Green	40	23	13	
Carpio	59	38	15	
Ree	50	35	10	
Carpio Village	111	41	56	
Des Lacs	47	32	13	
Evergreen	16	10	5	
Kenmare 1st Ward ..	100	31	61	
Mandan	31	19	11	
Carbondale	56	17	34	
Baden	31	20	10	
Spencer	63	43	15	
Pawspport	34	19	12	
Berthold				
2nd precinct	79	40	32	
Grand Total	1,844	845	842	

SENATE COMMITTEE RECOUNT

Twp. or Village	Lauten- schlager	Dolan	Lauten- schlager Void Ballots	Dolan Void Ballots	Ballots Without Vote	Void Ballots	Ballots Cast for Both
Mayland	33	16	....	....	3	....	....
Denmark	31	22	....	....	3	....	....
Shealy	10	17	....	....	3	....	....
Donnybrook ..	26	32	....	1	9	....	....
Berthold	28	28	....	....	2	....	....
Kenmare	69	139	....	3	13	....	....
St. Mary's	21	5	....	....	13	....	....
Berthold	31	20	....	....	....	....	....
Greenbush	18	14	....	....	4	....	....
Kenmare							
3rd Ward	41	142	2	5	17	....	....
Sauk Prairie ..	16	9	....	....	3	....	....
Foxholm	35	31	....	....	11	....	....
Des Lacs							
Village	17	23	....	....	6	....	....
Kenmare	26	26	....	....	6	....	....
Elmdale	61	14	....	....	3	....	1

SENATE COMMITTEE RECOUNT

Twp. or Village	Lautenschlager	Dolan	Lautenschlager Void Ballots	Dolan Void Ballots	Ballots Without Vote	Void Ballots	Ballots Cast for Both
Tolgen	11	5	2	....	....	....	....
Rolling Green	23	13	....	....	4	....	....
Carpio	38	15	....	....	6	....	....
Ree	35	10	....	....	5	....	....
Carpio Village	41	57	....	....	13	....	....
Des Lacs	32	13	....	....	2	....	....
Evergreen	10	5	....	....	1	....	....
Kenmare							
1st Ward	31	60	....	....	9	....	....
Mandan	19	11	....	....	1	....	....
Carbondale	16	35	....	....	5	1	....
Baden	20	10	....	....	1	....	....
Spencer	43	14	....	....	....	....	1
Pawspport	19	13	....	....	1	....	....
Berthold							
2nd precinct	41	30	1	....	6	....	....
	842	829	5	9	150	1	2

WHEREAS, the results of said recount show that Lester N. Lautenschlager has received a majority of the votes cast at the general election held November 4, 1958, for the office of Senate for the 2nd Legislative District in Ward County, North Dakota;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE THIRTY SIXTH LEGISLATIVE ASSEMBLY:

That Lester N. Lautenschlager be seated without prejudice as a duly elected Senator from the 2nd Legislative District in Ward County, North Dakota, and that the contest of election by Glen R. Dolan be dismissed;

BE IT FURTHER RESOLVED that all of the ballots, poll books and tally sheets subpoenaed be returned to the appropriate officers of Ward County, North Dakota, and that the special Senate Election Contest Committee be discharged.

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

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

Senator Vendsel: I rise to a point of special privilege.

Mr. President: State your point.

Senator Vendsel: I request that my remarks be printed in the journal. At this time I would like to congratulate the majority of this body for the very fine manner in which they handled the contest of election in regard to the Senator from the Second District of Ward County. We appreciate, the Minority appreciates, that we were allowed to name their members on that committee and knowing Senator Garaas and Senator Johnson as well as I do, and knowing that Senator Garaas is a very competent attorney, and when he reported to the minority that he had no comment to make, or any objection to any procedure followed, I know you have bent over backwards to be fair. Thank you on behalf of the minority.

Senator Holand moved that the Senate recess until 1:30 p.m., January 10, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FOURTH DAY AFTER RECESS AND FIFTH DAY

Bismarck, January 10, 1959

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

REPORT OF STANDING COMMITTEE

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

SENATE COMMITTEES

AGRICULTURE

Wadeson, Chairman
Erickson, Vice Chairman
Becker
Berube
Gilbertson
Kisse
Luick
Morgan
Nesvig
Paulson
Redlin
Roen
Van Horn

FINANCE AND TAXATION

Baeverstad, Chairman
Krause, Vice Chairman
Andre
Becker
Erickson
George
Hystad
Johnson
Kisse
Mutch
Ringsak
Thompson
Van Horn

INDUSTRY, BUSINESS
AND LABOR RELATIONS

Hernett, Chairman
Larson, Vice Chairman
Freed
George

Hystad
 Kee
 Krause
 Lautenschlager
 Meidinger
 Mutch
 O'Brien
 Thompson
 Vendsel

**SOCIAL WELFARE
 AND VETERANS AFFAIRS**

Livingston, Chairman
 Miller, Vice Chairman
 Fiedler
 Gefreh
 Kisse
 Longmire
 Meidinger
 O'Brien
 Schrock
 Van Horn
 Wartner

APPROPRIATIONS

Foss, Chairman
 Saumur, Vice Chairman
 Erickstad
 Fiedler
 Freed
 Hernet
 Johnson
 Kee
 Klefstad
 Larson
 Livingston
 Luick
 Murphy
 Schrock
 Vendsel
 Wadeson
 Wenstrom

JUDICIARY

Brooks, Chairman
 Wartner, Vice Chairman
 Andre
 Erickstad
 Fiedler
 Garaas
 Gefreh
 Gronvold
 Longmire
 Murphy
 Ringsak
 Yunker
 Trenbeath

NATURAL RESOURCES

Trenbeath, Chairman
 Morgan, Vice Chairman
 Becker
 Gronvold
 Murphy

Nesvig
Saumur
Thompson
Wenstrom
Yunker
Redlin

EDUCATION

Meidinger, Chairman
Roen, Vice Chairman
Berube
Foss
Gefreh
Lautenschlager
Livingston
Miller
O'Brien
Redlin
Saumur
Schrock
Trenbeath

STATE AND

FEDERAL GOVERNMENT

Longmire, Chairman
Wenstrom, Vice Chairman
Brooks
Garaas
Gilbertson
Gronvold
Klefstad
Miller
Morgan
Nesvig
Paulson
Wartner
Yunker

POLITICAL SUBDIVISIONS

Klefstad, Chairman
George, Vice Chairman
Andre
Berube
Erickson
Garaas
Larson
Mutch
Paulson
Ringsak
Roen

TRANSPORTATION

Luick, Chairman
Kee, Vice Chairman
Baeverstad
Brooks
Freed
Gilbertson
Hystad
Johnson
Krause
Lautenschlager
Wadeson

SENATOR HOLAND, Vice Chairman.

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

MOTIONS

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

The President appointed as such Committee on Public Printing Senators Wenstrom, O'Brien and Hernett.

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

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

VIC GILBREATH, Secretary.

FIFTH DAY

Bismarck, January 10, 1959

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

Prayer by Chaplain Warren K. Johnson, First Lutheran, Bismarck.

Roll call: All Senators present except Senators Berube, Brooks, Erickson, Foss, Freed, Garaas, Gefreh, George, Gronvold, Hernett, Hystad, Klefstad, Larson, Livingston, Luick, Meidinger, Morgan, Mutch, Nesvig, O'Brien, Paulson, Ringsak, Roen, Schrock, Thompson, Vendsel, Wade-son and Wartner.

So the President declared that the Senate lacked a quorum.

Senator Holand moved that the Senate recess until 1:00 p.m., January 12, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTH DAY AFTER RECESS AND SEVENTH DAY

Bismarck, January 12, 1959

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

MOTIONS

Senator Erickstad requested the call of the Senate, which request was granted.

The President announced that the Senate would be at ease during the call of the Senate.

Senator Erickstad moved that the call of the Senate be dispensed with, which motion prevailed.

Roll Call: All Senators present except Senators Garaas, Gilbertson, Holand, Hystad, Kee, Luick, Roen and Wenstrom.

A quorum was declared by the President.

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

Page 29, line 54, correct the spelling of the word "skyscraper".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

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

REPORT OF STANDING COMMITTEES

Your Committee on Employment recommends the following:

Mrs. Robert Sand.....Committee Clerk

Senator Wadeson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Wadeson that the report of the Committee on Employment be adopted, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

- | | | |
|------------|---------|---------|
| Andre | Hernett | Nesvig |
| Baeverstad | Johnson | O'Brien |
| Becker | Kee | Paulson |

Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Meidinger	Vensel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Yunker
Gronvold	Mutch	

Absent and not voting:

Holand	Luick	Wenstrom
Hystad	Roen	

So the motion was declared carried.

The President then administered the oath of office to Mrs. Robert Sand.

Senator Kee moved that the report of the Senate Election Contest Committee, printed on pages 30, 31 and 32 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire: I, as a member of the Senate Election Committee wish to speak very briefly on the resolution. Although I know the resolution has been passed there are a few comments I would like to add to those given by Senator Kee. First of all this committee tried to base its approach to this matter on a strictly judicious basis and to forget, as far as possible, any partisan politics in connection with it. In view of that before we ever started we laid down three or four ground rules.

1. That all ballots which were not both stamped and initialed would not be counted.

2. That all ballots where it was indicated by any type of a mark that the voter had intended to vote for a certain candidate to accept that ballot.

Now both of those rules were established and have been established on five different occasions by the Supreme Court so we had no argument on that.

3. We decided that we would subpoena all of the election records, including the poll books and ballots down by the County Officer of Ward County and recount each ballot that had been cast in that election. That is what we did and, of course, the results were all finally summarized in this resolution.

The point I want to stress is this, that the Supreme Court of this State in the only time this matter has ever come before it, decided that this body, or either body of the legislature, was the sole judge of its members as to whether or not they had been elected, and they went on further to find that either body of the legislature could ignore the laws in respect to things of this kind, or procedure in anyway, and could still go ahead and seat a person that they desired to be seated. Well now, we under that rule, the majority party would have had every right to seat Mr. Dolan if we had wanted to do so insofar as the law is concerned, but, of course, I know the members of the majority feel different about it than that. I know that

Senator Dolan, being a very fine citizen and a man of integrity and character that we found him to be in this body, would not want it that way. In fact, he told me during the time that we had the matter under consideration that the only way he would accept it would be to have the majority of the legal ballots cast for him. So when we found that he did not have the majority the resolution was passed as it was.

Now, I hope as one member of this committee, and as a member of the majority party in this body that this will be the standard whenever anything of this kind comes up in the future, not because we had the votes in the majority party, but because it is the right thing to do, to try to go by the majority of the people when their ballots are cast in a valid manner. So I do hope that if this ever comes up again that the same set of rules and same standards will be followed in deciding an election contest of this kind.

Senator Wartner moved that the remarks of Senator Longmire be printed in the journal, which motion prevailed.

MOTIONS

Senator Krause moved that the report of the Committee on Mileage and Per Diem, printed on pages 27 and 28 of the Senate Journal, be adopted.

ROLL CALL

The question being on motion of Senator Krause that the report of the Committee on Mileage and Per Diem be adopted, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Andre	Luick	Wenstrom
Holand	Roen	

So the motion was declared carried.

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

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

MOTIONS

Senator Brooks moved that the report of the Committee on Committees, as printed in the Senate journal on page 34, be amended as follows:

That the name Brooks be deleted as chairman, and that the name Wartner be inserted in lieu thereof, and that the name Brooks be added as a member, and that the name of Gefreh be inserted in lieu of the name Wartner as Vice Chairman, which motion prevailed.

Senator Hernettt moved that the report of the Committee on Committees be amended as follows:

In the committee assignments for the Committee on Industry, Business and Labor Relations, printed on pages 33 and 34 of the Senate journal, delete the name Kee and insert in lieu thereof the name Miller.

In the committee assignments for the Committee on National Resources, printed on page 34 of the Senate journal, delete the name Thompson and insert in lieu thereof the name Hernettt.

In the committee assignments for the Committee on Transportation, printed on page 35 of the Senate journal, add the names Thompson and Foss.

Which motion prevailed.

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

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

The President appointed as such committee Senators Erickson, O'Brien, Mutch, Nesvig and Kisse.

Senator Lautenschlager: Mr. President, I rise to a point of personal privilege.

Mr. President: State your point.

Senator Lautenschlager: Now that I am seated here in the Senate I wish at this time to express my sincere appreciation to the members of the Senate for their adoption of the report of special Election Committee. I particularly want to thank the Special Election Committee for their long and hard hours of work and their method of handling the contest fairly and according to law. Also I wish to thank the Ward County officials who cooperated with the Election Committee. I will attempt to conduct myself in an orderly manner.

Senator Vendsel moved that the remarks of Senator Lautenschlager be printed in the journal, which motion prevailed.

REPORT OF STANDING COMMITTEE

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

Senate Resolution No. 1

And find the same correctly Enrolled.

SENATOR ERICKSON, Chairman.

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

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

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

VIC GILBREATH, Secretary.

SEVENTH DAY

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

Prayer by Chaplain W. R. Lindsay, First Presbyterian, Bismarck.

Roll Call: All Senators present except Senators Holand, Luick and Wenstrom.

A quorum was declared by the President.

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

SENATOR RINGSAK, Vice Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution No. 1

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

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and miscellaneous items of the School for the Blind at Bathgate, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 3. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the School for the Deaf at Devils Lake, North Dakota.

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

Senate Bill No. 11. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment and miscellaneous expenses of the North Dakota Twine and Cordage Plant at the State Penitentiary.

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

The Committee on Appropriations introduced:

Senate Bill No. 12. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Gasoline Tax Division in the office of the State Auditor.

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

Senate Bill No. 15. A Bill for an Act making an appropriation for the purpose of paying the administrative expenses and the state aid of the State Equalization Fund, the administrative expenses and the teaching preparation scholarships of the teacher preparation scholarship plan, and the two agricultural schools on the basis of enrollment.

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

The Committee on Appropriations introduced:

Senate Bill No. 16. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Board of School District Reorganization.

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

The Committee on Appropriations introduced:

Senate Bill No. 17. A Bill for an Act making an appropriation for the use of special education of exceptional children.

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

The Committee on Appropriations introduced:

Senate Bill No. 18. A Bill for an Act making an appropriation for the administrative expenses of the State School Construction Fund and State School Construction Board.

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

The Committee on Appropriations introduced:

Senate Bill No. 19. A Bill for an Act making an appropriation for the Division of Vocational Rehabilitation and for the Governor's Committee on Employment of the physically handicapped.

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

The Committee on Appropriations introduced:

Senate Bill No. 20. A Bill for an Act making an appropriation to the Department of Public Instruction, for the purpose of paying salaries and other expenses of the Director of Surplus Property.

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

Senate Bill No. 22. A Bill for an Act making an appropriation to carry out the provisions of Chapter 6-07 of the 1957 Supplement to the North Dakota Revised Code of 1943 for the Closed Bank Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 23. A Bill for an Act making an appropriation for the payment of expenses of delegates to national conventions of political parties recognized as such by the laws of the State of North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 24. A Bill for an Act making an appropriation to pay the expenses and per diem of presidential electors.

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

The Committee on Appropriations introduced:

Senate Bill No. 25. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

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

The Committee on Appropriations introduced:

Senate Bill No. 26. A Bill for an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

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

The Committee on Appropriations introduced:

Senate Bill No. 27. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

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

The Committee on Appropriations introduced:

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

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

The Committee on Appropriations introduced:

Senate Bill No. 29. A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the Division of Supervised Study.

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

The Committee on Appropriations introduced:

Senate Bill No. 30. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Bank of North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 31. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State of North Dakota doing business as the North Dakota Mill and Elevator Association.

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

The Committee on Appropriations introduced:

Senate Bill No. 32. A Bill for an Act making an appropriation to pay the costs of the administration of the Old Age and Survivor Insurance System.

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

The Committee on Appropriations introduced:

Senate Bill No. 33. A Bill for an Act to provide for payment of expenses to certain state officers, making an appropriation and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 34. A Bill for an Act making an appropriation for the deficiency in salaries of the elected state officials of the State of North Dakota for the last six months of the biennium ending June 30, 1959; and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 35. A Bill for an Act making an appropriation for the purpose of paying the wolf, coyote, fox, bobcat and magpie bounty.

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

Senators Gefreh, Longmire, Luick, Meidinger, Vendsel and Wartner introduced:

Senate Bill No. 36. A Bill for an Act providing for the implementation of the governmental reorganization by

authorizing the emergency commission to transfer funds from departments and agencies relinquishing functions to departments assuming these functions, and by making appropriations for the purpose of establishing and operating a department of comptroller.

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

Senators Johnson, Luick, Saumur, Krause and Roen introduced:

Senate Bill No. 37. A Bill for an Act transferring the weight control division of the state highway department, together with all records and equipment used by the weight control division to the state highway patrol, to amend and reenact section 39-03A18 of the 1957 Supplement to the North Dakota Revised Code of 1943, and making an appropriation to the state highway patrol.

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

Senators Johnson, Luick, Saumur, Krause and Roen introduced:

Senate Bill No. 38. A Bill for an Act providing for responsibility of constructing and maintaining access routes from the state and interstate highway system, and to amend and reenact section 24-A0102 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the definition of the interstate highway system.

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

Senators Johnson, Luick, Saumur, Krause and Roen introduced:

Senate Bill No. 39. A Bill for an Act to amend and reenact sections 24-0118 and 24-0518 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the cost and expense of acquisition of right-of-way for the state highway system.

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

Senators Gefreh, Brooks, Erickstad and Holand introduced:

Senate Bill No. 40. A Bill for an Act relating to partnerships, adopting the Uniform Partnership Act and the Uniform Limited Partnership Act as a part of Title 45 of the Code, and repealing chapters 45-01, 45-02, 45-03, and 45-04 of the North Dakota Revised Code of 1943, as amended.

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

Senators Gefreh, Brooks, Erickstad and Holand introduced:

Senate Bill No. 41. A Bill for an Act relating to creation, organization, reorganization, operation, powers, purposes, reports, fees, charges, and dissolution of domestic and foreign nonprofit corporations organized or operating within this state for any lawful purpose, providing certain penalties for violations of this Act, and relating to deferred repeal of chapters 10-08, 10-09, 10-10, and 10-11 of the North Dakota Revised Code of 1943, as amended, and to assign chapters 10-24, 10-25, 10-26, 10-27, and 10-28 of the North Dakota Revised Code of 1943 to this Act.

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

Senators Johnson, Luick, Saumur, Krause and Roen introduced:

Senate Bill No. 42. A Bill for an Act to create and enact section 39-0110, to amend and reenact sections 39-0205, subsection 4 of section 39-0501, subsection 1 of section 39-0505 and section 39-1207 of the North Dakota Revised Code of 1943, and section 39-0102, subsection 1 of section 39-0309, sections 39-04A06, 39-04A07, 39-0510, 39-0803, 39-0902, 39-1102, and 39-1208 of the 1957 Supplement to the North Dakota Revised Code of 1943; to amend and reenact chapter 39-04 of the North Dakota Revised Code of 1943, as it may be amended, and to repeal subsection 4 of section 30-04A04, and sections 39-0504 and 39-0514 of the North Dakota Revised Code of 1943, as they may be amended, relating to motor vehicles' operation and registration and the use of motor vehicles on the highways and streets of this state.

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

Senators Gefreh, Longmire, Luick, Meidinger, Vendsel and Wartner introduced:

Senate Bill No. 43. A Bill for an Act to create and enact chapter 54-44 and section 54-23411 of the North Dakota Revised Code of 1943 relating to the establishment of a department of comptroller and the setting forth of the powers and duties of such a department and to the examination and payment of monthly purchases by this department of comptroller; to amend and reenact sections 4-0114, 6-0917, 12-4906, 15-1015, 15-3916, 15-3932, 15-4006, 15-4402, 15-4403, 18-0303, 18-0304, 18-0304, 18-0305, 18-0306, 18-0307, 18-0512, 19-0509, 19-0510, 26-2209, 32-1203, 32-1204, 37-0603, 37-0606, 37-1513, 46-0101, 46-0102, 46-0201, 46-0203, 46-0210, 46-0211, 46-0212, 46-0214, 47-2108, 49-0109, 49-0111, 50-0614, 54-0606, 54-0608, 54-1001, 54-1002, 54-1003, 54-1004, 54-1101, 54-1102, 54-1103, 54-2306, 54-2330, 54-2331, 54-2333, 54-2334, 54-2335, 54-2336, 54-2337, 54-2338, 54-2340, 54-2614, 54-2703, 54-2704, 54-2705, 54-2706, 54-2707, 54-2709, 54-2711, 54-2801, 54-3016, 55-0104, 55-0107, 57-0102, 57-3205, 57-3206, 57-4508, and 61-0213 of the North Dakota Revised Code of 1943 and sections 6-01214, and 12-4730, 15-12061, 15-3921, 15-4020, 15-4021, 18-0308, 18-0402, 18-0403, 18-0405, 18-0406, 18-0513, 19-0508, 20-1307, 20-1408, 24-0212, 24-0237, 36-2209, 37-1515, 39-0308, 46-0204, 46-0205, 46-0206, 46-0207, 46-0209, 46-0213, 54-1814, 54-2341, 54-2708, 54-27151, 54-27152, 54-27154, 54-4204, 54-4205, and 57-3724 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the reorganization of certain departments and agencies of the State government, abolishing and consolidating certain departments; reorganizing fiscal, administrative, and purchasing procedures; transferring certain duties of the state auditor to a department of comptroller; vesting the state auditor with the responsibility of conducting a true post-audit; transferring authority to purchase for the various state departments and agencies from the board of administration to a department of comptroller; and transferring certain tax collecting functions from the state treasurer to the state tax commissioner; and to repeal sections 12-4907, 46-0103, 54-1005, 54-1006, 54-1007, 54-1008, 54-1009, 54-1011,

54-2115, 54-2116, 54-2332, and 65-0210 and chapters 54-14, 54-15, and 54-22 of the North Dakota Revised Code of 1943 and sections 6-0121 and 54-1010 and chapters 54-14 and 54-15 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to state fiscal, administrative, and purchasing procedures, the state budget board, the auditing board, board of auditors, state purchasing agent, state printer, and printing commission, and to provide for an effective date of July 1, 1960.

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

Senators Johnson, Luick, Saumur, Krause and Roen introduced:

Senate Bill No. 44. A Bill for an Act to create and enact subsection 4 of section 39-0602 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the exemption of military personnel from obtaining a North Dakota driver's license.

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

Senators Johnson, Luick, Saumur, Krause and Roen introduced:

Senate Bill No. 45. A Bill for an Act to amend and re-enact section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the designation of the state highway system.

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

Senators Johnson, Luick, Saumur, Krause and Roen introduced:

Senate Bill No. 46. A Bill for an Act to amend and re-enact section 39-1101 of the North Dakota Revised Code of 1943 relating to parking lights on motor vehicles.

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

Senators Gefreh, Longmire, Luick, Meidinger, Vendsel and Wartner introduced:

Senate Bill No. 47. A Bill for an Act to amend and re-enact sections 5-0308, 5-0309, 5-0310, 5-0313, 5-0314, 5-0315, 5-0317, and 5-0402 of the North Dakota Revised Code of 1943, and sections 5-0205, 5-0206, 5-0211, 5-0212, 5-0213, 5-0217, 5-0218, 5-0220, 5-0222, 5-0307, 5-0311 and 5-0322 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the transfer of a part of the tax collection functions of the state treasurer, to the state tax commissioner.

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

Senators Gefreh, Longmire, Luick, Meidinger, Vendsel and Wartner introduced:

Senate Bill No. 48. A Bill for an Act to amend and re-enact sections 19-0108, 25-0810, 25-0813, 25-0814, 25-0816, 25-0817, 25-0819, 25-0820, and 25-0821 of the North Dakota Revised Code of 1943, and sections 15-2102, 25-0811, 25-0815, and 54-0609 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of a part of the functions of the state auditor and state auditing board

to the department of comptroller, and to repeal chapter 54-13 of the North Dakota Revised Code of 1943 and chapter 54-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state board of auditors.

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

Senators Luick, Longmire and Fiedler introduced:

Senate Bill No. 49. A Bill for an Act to create and enact sections 34-06011 and 34-06012 of the North Dakota Revised Code of 1943, providing minimum wages for all employees except persons employed in interstate commerce and domestic employment, and persons who are under eighteen years of age; providing for exceptions to the minimum wage in regard to employees who are incapacitated or who have limited ability due to age, physical or mental condition, or experience and training, providing penalties; to amend and reenact sections 34-0601, 34-0602, 34-0603, 34-0605, 34-0607, 34-0609, 34-0610, 34-0612, 34-0613, and 34-0616 of the North Dakota Revised Code of 1943, relating to minimum wage and hours for women and minors in order to include all employees except minors under regulations affecting minimum wages; and to repeal section 34-0615 of the North Dakota Revised Code of 1943, relating to special licenses to employ females at less than the minimum wage.

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

Senators Gefreh, Brooks, Erickstad and Holand introduced:

Senate Bill No. 50. A Bill for an Act authorizing the republication of the North Dakota Revised Code of 1943 and providing an appropriation therefor to the secretary of state.

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

Senators Erickstad, Hernet, Holand and Wenstrom introduced:

Senate Bill No. 51. A Bill for an Act providing for meetings of legislators and legislators-elect in advance of legislative sessions.

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

Senators Erickstad, Hernet, Holand and Wenstrom introduced:

Senate Bill No. 52. A Bill for an Act to amend and reenact sections 46-0204 and 46-0305 of the 1957 Supplement to the North Dakota Revised Code of 1943, and sections 46-0412, 46-0413, 46-0414, and 46-0415 of the North Dakota Revised Code of 1943, relating to legislative bills, journals, and resolutions, and to repeal sections 46-0307 of the 1957 Supplement to the North Dakota Revised Code of 1943 and 46-0308 of the North Dakota Revised Code of 1943.

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

Senators Erickstad, Hernet, Gefreh, Luick and Johnson introduced:

Senate Bill No. 53. A Bill for an Act to amend and reenact subsection 1 of section 10-0403, subsection 3 of sec-

tion 10-0405, and sections 10-0406, 10-0408, 10-0409, 10-0410, 10-0411, 10-0415 and 10-0418 of the 1957 Supplement of the North Dakota Revised Code of 1943 and to create and enact sections 1-04081 and 10-04082 as a part of chapter 10-04 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the administration of the securities laws; the registration of securities for sale to the public and of dealers, salesmen, and investment counsels; fraudulent practices; and the penalty for violation of the securities laws.

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

Senators Holand, Roen, Johnson, Gefreh, Wenstrom and Krause introduced:

Senate Bill No. 54. A Bill for an Act authorizing the board of administration to obtain additional office space outside the state capitol for state departments, agencies, and boards, which office space shall be considered to be a part of the state capitol.

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

Senators Holand, Johnson, Wenstrom, Gefreh, Krause and Roen introduced:

Senate Bill No. 55. A Bill for an Act appropriating \$600,000 from the state highway construction fund to the state board of administration for the construction of an office building for the highway department, highway patrol and motor vehicle registrar, and providing for its maintenance and management.

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

Senators Holand, Roen, Johnson, Gefreh, Wenstrom and Krause introduced:

Senate Bill No. 56. A Bill for an Act relating to the construction of certain buildings by the state highway department.

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

Senators Holand, Roen, Johnson, Gefreh, Wenstrom and Krause introduced:

Senate Bill No. 57. A Bill for an Act to create and enact section 39-01081 of the North Dakota Revised Code of 1943 relating to insurance on state-owned motor vehicles.

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

Senators Holand, Roen, Johnson, Gefreh, Wenstrom and Krause introduced:

Senate Bill No. 58. A Bill for an Act to amend and reenact section 50-0104 of the North Dakota Revised Code of 1943, and sections 50-0736, 50-0827, 50-0912 and 50-10A34 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to public welfare records and providing penalties.

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

Senators Gefreh, Erickstad, Larson, Schrock and Baeverstad introduced:

Senate Bill No 59. A Bill for an Act relating to payments to school districts operating junior colleges, creating and enacting sections 15-1807, 15-1808, and 15-1809 of the North Dakota Revised Code of 1943, and providing an appropriation.

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

Senator Wadeson introduced:

Senate Bill No. 60. A Bill for an Act to repeal section 20-0806 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to nonmigratory waterfowl season.

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

Senators Klefstad and Vendsel introduced:

Senate Bill No. 61. A Bill for an Act to amend and reenact Section 1-0304 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to business days.

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

Senator Krause introduced:

Senate Bill No. 62. A Bill for an Act providing that all beavers shall be taken off the protective list of fur bearing animals and authorizing the governor by proclamation to put the beaver on the protective list and to repeal sections 20-0711, 20-0712, 20-0714, 20-0715, 20-0716, 20-0717, and 20-0718 of the North Dakota Revised Code of 1943 and sections 20-0710 and 20-0713 of the 1957 Supplement to the North Dakota Revised Code of 1943.

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

Senator Krause introduced:

Senate Bill No. 63. A Bill for an Act to amend and reenact section 57-1528 of the North Dakota Revised Code of 1943 relating to the county emergency fund levy.

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

Senators Saumur, Morgan, Erickson and Roen introduced:

Senate Bill No. 64. A Bill for an Act to amend and reenact section 36-1517 of the North Dakota Revised Code of 1943, relating to tuberculin and brucellosis testing of entire counties being enforced under certain conditions.

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

FIRST READING OF SENATE RESOLUTION

Senators Luick, Longmire and Fiedler introduced:

Senate Concurrent Resolution "A". A concurrent resolution for amendment of sections 82, 83, and 84 of the Constitution of the state of North Dakota, relating to the term of office, powers and duties, and salaries of elected state officers in order to allow the legislative assembly to establish a separate department of labor.

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

Senator Erickstad moved that the Senate recess until 1:00 p.m., January 13, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

SEVENTH DAY AFTER RECESS AND EIGHTH DAY

Bismarck, January 13, 1959

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

FIRST READING OF SENATE BILLS

Senators Wadeson, Berube, and Morgan introduced:

Senate Bill No. 65. A Bill for an Act providing that only that time fixed by the interstate commerce commission for all portions of this state shall be observed, and providing for an emergency.

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

Senators Wadeson and Ringsak introduced:

Senate Bill No. 66. A Bill for an Act authorizing the establishment of a book salvage industry at the state penitentiary and making an appropriation therefor.

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

Senator Wenstrom introduced:

Senate Bill No. 67. A Bill for an Act authorizing the board of county commissioners in any county in this state to transfer certain real or personal property or the proceeds therefrom to nonprofit fair corporations.

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

FIRST READING

OF SENATE CONCURRENT RESOLUTION

Senator Vendsel introduced:

Senate Concurrent Resolution "B". A Concurrent Resolution urging the President, Director of the Bureau of the Budget and the Secretary of the Interior to make early transmittal to Congress of the project plan report on the Garrison Diversion Unit.

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 39 has had the same under consideration and recommend that the same do pass.

GEORGE LONGMIRE, Chairman.

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

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

Line 11, delete the comma after the word "persons".

And when so amended recommend the same do pass.

GEORGE LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 54 has had the same under consideration and recommend that the same do pass.

GEORGE LONGMIRE, Chairman.

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

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

And further recommend that the same be re-referred to the Committee on Industry, Business and Labor.

GEORGE LONGMIRE, Chairman.

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

MOTIONS

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

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

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

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

VIC GILBREATH, Secretary.

EIGHTH DAY

Bismarck, January 13, 1959

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

Prayer by Chaplain W. R. Lindsay, First Presbyterian, Bismarck.

Roll call: All Senators present except Senators Holand and Luick.

A quorum was declared by the President.

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

On page 40, after line 20 insert the following:

"In the committee assignments for the Committee on State and Federal Government, on page 35 of the journal, delete the name Miller and insert in lieu thereof the name Kee."

And when so corrected recommends that the same be approved.

C. G. KEE, Chairman.

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

FIRST READING OF SENATE BILLS

The Committee on Education introduced:

Senate Bill No. 68. A Bill for an Act to amend and reenact Section 15-5314 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to reorganization of school districts.

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

The Committee on Education introduced:

Senate Bill No. 69. A Bill for an Act to amend and reenact Section 15-2406 of the North Dakota Revised Code of 1943, relating to common school district elections.

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

The Committee on Education introduced:

Senate Bill No. 70. A Bill for an Act to amend and reenact Section 15-4009 of the North Dakota Revised Code of 1943, relating to the emergency fund.

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

The Committee on Education introduced:

Senate Bill No. 71. A Bill for an Act to amend and reenact Section 15-5708 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to teaching scholarships.

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

The Committee on Education introduced:

Senate Bill No. 72. A Bill for an Act to amend and reenact Section 15-3611 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to teachers' certificates.

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

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 1

Was delivered to the Secretary of State at the hour of 11:00 o'clock a.m., January 13, 1959.

LLOYD ERICKSON, Chairman.

Senator Baeverstad requested that the Senate be on the eighth order of business, which request was granted.

Senator Baeverstad: I wonder if we should not at this time hear from our Honorable Lieutenant Governor as to what advice he can give us as Senators in order that we can perform our work in an able and satisfactory manner.

Lt. Gov. Dahl:

I am happy to be back to work with the honorable gentlemen of this Senate and the Senate seems to be ready to go to work. Rules and regulation of procedure have been pretty well established and in behalf of myself and the desk force I want to inform you that cooperation will be extended to each and everyone of you as far as we are able to be of service.

In regard to my position to conduct an unbiased parliamentary procedure, I am going to be as much concerned about the minority as well as the majority. I have presided over five previous sessions of the Senate — the remembrance of some of those sessions, as far as the presiding officer is concerned, is not all too pleasant. I have watched the maneuvering for political position and personal aggrandizement at the expense of legislation and cost to the taxpayer. In fact, I have seen the sixtieth legislative day extended three to seven days by stopping the clock by moving controversial legislation to the foot of the calendar day by day and thereby pitching one house against the other on important issues in order for individuals to gain a point of political recognition.

I feel that the membership of this Senate is going to endeavor to do an outstanding job and probably a job of record. I feel that outside of finding the revenue for appropriations and funds necessary for efficient operation of our state government, political subdivisions, schools and charitable institutions in accordance with the Governor's Message, there seems to be no good reason why this session of the Legislature should need extend the time beyond the sixtieth legislative day.

Unless a sincere effort is made by the members to complete their work within the constitutional limits of sixty days it appears from the experience of other states where the session is sixty days, ninety days, or one hundred twenty days a legislative jam occurs in the last days of the session and often runs beyond the constitutional limits.

I am sure that the people of our state feel that the deliberations by 162 chosen for their ability should be able to rectify the legal ills, if any, of our society in the course of sixty days as provided by our Constitution. I believe that when the time has arrived that as presiding officer of the Senate that at the end of the sixtieth legislative day without stopping the clock, as has been customary in the past, only one motion will be in order and that will be to adjourn sine die.

Senator Baeverstad moved that the remarks of the Lieutenant Governor be printed in the journal, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Committee to whom was referred the question of telephone installations has had the same under consideration and recommends that the telephone installation be the same as in the Thirty-fifth Legislative Assembly.

A. F. GRONVOLD, Chairman.

Senator Gronvold moved that the report be adopted.

ROLL CALL

The question being on the adoption of the report of the Committee on Telephone Installation, the roll was called and there were: ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Vendsel
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker

Absent and not voting:

Brooks	Holand	Kee
Luick		

So the motion was declared carried.

MOTIONS

Senator Holand moved that the Senate recess until 1:30 p.m., January 14, 1959.

VIC GILBREATH, Secretary.

EIGHTH DAY AFTER RECESS AND NINTH DAY

Bismarck, January 14, 1959

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

FIRST READING OF SENATE BILL

Senator Holand introduced:

Senate Bill No. 73. A Bill for an Act to divide the state of North Dakota into two congressional districts, and defining the boundaries thereof.

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

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 52 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 57 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

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

REPORT OF SENATE SELECT COMMITTEE

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

As to the form of the Journal and Daily Calendar; on the number of daily journals, calendars and bills to be printed and on other matters relating to legislative printing, reports as follows:

We recommend the printing of 3,000 copies of the Journal of each days proceedings, except on the days standing committee assignments are made there shall be printed 3,500; that there be assigned to the presiding officer of the Senate, also to each member of the Senate, not to exceed 10 copies of the Journal to be sent only to constituents; that there also be placed on the daily mailing list our Congressional delegation, State Farm Bureau, State Farmers Union, North Dakota Taxpayers Association, two copies to be sent to

the University Law School, and by request to Chambers of Commerce. There shall also be mailed copies of the Journal to all state institutions, public libraries, the State Historical Society; all State's attorneys, county auditors, county and district judges, and by request in writing to any newspaper published in the state, and secretary of a county taxpayers' association, any auditor of an incorporated city, and president of the village board of an incorporated village, township clerk, high schools, both public and parochial, consolidated rural school, secretary of labor club, commercial club, or women's club within the state may be placed on the mailing list; that all bills and journals authorized by this resolution to be printed shall be delivered by the printer to the Secretary of the Publications and Printing Commission who shall receipt therefor to the printer; that there shall be printed 700 copies of the Senate Bills unless otherwise ordered by the Senate; that 500 copies of the Daily Journal be punched; that 500 copies of the Daily Calendar be printed and punched; that all resolutions, except memorial resolutions, requiring action by the Senate, be printed and numbered or lettered in bill form and shall not be printed in the journal unless by order of the house in which they were introduced; that 10,000 letter-heads and 6,000 number ten envelopes be printed as needed for the Senate; that the form of the Journal and the Calendar be the same as was adopted for the 1949 session.

SENATOR WENSTROM, Chairman.

Senator Wenstrom moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Wenstrom that the report of the Committee on Public Printing be adopted, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Gefreh Luick

So the motion was declared carried.

MOTIONS

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

The President appointed as such committee Senators Erickstad, Meidinger, Garaas, Baeverstad and Fiedler.

Senator Holand moved that the President appoint a committee of five to serve as a Legislative Research Resolution Committee, which motion prevailed.

The President appointed as such committee Senators Vendsel, Trenbeath, Kee, O'Brien and Gronvold.

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

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

VIC GILBREATH, Secretary.

NINTH DAY

Bismarck, January 14, 1959

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain F. V. Tannehill, McCabe Methodist, Bismarck.

Roll call: All Senators present.

A quorum was declared by the President.

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

SENATOR KEE, Chairman.

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

COMMUNICATION

A resolution was presented from the Mayor of the City of Fargo relative to Workmen's Compensation benefits for all civil defense workers injured or incurring illness during the course of their civil defense work, or arising out of their civil defense work, which resolution was referred to the Committee on Industry, Business and Labor.

A resolution was presented from Vernon S. Cooper, Secretary-Treasurer of the Garrison Diversion Conservancy District, requesting the Thirty-sixth Legislative Assembly to adopt a Concurrent Resolution supporting the early construction and development of the Garrison Diversion Unit in North Dakota, which resolution was referred to the Committee on Natural Resources.

Senators Kee, Garaas, Luick, Hernet, Gefreh, O'Brien, Fiedler and Erickstad introduced:

Senate Bill No. 74. A Bill for an Act to amend and reenact sections 27-0202, 27-0503, and 27-0808 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the salaries of judges of the supreme court, the salaries and expenses of judges of the district courts, and the salaries of judges of county courts of increased jurisdiction, and declaring an emergency.

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

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate Bill No. 51 be adopted which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 39. A Bill for an Act to amend and reenact sections 24-0118 and 24-0518 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the cost and expense of acquisition of right-of-way for the state highway system.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Yunker
Hernett	Mutch	

Those voting in the negative were:

Meidinger

Absent and not voting:

Wenstrom

So the bill passed and the title was agreed to.

Senate Bill No. 54. A Bill for an Act authorizing the board of administration to obtain additional office space outside the state capitol for state departments, agencies, and boards, which office space shall be considered to be a part of the state capitol.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Brooks	Kee	O'Brien
Erickson	Kisse	Paulson
Erickstad	Klefstad	Redlin
Fiedler	Krause	Ringsak
Foss	Larson	Roen
Freed	Lautenschlager	Saumur
Garaas	Livingston	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gronvold	Meidinger	Wartner

Hernett
Holand

Miller
Morgan

Wenstrom
Yunker

Those voting in the negative were:

Andre
Berube
Gilbertson

Murphy
Schrock

Thompson
Vendsel

So the bill passed and the title was agreed to.

Senator Shrock: Mr. President, I have always believed, that no one should be granted more authority than we would have him use if he were inclined to abuse that authority. This bill grants an unlimited and unrestricted authority, which I do not approve.

- In further explanation I mean no reflection on the present Board of Administration but we cannot know the future.

Senator Vendsel: Mr. President I would like to explain my vote on this matter. I am not opposed generally to acquiring needed office space for the various departments of state government when it becomes necessary to increase the office space available. However, if legislation is necessary for this type of thing I see no reason why the legislation has to be written in such an ambiguous manner, it should definitely specify the authority that this Board of Administration is being given. We have adopted legislation in this body before and we thought we were attacking a specific cause and that we were remedying a specific weakness in a statute, and we have seen the meaning of different statutes or laws as passed by this body completely reversed by an opinion from the Attorney General's Department, and I certainly think that line six on page two gives any attorney an opportunity to interpret this bill as he may see fit sometime in the future, and that's why I voted against this bill.

Senator Murphy: I would like to concur in the remarks of Senator Vendsel in explanation of his vote and would like to appropriate his remarks for my own.

MOTIONS

Senator Klefstad requested that the President of the Senate call on Senator Holand for a report of his trip to Washington, D. C., where he appeared before the United States Supreme Court, which request was granted, and Senator Holand was invited to the rostrum to report on his Washington trip.

Senator Holand: Mr. President, first, may I say thank you, Senator Klefstad, for your interest in this matter and I do appreciate the consideration that you have given me.

I am sure that most of you are familiar with the matter that took us to Washington. By a coincidence four years ago this month a Ransom County farmer was shot to death in a silo shed on his farm, and after the session closed I was asked to look into the matter to resolve the minds of the family as to whether this thing was suicidal, as had been contended by the coroner's jury.

It has been a long, interesting and worrisome row to hoe from January 20, 1955, up to the moment when we appeared in the United States Supreme Court. As indicated, the coroner's jury first found that this death was by suicide. They contended inasmuch as there were two

shots fired from a double barreled shotgun it had to be suicide. We felt they did not investigate it properly. I then asked the District Court of Ransom County to set aside the Coroner's verdict under a petition for certiorari. The court then set aside the verdict. This civil action was started in Ransom County District Court and transferred to the Federal Court. Otherwise this case would have gone up through the North Dakota courts rather than the Federal Court. We were claiming the double indemnity benefits under a life insurance policy because of accidental death.

The rest of the story is brief when you look back on it. The case was tried in Federal Court in Fargo and a jury verdict was returned for the widow. Thereafter, the insurance company filed an appeal with the Circuit Court of the Eighth Circuit, and we argued the case in St. Louis. Much to our astonishment the Circuit Court reversed the Federal District Court. I might say, in the face of the fact that very few cases get into the United States Supreme Court, we very nearly dropped the case at that point, but we were so convinced in our position that this death was accidental, that we decided to ask the United States Supreme Court to hear the case on certiorari. Later on, much to our surprise, the Court did grant our petition and stated that it would hear the case at the so-called October term. The case was scheduled for hearing last Monday and I flew down from here Sunday and returned, as you know, yesterday afternoon. It was an exciting experience to be present in this Court.

Our admission was moved by the Solicitor General of the United States and it is impressive to be in the court room, to appear before such men as the Justices of the Supreme Court of the United States.

We found the court, as far as the case is concerned, to be very receptive. You almost feel that it is a place where you fear to tread, but yet basically they are very human and they had a very human interest in this case, as was evidenced by the fact they asked dozens and dozens of questions about the various angles in the case.

I am sure they are interested in rendering a proper decision.

There is a great deal to talk about in an experience of that kind. I don't want to belabor the Senate with any more of it-at this time. Thank you very much.

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

MOTIONS

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

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

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

VIC GILBREATH, Secretary.

TENTH DAY

Bismarck, January 15, 1959

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

Prayer by Chaplain F. V. Tannehill, McCabe Methodist, Bismarck.

Roll Call: All Senators present.

A quorum was declared by the President.

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

On page 59, in line 24, delete the word "Relations".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

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

REPORT OF STANDING COMMITTEES

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 18 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 20 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 23 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 24 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 40 has had the same under consideration and recommend that the same be amended as follows:

In line 33 delete the word "not" and insert the word "nor."

And when so amended recommend the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 50 has had the same under consideration and recommend that the same do pass and further recommend that it be re-referred to the Committee on Appropriations.

SENATOR WARTNER, Chairman.

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

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

Senate Bill No. 51

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

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

FIRST READING OF SENATE BILLS

Senator Erickstad introduced:

Senate Bill No. 75. A Bill for an Act to amend and re-enact Section 12-0113 of the North Dakota Revised Code of 1943 relating to the disposition of moneys resulting from fines, forfeitures, and penalties for violations of state laws and disposition of moneys resulting from forfeiture of bail.

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

Senator Erickstad introduced:

Senate Bill No. 76. A Bill for an Act to provide that any person charged with or convicted of a felony who willfully forfeits his bail shall be guilty of a misdemeanor.

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

Senator Gronvold introduced:

Senate Bill No. 77. A Bill for an Act to amend and re-enact Section 57-3818 of the North Dakota Revised Code

THURSDAY, JANUARY 15, 1959

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of 1943, as amended, relating to the exemption from the state income tax of all income accruing from federal social security retirement payments.

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

Senators Miller, Becker, Vendsel, Klefstad and Baeverstad introduced:

Senate Bill No. 78. A Bill for an Act to amend and reenact Section 16-1710 of the North Dakota Revised Code of 1943 and Section 16-1703 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to salaries and mileage of precinct committeemen, and the petition placing precinct committeemen's names on ballot.

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

Senators Nesvig, Andre, Miller, Trenbeath, Baeverstad, Hystad, Wadeson, Thompson and Gilbertson introduced:

Senate Bill No. 79. A Bill for an Act providing that all loaves of packaged bread shall have printed on the package amount of money the farmer received from the sale of cereal grains or potatoes used in the manufacture of such bread.

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

Senator Garaas introduced:

Senate Bill No. 80. A Bill for an Act to amend and reenact subdivision a of subsection 1 of Section 27-1608 of the North Dakota Revised Code of 1943, relating to original jurisdiction of juvenile court over children violating ordinances and laws.

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

Senators Wadeson, Paulson, Livingston, Klefstad, Gilbertson, George and Berube introduced:

Senate Bill No. 81. A Bill for an Act to create and enact Section 15-3428 of the North Dakota Revised Code of 1943, relating to transportation of elementary school children and to amend and reenact Section 15-3419 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to qualifications of school bus drivers.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Senators Wadeson and Garaas introduced:

Senate Concurrent Resolution "C". A Concurrent Resolution authorizing and directing the legislative research committee, in cooperation with the state bar association of this state, to study and revise the laws of this state governing commercial transactions.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 51. A Bill for an Act providing for meetings of legislators and legislators-elect in advance of legislative sessions.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Nesvig
Erickson	Johnson	Paulson
Erickstad	Kee	Redlin
Fiedler	Kisse	Ringsak
Foss	Krause	Saumur
Garaas	Longmire	Trenbeath
Gefreh	Luick	Wartner
Gronvold	Mutch	Wenstrom
Hernett		Yunker

Those voting in the negative were:

Andre	Klefstad	O'Brien
Becker	Larson	Roen
Berube	Lautenschlager	Schrock
Brooks	Livingston	Thompson
Freed	Meidinger	Van Horn
George	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Hystad	Murphy	

So the bill passed and the title was agreed to.

Senate Bill No. 52. A Bill for an Act to amend and re-enact sections 46-0204 and 46-0305 of the 1957 Supplement to the North Dakota Revised Code of 1943, and sections 46-0412, 46-0413, 46-0414, and 46-0415 of the North Dakota Revised Code of 1943, relating to legislative bills, journals, and resolutions, and to repeal sections 46-0307 of the 1957 Supplement to the North Dakota Revised Code of 1943 and 46-0308 of the North Dakota Revised Code of 1943.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

MOTIONS

Senator Hernet moved that Senate Bill No. 57 be referred to the Committee on Industry, Business and Labor, which motion prevailed.

REPORT OF SELECT COMMITTEES

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

	DATE
	January
A. E. Smith, (CA3-1136),..... St. George Episcopal, Bismarck	6
M. P. Lutness, (CA3-3560),..... Trinity Lutheran, Bismarck	7
A. E. Smith, (CA3-1136),..... St. George Episcopal, Bismarck	8, 9
Warren K. Johnson, (CA3-9446),..... First Lutheran, Bismarck	10
William Lindsay, (CA3-6091),..... First Presbyterian, Bismarck	12, 13
Francis V. Tannehill, (CA3-8240),..... McCabe Methodist, Bismarck	14, 15
Marvin H. Olson, (CA3-2202),..... House of Prayer Lutheran, Bismarck	16
Edward R. Kimball, (CA3-6271),..... Evangelical Free, Bismarck	17
Robert H. Strutz, (8909),..... Evangelical United Brethren, Mandan	19
J. F. Vondracek, (CA3-1885),..... Salvation Army, Bismarck	20
P. A. Spain, (CA3-1549),..... St. Anne's Catholic, Bismarck	21
John G. Holton, (8466),..... Christ Episcopal, Mandan	22
Wendell K. Reed, (CA3-2599),..... Assembly of God, Bismarck	23
John R. Heidinger, (8631),..... Messiah Lutheran, Mandan	24
Robert A. Feehan, (CA3-5562),..... St. Mary's Catholic, Bismarck	26
Raymond Harbour, (8371),..... Baptist Chapel, Mandan	27
Theodore Gustin, (657),..... St. Joseph's Catholic, Mandan	28
R. J. Sausoman, (CA3-9008),..... Wesleyan Methodist, Bismarck	29
G. Schnaidt, (CA3-4600),..... American Lutheran, Bismarck	30
Glenn Field, (CA3-4733),..... Capitol Heights Baptist, Bismarck	31

	February
William F. Garvin, (CA3-1033), Cathedral Catholic, Bismarck	2
Irvin Hultin, (3814), Rural Methodist, Mandan	3
J. H. Nicolai, (CA3-3560), Trinity Lutheran, Bismarck	4
E. S. Hedgebeth, (CA-7135), Congregational Christian, Bismarck	5
Herman G. Johnson, (766), Assembly of God, Mandan	6
David E. Figg, (CA3-8995), Nazarene, Bismarck	7
Neil Hadley, (CA3-8933), Seventh Day Adventist, Bismarck	9
Gordon Sandau, (8368), Baptist, Mandan	10
Harold F. Hofstad, (CA3-8099), Lutheran Church of the Cross, Bismarck	11
Lt. Ralph Spicer, (2271), Salvation Army, Mandan	12
Clifford Nuss, (CA3-2921), First Baptist, Bismarck	13
Melvin DeVries, (CA3-0364), Reformed, Bismarck	14
Carsten F. Brien, (2683), First Lutheran, Mandan	16
R. H. Feind, (CA3-4401), Evangelical United Brethren, Bismarck	17
E. O. Grunstead, (3350), Methodist, Mandan	18
M. P. Lutness, (CA3-3560), Trinity Lutheran, Bismarck	19
Warren K. Johnson, (CA3-9446), First Lutheran, Bismarck	20
Marvin H. Olson, (3545), Peace Lutheran, Mandan	21
Edward R. Kimball, (CA3-6271), Evangelical Free, Bismarck	23
Robert H. Strutz, (8909), Evangelical United Brethren, Mandan	24
J. F. Vondracek, (CA3-1885), Salvation Army, Bismarck	25
P. A. Spain, (CA3-1549), St. Anne's Catholic, Bismarck	26
John G. Holton, (8466), Christ Episcopal, Mandan	27
Wendell K. Reed, (CA3-2599), Assembly of God, Bismarck	28
	March
John R. Heidinger, (8361), Messiah Lutheran, Mandan	2
Robert A. Feehan, (CA3-5562), St. Mary's Catholic, Bismarck	3

	March
Raymond Harbour, (8371),.....	4
Baptist, Mandan	
Theodore Gustin, (657),.....	5
St. Joseph's Catholic, Mandan	
R. J. Sausoman, (CA3-9008),.....	6
Wesleyan Methodist, Bismarck	

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be printed in the journal and laid over one legislative day, which motion prevailed.

MOTIONS

Senator Holand moved that a committee of three be appointed to serve with a like committee from the House to make arrangements for a joint Lincoln Day observation, which motion prevailed.

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

Senator Holand moved that a committee of three be appointed to arrange for an official photographer for the Senate of the Thirty-sixth Legislative Assembly, which motion prevailed.

The President appointed as such committee Senators Kisse, Hystad and Miller.

COMMUNICATIONS

A letter was presented from Otis Bryant, President, North Dakota Inventors Association.

Senator Erickstad moved that the letter from Mr. Bryant be printed in the Journal, which motion prevailed.

North Dakota Inventors Association
Bismarck, North Dakota

January 14, 1959

Lieutenant Governor C. P. Dahl
and Senators of the Thirty-sixth
Legislative Assembly
Bismarck, North Dakota

Gentlemen:

The North Dakota Inventors Association, Greater North Dakota Association, North Dakota County Agents Association, North Dakota Junior Chamber of Commerce and Devils Lake Chamber of Commerce invite you to attend the third annual North Dakota State Inventors Congress at Devils Lake, North Dakota, beginning at 2:00 p.m. January 25th and continuing through January 28th.

Sunday afternoon of the 25th is being set aside for the viewing of the inventions by the legislative members and their guests. The exhibit hall will be open for this purpose at 2:00 p.m. Sunday, January 25th, giving you the opportunity to leisurely view the inventions exhibited and if desired visit with the exhibitors themselves.

Mr. Carl Smith, Superintendent of the School for the Deaf, also invites you to visit the School for the Deaf if time permits.

We hope that many of you will find the time and make this visit to the Inventors Congress.

Sincerely yours,
OTIS BRYANT, President
North Dakota Inventors Association

MESSAGE TO THE GOVERNOR

January 14, 1959

Governor John E. Davis
State Capitol Building
Bismarck, North Dakota

Dear Governor Davis:

I have the pleasure to inform you that the Senate sitting in executive session has advised and consented to your appointment of:

George H. Russ, Jr., of Fargo, as State Examiner for a period of four years, commencing on July 1, 1957 and ending on July 1, 1961.

Cecil O. Ferguson of Jamestown, as a trustee of the Soldier's Home for a period of five years, commencing on July 2, 1958 and ending on July 1, 1963.

W. Fulton Burnett of Fargo, as a trustee of the Soldier's Home for a period of five years, commencing on July 1, 1957 and ending July 1, 1962.

Sincerely,
C. P. DAHL
Lieutenant Governor

MOTIONS

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

The President of the Senate announced that the Senate sitting in Executive Session resolved itself into a committee of the whole and consideration of the message from the Governor was postponed until Monday, January 19, 1959.

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

VIC GILBREATH, Secretary.

ELEVENTH DAY

Bismarck, January 16, 1959

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

Prayer by Chaplain Marvin H. Olson, House of Prayer Lutheran, Bismarck.

Roll Call: All Senators present except Senators Berube, Paulson and Roen.

A quorum was declared by the President Pro Tem.

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

SENATOR KEE, Chairman.

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

MESSAGE FROM THE HOUSE
House Chamber

Bismarck, January 16, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "B"

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

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Erickson requested that the Senate be on the eighth order of business, which request was granted.

Senator Erickson: Mr. President and Members of the Senate of North Dakota. On behalf of the membership of this body who reside on the west side of the river, I want to make a few remarks about our President Pro Tem. We know that our good friend Amos will rule this body with much dignity and decorum, and that he will be in complete control of the situation at all times, and that everything and everyone in this body will feel the impact of the gavel when Amos decides to wield the same, and in order that each of you may know the terrific impact that his gavel will have, I, at this time, would move that Senators Holand and Vendsel present the President Pro Tem with a gift from some of Amos' devoted constituents, and that after this presentation I move you, Mr. President Pro Tem, as we are now ready to start, that you get this auction under way.

Which motion prevailed and Senators Holand and Vendsel presented the President Pro Tem with said gift.

Senator Meidinger moved that the remarks of Senator Erickson be printed in the journal, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 46 has had the same under consideration and recommend that the same do pass.

SENATOR LUICK, Chairman.

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

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 58 has had the same under consideration and recommend that the same be amended as follows:

In line 27, delete the words "board of county commissioners" and insert in lieu thereof the words "welfare board", and at the end of the line delete the word "may" and insert in lieu thereof the word "shall".

In line 65, delete the word "may" and insert thereof the word "shall".

In line 88, delete the word "may" and insert in lieu thereof the word "shall".

In line 125, after the word "GOVERNING" add a comma and insert the word "PENALTY".

In line 149, after the word "records" delete the period and insert a comma and the following: "except that foster home cases involving unmarried mothers shall not be so open for such inspection."

In line 181, delete the word "may" and insert in lieu thereof the word "shall".

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LIVINGSTON, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Wartner moved that the amendments to Senate Bill No. 40 be adopted, which motion prevailed.

MOTIONS

At the request of Senator Krause a group of students and their teacher, Dean Lavachek of Carson, North Dakota, were recognized by the Senate.

FIRST READING OF SENATE BILLS

Senators Trenbeath and Gefreh introduced:

Senate Bill No. 82. A Bill for an Act to provide for reimbursement to certain employees from the workmen's compensation fund for judgments rendered against them involving employee's injuries.

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

Senators Trenbeath and Gefreh introduced:

Senate Bill No. 83. A Bill for an Act to amend and reenact section 65-0429 of the North Dakota Revised Code of 1943 relating to employers carrying workmen's compensation insurance on nonhazardous employment.

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

Senator George introduced:

Senate Bill No. 84. A Bill for an Act to amend and reenact section 11-3202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to memorial funds.

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

Senator Longmire introduced:

Senate Bill No. 85. A Bill for an Act to prohibit the sale of contraceptives through vending machines.

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

Senators Gronvold, Baeverstad, Kee, Becker, and Erickstad introduced:

Senate Bill No. 86. A Bill for an Act to establish a geriatrics hospital for the care of the aged to be maintained under the administration of the state hospital.

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

Senator Longmire introduced:

Senate Bill No. 87. A Bill for an Act to amend and reenact section 30-1915 of the North Dakota Revised Code of 1943, relating to written bids of estate realty.

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

Senators Longmire and Garaas introduced:

Senate Bill No. 88. A Bill for an Act to amend and reenact section 24-0220 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to bidding requirements for state highway department contracts.

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

Senator Hernettt introduced:

Senate Bill No. 89. A Bill for an Act relating to the Bank of North Dakota and providing for the transfer of certain funds from the collection and land department to the general fund and from the general fund to the state highway construction fund and making appropriations therefor.

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

Senators Morgan, Garaas, and Gronvold introduced:

Senate Bill No. 90. A Bill for an Act to amend and reenact section 61-0610 of the North Dakota Revised Code of 1943 relating to notice of election in an irrigation district after district is organized and declaring an emergency.

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

Senators Meidinger, Wenstrom, Morgan, Wadeson and Klefstad introduced:

Senate Bill No. 91. A Bill for an Act to amend and re-enact section 57-0208 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 21 relating to the exemption of clothing, household goods, and musical instruments of certain persons from personal property taxation.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 16. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Board of School District Reorganization.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Schrock
Fiedler	Krause	Thompson
Foss	Larson	Trenbeath
Freed	Lautenschlager	Van Horn
Garaas	Livingston	Vendsel
Gefreh	Longmire	Wadson
George	Luick	Wartner
Gilbertson	Meidinger	Wenstrom
Gronvold	Miller	Yunker
Hernett	Murphy	

Absent and not voting:

Berube	Paulson	Saumur
Morgan	Roen	

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

Senate Bill No. 18. A Bill for an Act making an appropriation for the administrative expenses of the State School Construction Fund and State School Construction Board.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hernett	Murphy
Baeverstad	Holand	Mutch
Becker	Hystad	Nesvig
Brooks	Johnson	O'Brien
Erickson	Kee	Redlin
Erickstad	Kisse	Ringsak
Fiedler	Klefstad	Schrock
Foss	Krause	Thompson
Freed	Lautenschlager	Trenbeath
Garaas	Longmire	Van Horn

Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker

Absent and not voting:		
Berube	Paulson	Saumur
Larson	Roen	Vendsel
Livingston		

So the bill passed and the title was agreed to.

Senate Bill No. 20. A Bill for an Act making an appropriation to the Department of Public Instruction, for the purpose of paying salaries and other expenses of the Director of Surplus Property.

Was read the second time.

Senator Murphy moved that Senate Bill No. 20 be laid over one legislative day, which motion prevailed.

Senate Bill No. 23. A Bill for an Act making an appropriation for the payment of expenses of delegates to national conventions of political parties recognized as such by the laws of the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Brooks	Kee	O'Brien
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:		
Berube	Paulson	Saumur
Larson	Roen	Vendsel

So the bill passed and the title was agreed to.

Senate Bill No. 24. A Bill for an Act making an appropriation to pay the expenses and per diem of presidential electors.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Murphy
Baeverstad	Johnson	Mutch
Becker	Kee	Nesvig
Brooks	Kisse	O'Brien
Erickson	Klefstad	Redlin
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Hernett	Morgan	Yunker
Holand		

Absent and not voting:

Berube	Paulson	Roen
Gronvold	Ringsak	Saumur

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Senator Livingston moved that the report of the Select Committee appointed to arrange for Chaplaincy of the Senate during the Thirty-sixth Legislative Assembly, printed on page 69, 70 and 71 of the Senate Journal, be adopted.

ROLL CALL

The question being on the motion of Senator Livingston that the report of the Committee on Chaplaincy be adopted, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Brooks	Kee	O'Brien
Erickson	Kisse	Redlin
Erickstad	Klefstad	Schrock
Fiedler	Krause	Thompson
Foss	Larson	Trenbeath
Freed	Lautenschlager	Van Horn
Garaas	Livingston	Vendsel
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gilbertson	Meidinger	Wenstrom
Gronvold	Miller	Yunker
Hernett	Morgan	

Absent and not voting:

Berube	Ringsak	Saumur
Paulson	Roen	

So the motion was declared carried.

FIRST READING OF A HOUSE

CONCURRENT RESOLUTION

House Concurrent Resolution "B". A concurrent resolution providing and designating house and senate employees and naming and fixing their salaries.

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

MOTIONS

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

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

VIC GILBREATH, Secretary.

TWELFTH DAY

Bismarck, January 17, 1959

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

Prayer by Chaplain Edward R. Kimball, Evangelical Free, Bismarck.

The roll was called and there were 24 present, 25 absent.

Those present were: Andre, Becker, Fiedler, Freed, Garaas, Hystad, Johnson, Kisse, Krause, Lautenschlager, Longmire, Luick, Miller, Morgan, Murphy, Nesvig, O'Brien, Redlin, Roen, Trenbeath, Van Horn, Vendsel, Wadeson and Yunker.

Those absent were: Baeverstad, Berube, Brooks, Erickson, Erickstad, Foss, Gefreh, George, Gilbertson, Gronvold, Hernet, Holand, Kee, Klefstad, Larson, Livingston, Meidinger, Mutch, Paulson, Ringsak, Saumur, Schrock, Thompson, Wartner, and Wenstrom.

So the President declared that the Senate lacked a quorum, and would stand adjourned until 1:00 p.m., January 19, 1959.

VIC GILBREATH, Secretary.

TWELFTH DAY AND FOURTEENTH DAY

Bismarck, January 19, 1959

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

MOTIONS

Senator Holand requested a call of the Senate, which request was granted.

The President announced that the Senate would be at ease during the call of the Senate.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

Roll Call: All Senators present except Senators Gilbertson and Wadeson.

A quorum was declared by the President.

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

SENATOR YUNKER, Acting Chairman.

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

REPORT OF STANDING COMMITTEES

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

Senate Bill No. 40

And find the same correctly Engrossed.

SENATOR NESVIG, Acting Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 69 has had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 70 has had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

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

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

SENATOR MEIDINGER, Chairman.

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

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

In line 20, after the word "the" insert the words "First Session of the"

In line 27, after the word "the" insert the words "First Session of the"

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR TRENBEATH, Chairman.

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

Mr. President: Your Committee on Employment to whom was referred House Concurrent Resolution "B" has had the same under consideration and recommend that the same do pass.

SENATOR WADESON, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Livingston moved that the amendments to Senate Bill No. 58 be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Garaas, Berube, Andre, Van Horn, Fiedler, Nesvig, Hystad, Thompson, Redlin, Yunker, Murphy, Schrock, Lautenschlager, Brooks, Vendsel, Livingston, O'Brien, Gilbertson, Johnson and Paulson introduced:

Senate Bill No. 92. A Bill for an Act to amend and reenact sections 16-0415 and 16-1705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to primary election ballots and precinct committeemen, and to amend and reenact section 16-1703 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to precinct committeemen ballot.

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

Senators Hystad and Longmire introduced:

Senate Bill No. 93. A Bill for an Act to amend and reenact section 14-0319 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 14-0320 and 14-0321 of the North Dakota Revised Code of 1943, relating to marriage licenses and certificates of marriage and the manner of their disposition.

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

Senators Luick, Wadeson, Livingston, George, Johnson, Foss, Kee, Gilbertson, Kisse and Baeverstad introduced:

Senate Bill No. 94. A Bill for an Act to amend and reenact section 49-1309 of the North Dakota Revised Code of 1943 relating to the number of brakemen required on trains.

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

Senator Gefreh introduced:

Senate Bill No. 95. A Bill for an Act to amend and reenact sections 39-03A13, 39-03A14, 39-03A17, and 39-03A18 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the highway patrol retirement system, and providing for a retroactive date.

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

Senator Gefreh introduced:

Senate Bill No. 96. A Bill for an Act to amend and reenact section 40-2410 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the constitutional debt limit of municipalities.

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

Senators Becker, Erickson, Mutch and Baeverstad introduced:

Senate Bill No. 97. A Bill for an Act to amend and reenact sections 57-4308, 57-5001 and 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the refund of motor fuels and special fuels taxes on fuels used to propel watercraft on waters in this state.

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

Senators Foss and Livingston introduced:

Senate Bill No. 98. A Bill for an Act to provide for the education of deaf-blind children outside the state of North Dakota; providing appropriation for this purpose.

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

Senators Wenstrom, Roen and Freed introduced:

Senate Bill No. 99. A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 38-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the jurisdiction of the industrial commission over control of gas and oil resources.

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

Senators Vendsel and Morgan introduced:

Senate Bill No. 100. A Bill for an Act to amend and reenact sections 26-2701 and 26-2708 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to participation of chiropodists in nonprofit medical service corporations.

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

Senators O'Brien and Thompson introduced:

Senate Bill No. 101. A Bill for an Act to create and enact section 15-53011 of the 1957 Supplement to the North

Dakota Revised Code of 1943, relating to the classification of certain elementary school districts as high school districts for the purpose of reorganization.

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

Senators Garaas, Vendsel and Murphy introduced:

Senate Bill No. 102. A Bill for an Act to amend and reenact section 48-0201 of the North Dakota Revised Code of 1943, relating to the construction of public buildings.

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

Senators Fiedler, O'Brien, Livingston, Larson, Morgan, Longmire and Schrock introduced:

Senate Bill No. 103. A Bill for an Act to amend and reenact sections 57-2201, 57-2202, and 57-2210 of the North Dakota Revised Code of 1943, relating to collection of personal property taxes.

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

Senator Garaas introduced:

Senate Bill No. 104. A Bill for an Act to amend and reenact section 16-1204 of the North Dakota Revised Code of 1943, relating to election ballots.

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

FIRST READING OF SENATE RESOLUTIONS

Senators Becker, Hystad, Morgan, Krause and Lautenschlager introduced:

Senate Concurrent Resolution "D". A Concurrent Resolution allowing the use of the Memorial Hall for employee's dances.

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

Senators O'Brien, Holand and Vendsel introduced:

Senate Concurrent Resolution "E". A Senate Concurrent Resolution designating February 12, 1959, the anniversary of the birth of President Lincoln, as Newspaperman's Day at the state Legislative Assembly.

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

MOTIONS

Senator Holand moved that Senate Bill No. 20 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 20. A Bill for an Act making an appropriation to the Department of Public Instruction, for the purpose of paying salaries and other expenses of the Director of Surplus Property.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Gilbertson Meidinger

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that Senate Bill No. 40 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 46. A Bill for an Act to amend and re-enact section 39-1101 of the North Dakota Revised Code of 1943 relating to parking lights on motor vehicles.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Nesvig	Vendsel
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Absent and not voting:

Gilbertson Meidinger

So the bill passed and the title was agreed to.

Senator Holand moved that after the reading of Senate Bill No. 40 that the Senate recess subject to the call of the chair, which motion prevailed.

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

SECOND READING OF A SENATE BILL

Senate Bill No. 40. A Bill for an Act relating to partnerships, adopting the Uniform Partnership Act and the Uniform Limited Partnership Act as a part of Title 45 of the Code, and repealing chapters 45-01, 45-02, 45-03, and 45-04 of the North Dakota Revised Code of 1943, as amended.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker

Absent and not voting:

Erickstad	Krause	Longmire
Freed		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 19, 1959

Mr. Speaker: I have the honor to inform you that the President has appointed a committee of three to act with a like committee from the House to make arrangements for a joint Lincoln Day observance.

Senators Becker, Lautenschlager and Gefreh.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 17, 1959

Mr. President: I have the honor to inform you that the Speaker of the House has appointed a committee of three to meet with a like committee from the Senate to arrange for a joint session and program to observe Lincoln's Birthday.

Reps. Muggli, Loewen and Esterby.

GERALD L. STAIR, Chief Clerk.

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

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

VIC GILBREATH, Secretary.

FOURTEENTH DAY

Bismarck, January 19, 1959

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

Prayer by Chaplain Robert H. Strutz, Evangelical United Brethren, Mandan.

Roll Call: All Senators present.

A quorum was declared by the President.

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

SENATOR KEE, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 19, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 16

Senate Bill No. 18

Senate Bill No. 23

Senate Bill No. 24

Senate Bill No. 39

Senate Bill No. 51

Senate Bill No. 52

Senate Bill No. 54

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

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand moved that the Senate recess until 3:30 p.m., which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

COMMUNICATIONS

A communication was presented from former Senator Harvey B. Knudson enclosing several resolutions from other states which said resolutions were referred to the Committee on Judiciary.

MOTIONS

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

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

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

VIC GILBREATH, Secretary.

FIFTEENTH DAY

Bismarck, January 20, 1959

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

Prayer by Chaplain J. F. Vondracek, Salvation Army, Bismarck.

Roll Call: All Senators present except Senators Larson and Ringsak.

A quorum was declared by the President.

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

SENATOR KEE, Chairman.

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

REPORT OF STANDING COMMITTEE

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

Senate Bill No. 58

And find the same correctly Engrossed.

SENATOR ERICKSON, Chairman.

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

MESSAGE TO THE GOVERNOR

January 20, 1959

Governor John E. Davis
State Capitol Building
Bismarck, North Dakota

Dear Governor Davis:

I have the pleasure to inform you that the Senate sitting in executive session has advised and consented to your appointment of:

Mr. Fred Orth of Grand Forks, as a member of the State Board of Higher Education for a term of seven years, commencing on July 1, 1958, and ending on July 1, 1965.

Mrs. Mildred Johnson of Wahpeton, as a member of the State Board of Higher Education for a term of seven years, commencing on July 1, 1959, and ending on July 1, 1966.

Sincerely,
C. P. DAHL
Lieutenant Governor

MESSAGE FROM THE HOUSE
House Chamber

Bismarck, January 19, 1959

Mr. President: I have the honor to inform you that the Speaker of the House has appointed a committee of three to serve with a like committee from the Senate to arrange for a joint session on Washington's Birthday and Memorial Day Ceremony.

The Speaker has appointed Rep. Van Sickle, Rep. Goebel and Rep. Berntson.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE
Senate Chamber

Bismarck, January 20, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 20

Senate Bill No. 40

Senate Bill No. 46

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

VIC GILBREATH, Secretary.

COMMUNICATIONS

A resolution was presented from the LaMoure County School Officers Association setting forth five recommendations, which resolution was referred to the Committee on Education.

A resolution was presented from the Stark County Livestock and Poultry Association relative to support of the present Bounty Law, which resolution was referred to the Committee on Natural Resources.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 47 has had the same under consideration and recommend that the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 59 has had the same under consideration and recommend that the same do pass.

And further recommend that the same be re-referred to the Committee on Appropriations.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 63 has had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, delete the word "react" and insert in lieu thereof the word "reenact".

In line 16, delete the word "covered" and insert in lieu thereof the word "placed".

And when so amended recommend the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 68 has had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

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

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

SENATOR LONGMIRE, Chairman.

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

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

SENATOR LONGMIRE, Chairman.

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

CONSIDERATION OF AMENDMENTS

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 20, 1959

Mr. President: I have the honor to transmit:

House Bill No. 546

House Bill No. 556

House Bill No. 558

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

GERALD L. STAIR, Chief Clerk.

FIRST READING OF SENATE BILLS

Senator Larson introduced:

Senate Bill No. 105. A Bill for an Act to transfer funds received in the payment of interest and principal under Chapter 15-60, of the 1957 Supplement to the North Dakota Revised Code of 1943, to the state school construction revolving fund and declaring an emergency.

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

Senators Freed and Krause introduced:

Senate Bill No. 106. A Bill for an Act to amend and reenact section 20-0337 of the North Dakota Revised Code of 1943, relating to revocation of fishing licenses.

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

Senators Murphy, Krause, Vendsel and Lautenschlager introduced:

Senate Bill No. 107. A Bill for an Act to amend and reenact section 49-0506 of the North Dakota Revised Code of 1943, relating to the filing by public utilities of rates, fares, schedules, classifications, contracts, rules, and regulations, with the public service commission, and the investigation thereof by the commission.

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

Senators Murphy, Klefstad, Gefreh, Fiedler, Livingston and Vendsel introduced:

Senate Bill No. 108. A Bill for an Act to appropriate money for the construction of a children's psychiatric center to be administered by the state board of administration.

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

Senators Vendsel, Hernet, Fiedler, Gronvold and Meidinger (by request) introduced:

Senate Bill No. 109. A Bill for an Act relating to sale, regulation, and control of drugs, medicines, chemicals, compounds, and pharmacists and amending and reenacting sections 43-1501, 43-1502, 43-1505, 43-1506, 43-1509, 43-1510, 43-1514, 43-1515, 43-1518, 43-1525 and 43-1530 of the North Dakota Revised Code of 1943, as amended.

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

Senators Gefreh and Baeverstad (by request) introduced:

Senate Bill No. 110. A Bill for an Act to amend and reenact the initiated measure approved June 29, 1948 entitled "making it unlawful for the state of North Dakota, its political subdivisions, counties, cities, villages, and the State Highway Department, to establish and maintain any mechanical device or devices known as 'parking meters', or by whatever name designated, requiring the deposit therein of coins or tokens for the privilege of parking cars or vehicles upon the streets and highways in the state of North Dakota," constituting Chapter 357 of the 1949 Session Laws and Section 39-0109 of the 1957 Supplement to the North Dakota Revised Code of 1943; by providing for the use of parking meters by cities and villages having a population of 3,000 or more, and declaring an emergency.

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

Senators Hernet, Fiedler, Krause, Wadeson and Vendsel introduced:

Senate Bill No. 111. A Bill for an Act to amend sections 20-0201 and subsection one of section 20-0205 of the North Dakota Revised Code of 1943 and to provide for appointment of a state game and fish commissioner, deputy commissioner, chief warden, district deputy wardens, biologists and technicians and their removal and to repeal sections 20-0206 and 20-0208 of the North Dakota Revised Code of 1943 and section 20-0211 of the 1957 Supplement to North Dakota Revised Code of 1943.

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

Senators Garaas and Gefreh introduced:

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

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

MOTIONS

Senator Roen requested that the courtesy of the floor be extended to former Senator Emil Strand, which request was granted, and the President appointed Senator Roen as a committee of one to escort former Senator Strand to the rostrum, and Senator Strand was invited to address the Senate.

Senator Strand: Mr. President, and Members of the Senate. It is quite a pleasure to come and visit this chamber again. I don't want to take very much of your time, only to say that we watch you pretty closely out in the country as to what you are doing. You are not going to satisfy everybody that's for sure, but I hope and know that you will do the best you can. Thank you.

Senator Livingston moved that the remarks of former Senator Emil Strand be printed in the Journal, which motion prevailed.

Senator Vendsel moved that the President appoint a committee of two to escort Mr. John Lord to the rostrum, which motion prevailed.

The President appointed as such committee Senators Vendsel and Holand, and Mr. John Lord was escorted to the rostrum and invited to address the Senate.

Mr. Lord: I had not expected the courtesy of an opportunity to address this assembly. I think it is only right and needful that the President of the Senate at all times have the "Lord" on his right. I feel it a great pleasure to stop here. I have had the opportunity before. I have met a number of you gentlemen personally. If I haven't met you personally I have been in your district and I know the entire state is vitally interested in the work that will be accomplished in this Session. I know that you will give it your best and the leavening influence that has appeared here, I believe, will be of great assistance to you. Thank you.

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

SECOND READING OF SENATE BILLS

Senator Holand moved that Senate Bill No. 58 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 69. A Bill for an Act to amend and reenact Section 15-2406 of the North Dakota Revised Code of 1943, relating to common school district elections.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Larson Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 70. A Bill for an Act to amend and reenact Section 15-4009 of the North Dakota Revised Code of 1943, relating to the emergency fund.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Larson Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 72. A Bill for an Act to amend and reenact Section 15-3611 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to teachers' 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Larson Ringsak

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that after the reading of House Concurrent Resolution "B" and Senate Bill No. 58 that the Senate recess subject to the call of the chair, which motion prevailed.

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

SECOND READING OF A
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "B". A concurrent resolution providing and designating house and senate employees and naming and fixing their salaries.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Erickstad	Kisse	Redlin
Fiedler	Krause	Saumur
Foss	Livingston	Schrock
Freed	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Andre	Klefstad	Ringsak
Brooks	Larson	Roen
Erickson	Lautenschlager	Wartner
Kee		

So the resolution was declared adopted.

SECOND READING OF A SENATE BILL

Senate Bill No. 58. A Bill for an Act to amend and reenact section 50-0104 of the North Dakota Revised Code of 1943, and sections 50-0736, 50-0827, 50-0912 and 50-10A34 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to public welfare records and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Gronvold	Mutch
Baeverstad	Hernett	O'Brien
Becker	Holand	Paulson
Berube	Johnson	Redlin
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Klefstad	Schrock
Fiedler	Krause	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Wenstrom
Gilbertson	Morgan	

Those voting in the negative were:

Hystad	Nesvig	Yunker
Murphy	Vendsel	

Absent and not voting:

Larson	Lautenschlager	Ringsak
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So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that the President appoint a committee of three to act with a like committee of the House to make necessary arrangements for a Memorial Service to be held on Washington's Birthday, which motion prevailed.

The President appointed as such committee Senators George, Yunker and Hernett.

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

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

VIC GILBREATH, Secretary.

SIXTEENTH DAY

Bismarck, January 21, 1959

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain P. A. Spain, St. Anne's Catholic, Bismarck.

Roll call: All Senators present except Senator Trenbeath.

A quorum was declared by the President.

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

On page 93, line 13, delete the word "Conference" and insert in lieu thereof the word "Concurrent".

On page 94, line 46, correct the spelling of the name "Fiedler".

On page 95, line 30, correct the spelling of the word "escort".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

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

REPORT OF STANDING COMMITTEE

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

Senate Concurrent Resolution "B" and find the same correctly Engrossed.

SENATOR ERICKSON, Chairman.

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

COMMUNICATIONS

A communication was presented addressed to Hon. C. P. Dahl, Lieutenant Governor, from C. P. Bartholomay of Fargo, North Dakota, relative to workmen's compensation benefits, which communication was referred to the Committee on Industry, Business and Labor.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 61 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Baeverstad moved that the amendments to Senate Bill No. 63 be adopted, which motion prevailed.

MOTIONS

Senator O'Brien moved that Senate Bill No. 101 which was referred to the Committee on Education be returned to the Senate, which motion prevailed.

Senator O'Brien requested the consent of the Senate to withdraw Senate Bill No. 101, which request was granted.

FIRST READING OF SENATE BILLS

Senators Wartner and Garaas (By request of the State Highway Commissioner) introduced:

Senate Bill No. 112. A Bill for an Act to amend and reenact Section 24-0211 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to records of the Highway Department open to public; certified copies.

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

Senators Larson, Livingston, Longmire and Vendsel introduced:

Senate Bill No. 113. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

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

Senators Kee and Luick introduced:

Senate Bill No. 114. A Bill for an Act to authorize the North Dakota State Highway Department to purchase, install and maintain a Highway Maintenance Radio Net.

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

Senators Mutch, Kee, Johnson and Ringsak introduced:

Senate Bill No. 115. A Bill for an Act to amend and reenact section 57-5011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the assignment of refund claims on motor fuel tax.

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

Senators Longmire and Luick introduced:

Senate Bill No. 116. A Bill for an Act regulating the use of cigars, cigarettes, pipes and tobacco so as not to endanger life or property, and providing a penalty.

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

Senators Trenbeath and Berube introduced:

Senate Bill No. 117. A Bill for an Act to amend and reenact section 5-0306 of the North Dakota Revised Code of 1943, relating to stamps representing tax on liquor in this state, and allowing a limited amount of liquor to be brought into this state from Canada by tourists or other people.

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

Senators Livingston, Vendsel, Yunker and Larson introduced:

Senate Bill No. 118. A Bill for an Act to amend and reenact sections 43-1401, 43-1409 and 43-1413 of the North Dakota Revised Code of 1943, relating to the practice of osteopathy.

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

Senators Morgan, O'Brien, Fiedler and Wadson introduced:

Senate Bill No. 119. A Bill for an Act to amend and reenact section 57-2001 of the North Dakota Revised Code of 1943, relating to the penalty for delinquent personal property taxes.

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

Senators Kee, Garaas, Morgan, Longmire, Wenstrom, Gilbertson, Yunker and Paulson introduced:

Senate Bill No. 120. A Bill for an Act to amend and reenact section 24-0209 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to Highway Department budgets.

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

Senators Kee, Garaas, Morgan, Longmire, Wenstrom, Gilbertson, Yunker and Paulson introduced:

Senate Bill No. 121. A Bill for an Act to provide Highway Department short term financing.

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

Senators Larson and Meidinger introduced:

Senate Concurrent Resolution "G". A concurrent resolution authorizing and directing the legislative research committee to study the need for special education within the state and the manner in which facilities for such special education can be best obtained.

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

Senators Livingston, O'Brien and Meidinger introduced:

Senate Concurrent Resolution "H". A resolution urging the State Board of Public School Education and the State Board of Higher Education to examine the curricula, and standards of accomplishment, of the schools of this state.

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

MOTIONS

Senator Baeverstad moved that Senate Bill No. 47 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Luick moved that Senate Bill No. 107 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 68. A Bill for an Act to amend and re-enact Section 15-5314 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to reorganization of school districts.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

- | | | |
|------------|----------------|----------|
| Andre | Hystad | Nesvig |
| Becker | Johnson | O'Brien |
| Berube | Kee | Paulson |
| Brooks | Kisse | Redlin |
| Erickson | Klefstad | Ringsak |
| Erickstad | Krause | Roen |
| Fiedler | Larson | Saumur |
| Foss | Lautenschlager | Schrock |
| Freed | Livingston | Thompson |
| Garaas | Longmire | Van Horn |
| Gefreh | Luick | Vendsel |
| George | Meidinger | Wadeson |
| Gilbertson | Miller | Wartner |
| Gronvold | Morgan | Wenstrom |
| Hernett | Murphy | Yunker |
| Holand | Mutch | |

- Absent and not voting:
 Baeverstad Trenbeath

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "B". A Concurrent Resolution urging the President, Director of the Bureau of the Budget and the Secretary of the Interior to make early transmittal to Congress of the project plan report on the Garrison Diversion Unit.

Was read the second time.

Senator Wenstrom: Mr. President, I, too, wish to speak in favor of the Resolution now under consideration.

Because of my close association with the Water Development Program for many years, I feel that I am qualified to speak on this subject of major importance. Because I realize the magnitude and the many ramifications of the water resource development program, I choose to read a prepared statement rather than speak from the cuff—

I wish to thank Senator Vendsel, leader of the minority group of the Senate, for coming forward with his resolution

in support of one of the Governor's recommendations as set forth in his message to the Legislature. This Resolution is timely; it should be passed without delay. Its passage will indicate the support of the North Dakota Legislature of the efforts of all the leaders and proponents of the Garrison Diversion Project toward obtaining an early transmittal of the project report from the Executive Branch of our Federal Government to the Congress. Such action is essential to permit Congressional consideration of the project during the first session of the 86th Congress.

The notable progress that has been made in North Dakota in the water resource development program is largely due to the bipartisan efforts of our people and their elected leaders. Even before North Dakota became a state we were fortunate to have had "Men of Vision"; men who saw, in the Missouri River, an opportunity for new wealth for their state. They recognized that the only assured water supply that was available to North Dakota existed in the Missouri River. The problem of these pioneers and of the many settlers to follow them; a problem they worked tirelessly to overcome, was that of bringing about the diversion of water from the Missouri River to large areas in central and eastern North Dakota. Here it could be used for the direct or indirect benefit of all the people of the state. These early dreams have culminated in the Garrison Diversion Project which has been investigated, found feasible and is now on the verge of being constructed.

To realize the bipartisan effort that has existed in North Dakota in bringing the Garrison Diversion Project to its present advanced stage we need only to look back over the past several years. The North Dakota Water Conservation Commission, was established in 1937, during the administration of William Langer. This commission from its inception, has borne the brunt of the water resource development program.

The Missouri River Basin Project, of which the Garrison Diversion Unit is a part, was authorized by Congress in 1944. Surely much credit for the developments authorized in North Dakota under this program must be given to Governor John Moses and the members of his State Water Conservation Commission for their diligent efforts. Governor Moses was one of the leaders among the Governors of the Missouri River Basin States who spearheaded the establishment of the Missouri River States Committee, an organization through which the voice of the states of the basin could be heard. His successor, Governor Fred Aandahl, ably carried on the important task of bringing about the investigation and development of many projects in North Dakota that are a part of the over-all Missouri River Basin Program. This Committee, with Governor Aandahl as one of its leaders, was instrumental in bringing about a coordinated effort of all Federal agencies and states in the Missouri River Basin Program through the Missouri Basin Interagency Committee. Governor Norman Brunsdale and his administration carried on this important work and must be given credit for much of the progress that has been made in North Dakota. He was known throughout the basin, and 17 Reclamation States as one of the most able and best informed leaders in the water resource develop-

ment field. There were many notable accomplishments in bringing about the development of the Garrison Diversion Project that occurred during his administration. Among these are the completion of the Project studies and the establishment of the 25 county Garrison Diversion Conservancy District.

Our present Governor, John Davis, has diligently continued the work of his predecessors relative to the Garrison Diversion Project. As State Senator he was one of the Committee that spearheaded the establishment of our Conservancy District. He has organized a bipartisan committee composed of representatives from all water resource development interests in the state. This Committee has been given the job of arranging for and coordinating the efforts of the state in securing Congressional approval of the Garrison Diversion Project. He has also actively worked to secure the united support from all states in the Missouri River Basin for the Garrison Diversion Project and other features of the Missouri River Basin program. We must be realistic and recognize that without this support our chances of obtaining Congressional approval of the Garrison Diversion project will be greatly hindered. As a result of his effort the Missouri River States Committee unanimously adopted a Resolution reaffirming the endorsement of the Basin states for the principles and features of the Missouri River Basin program as set forth in the Flood Control Act of 1944. This united support was further emphasized when a special committee of the powerful Mississippi Valley Association composed of representatives from the upper and lower basin interests gave their approval to the Garrison Diversion Project.

We in North Dakota can be proud of the progress that has been made in the development of the state's water resources. This progress would not have been possible without the wholehearted support and coordinated effort of all our leaders whether they be Democrats or Republicans. We must continue and expand this bipartisan effort if we are to realize the ultimate objective visualized in the Garrison Diversion Project—that of using our fair share of the water from the Missouri River for the benefit of as many of our citizens as possible.

Mr. President! Members of the Senate, I urge the unanimous adoption of this Resolution.

Senator Vendsel moved that the remarks of Senator Wenstrom be printed in the Journal, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Concurrent Resolution "B", as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur

Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Van Horn
Garaas	Luick	Vendse
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Larson Trenbeath

So the resolution was declared adopted.

Senate Concurrent Resolution "D". A Concurrent Resolution allowing the use of the Memorial Hall for employee's dances.

Was read the second time.

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

Senate Concurrent Resolution "E". A Senate Concurrent Resolution designating February 12, 1959, the anniversary of the birth of President Lincoln, as Newspaperman's Day at the state Legislative Assembly.

Was read the second time.

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

FIRST READING OF HOUSE BILLS

House Bill No. 546. A Bill for an Act providing for the establishment of a rabies control committee and providing for its members and powers and duties.

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

House Bill No. 556. A Bill for an Act to amend and reenact section 27-0909 of the North Dakota Revised Code of 1943, relating to the method of selection of jurors.

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

House Bill No. 558. A Bill for an Act to provide that administrators, or executors, or guardians may obtain loans from the federal government or institutions guaranteed by the federal government, without court approval, upon harvested cereal crops which are a part of the estate being managed by the executor, administrator, or guardian.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 21, 1959

Mr. Speaker: I have the honor to inform you that the President has appointed a committee of three to act with a like committee from the House to make necessary arrangements for a Memorial Service to be held on Washington's Birthday.

Senators George, Yunker and Hernett.

VIC GILBREATH, Secretary.

MOTIONS

Senator Vendsel requested that the Senate recognize a group of students from Minot State Teachers College, which request was granted.

Senator Wadeson requested that the Senate recognize the senior class from Page, North Dakota, which request was granted.

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

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

VIC GILBREATH, Secretary.

SEVENTEENTH DAY

Bismarck, January 22, 1959

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain John G. Holton, Christ Episcopal, Mandan.

Roll Call: All Senators present except Senators Larson and Trenbeath.

A quorum was declared by the President.

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

SENATOR KEE, Chairman.

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

REPORT OF STANDING COMMITTEE

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

Senate Bill No. 63

And find the same correctly Engrossed.

SENATOR ERICKSON, Chairman.

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

COMMUNICATIONS

A communication was presented addressed to Hon. C. P. Dahl, Lieutenant Governor, from C. P. Bartholomay of Fargo, North Dakota, substantiating correspondence received relative to workmen's compensation benefits, which communication was referred to the Committee on Industry, Business and Labor.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 41 has had the same under consideration and recommend that the same be amended as follows:

In line 238 after the word "the" insert the words "last known," and insert a period after the word "officer," and delete the words "as shown by the most recent annual report of the corporation."

In line 1151, delete "1." and delete the words "The corporation has failed to file its annual," and in line 1152

delete the words "report within the time required by this Act; or," and renumber the Section accordingly.

In line 1577 insert a period after the word "incorporated," and delete the words "as shown by its most recent annual report."

In line 1723 delete the words "has failed to file its annual report within the time required by this Act, or."

In line 1751 delete the words "file such annual report, or."

In line 1818 delete the words "including an annual report."

In line 1833 through line 1837, delete the words "Each corporation, domestic or foreign, that fails or refuses to file its annual report for any year within the time prescribed by this Act shall be subject to a penalty of five dollars to be assessed by the secretary of State."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 74 has had the same under consideration and recommend that the same be amended as follows:

In line 6 of the title, delete the comma after the word "jurisdiction," and insert in lieu thereof a period, and delete the word "and."

In line 7 of the title, delete the words "declaring an emergency."

Delete Section 4.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 75 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

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

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

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 102 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Reso-

lution "C" has had the same under consideration and recommend that the same do pass.

And further recommend that the same be re-referred to the Committee on Legislative Research Resolutions.

SENATOR HERNETT, Chairman.

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

FIRST READING OF SENATE BILLS AND-CONCURRENT RESOLUTIONS

Senator George introduced:

Senate Bill No. 122. A Bill for an Act to amend and reenact section 61-1614 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the deposit of funds of water conservation and flood control districts.

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

Senator Ringsak introduced:

Senate Bill No. 123. A Bill for an Act to amend and reenact section 14-0302 of the North Dakota Revised Code of 1943, relating to the lawful age for marriage.

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

Senators Ringsak, Wartner, Becker and Mutch introduced:

Senate Bill No. 124. A Bill for an Act to amend and reenact subsection 2 of section 11-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries of County Officers.

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

Senators Ringsak and O'Brien introduced:

Senate Bill No. 125. A Bill for an Act to amend and reenact section 15-4902 of the North Dakota Revised Code of 1943, and sections 12-1006 and 40-1305 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to personal interests in contracts by public officers.

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

Senator Longmire introduced:

Senate Bill No. 126. A Bill for an Act defining, regulating, and registering physical therapists, providing for the appointment of an examining committee, and providing a penalty for the violation of the provisions of the Act.

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

Senator Meidinger (by request) introduced:

Senate Bill No. 127. A Bill for an Act to amend and reenact section 15-3936 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to military service in war counted as teaching service.

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

Senator Meidinger (by request) introduced:

Senate Bill No. 128. A Bill for an Act to amend and reenact section 15-3931 of the 1957 Supplement to the North

Dakota Revised Code of 1943, relating to power of board to diminish annuities.

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

Senator Meidinger (by request) introduced:

Senate Bill No. 129. A Bill for an Act to amend and reenact subsections 1 and 2 of section 15-3928 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to retirement annuity of teachers.

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

Senator Meidinger (by request) introduced:

Senate Bill No. 130. A Bill for an Act to amend and reenact subsection 1 of section 15-3901 of the North Dakota Revised Code of 1943, relating to definitions.

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

Senator Meidinger (by request) introduced:

Senate Bill No. 131. A Bill for an Act to repeal section 15-3938 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to withdrawal from fund by members of armed forces.

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

Senator Meidinger (by request) introduced:

Senate Bill No. 132. A Bill for an Act to amend and reenact subsections 1 and 3 of section 15-3927 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the eligibility to participate in fund.

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

Senators Ringsak, O'Brien, Wartner and Brooks introduced:

Senate Bill No. 133. A Bill for an Act to amend and reenact section 39-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 60 of such section relating to a definition of an authorized emergency vehicle and to amend and reenact sections 39-1003 and 39-1026 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to operation of authorized emergency vehicles.

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

Senators Kisse and Garaas introduced:

Senate Bill No. 134. A Bill for an Act to amend and reenact section 10-1202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to mutual aid cooperatives in order to provide that such an organization which was established prior to the effective date of the present Act governing such cooperatives shall not have to mandatorily change its name.

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

Senators Vendsel, Klefstad and O'Brien introduced:

Senate Bill No. 135. A Bill for an Act to amend and re-

enact section 52-0606 of the North Dakota Revised Code of 1943 relating to weekly benefits for unemployment.

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

Senators Hernet, Wartner, Klefstad and Murphy introduced:

Senate Bill No. 136. A Bill for an Act to amend and re-enact Subsection 1 of Section 57-1512 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to tax levy limitations in park districts.

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

Senators Kee and Luick introduced:

Senate Bill No. 137. A Bill for an Act authorizing the state highway commissioner to determine the percentage of payments to contractors for work completed prior to acceptance and to amend section 24-0225 of the 1957 Supplement to the North Dakota Revised Code of 1943.

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

Senators Garaas and Wenstrom introduced:

Senate Concurrent Resolution "I". A concurrent resolution memorializing the Congress to establish as a national park a suitable area of land lying at the confluence of the Yellowstone and Missouri Rivers in northwestern North Dakota and northeastern Montana to include the sites of Fort Buford, Fort Union, and Mondak, and to preserve and develop this area of national historical significance as a historical memorial.

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

Senators Wenstrom and Garaas introduced:

Senate Concurrent Resolution "J". A concurrent resolution authorizing and directing the legislative research committee, in cooperation with the state bar association of this state, to study and revise the laws of this state governing the transfer of securities of a corporation by fiduciaries.

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

Senators Holand and Vendsel introduced:

Senate Concurrent Resolution "K". A concurrent resolution directing the legislative research committee to study the operation of the North Dakota State Mill and Elevator Association and its present and future contributions to the welfare of the state.

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

MESSAGE TO THE HOUSE Senate Chamber

Bismarck, January 22, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 58

Senate Bill No. 69

Senate Bill No. 70

Senate Bill No. 72

Senate Concurrent Resolution "B"

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "E"

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

VIC GILBREATH, Secretary.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 22, 1959

Mr. President: I have the honor to transmit:

House Bill No. 514

House Bill No. 521

House Bill No. 530

House Bill No. 536

House Bill No. 540

House Bill No. 554

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

GERALD L. STAIR, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 61. A Bill for an Act to amend and reenact Section 1-0304 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to business days.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Lautenschlager	Saumur
Foss	Livingston	Schrock
Freed	Longmire	Thompson
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Fiedler	Larson	Trenbeath
Kisse		

So the bill passed and the title was agreed to.

Senate Bill No. 63. A Bill for an Act to amend and re-

enact section 57-1528 of the North Dakota Revised Code of 1943 relating to the county emergency fund levy.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Kee	Paulson
Baeverstad	Krause	Redlin
Becker	Lautenschlager	Ringsak
Erickson	Livingston	Roen
Erickstad	Longmire	Saumur
Fiedler	Luick	Schrock
Foss	Meidinger	Thompson
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker
Holand	O'Brien	

Those voting in the negative were:

Berube	Hystad	Klefstad
Brooks	Johnson	Van Horn
Gilbertson		

Absent and not voting:

Freed	Larson	Trenbeath
Kisse		

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 514. A Bill for an Act making an appropriation for the payment of the premiums for Boys' and Girls' Club Work at County Achievement Fairs; and providing the manner of disbursement for such funds and making reports.

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

House Bill No. 521. A Bill for an Act making an appropriation to the North Dakota Firemen's Association.

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

House Bill No. 530. A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

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

House Bill No. 536. A Bill for an Act making a deficiency appropriation to compensate the University of North Dakota for services rendered in an actuarial study of OASIS.

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

House Bill No. 540. A Bill for an Act providing for the transfer of all funds in the charitable institutions revolving fund and the institutional support funds to the general

fund of this state, providing that all future collections from liquor taxes shall be deposited in the general fund; and further providing that the state shall relieve the counties of their share of the costs of operation and administration of the state hospital, Grafton state school, and the tuberculosis sanatorium, and to amend and reenact sections 5-0309 and 25-0410 of the North Dakota Revised Code of 1943, and sections 5-0311, 25-0207, 25-0208, 25-0210, 25-0304, 25-0315, 25-0326, 25-0409, 25-0510, and 25-0534 of the 1957 Supplement to the North Dakota Revised Code of 1943, and to repeal chapter 25-08 of the North Dakota Revised Code of 1943, as it may be amended, and section 25-0509 of the North Dakota Revised Code of 1943, relating to expenses of institutional care and disposition of liquor taxes.

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

House Bill No. 554. A Bill for an Act to amend and reenact section 54-3601 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to membership on the North Dakota Indian Affairs Commission.

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

MOTIONS

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

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

VIC GILBREATH, Secretary.

EIGHTEENTH DAY

Bismarck, January 23, 1959

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Wendell K. Reed, Assembly of God, Bismarck.

Roll Call: All Senators present except Senators Larson and Trenbeath.

A quorum was declared by the President.

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

SENATOR KEE, Chairman.

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

MOTIONS

Senator Foss moved that a committee of one be appointed to escort former Senator Rilie Morgan to the rostrum, which motion prevailed.

The President appointed as such committee Senator Foss and former Senator Rilie Morgan was escorted to the rostrum and invited to address the Senate.

Senator Morgan: Mr. President and Members of the Senate. I am here under protest of Senator Foss and Senator Luick who were in the Senate shortly after I came here. Both of them insisted I had to come in and occupy the seat I occupied for many years up here in the Senate. I told them I had no speech to make, I had no advice to give the Senate, all I wanted to do was to circulate around and meet the friends whom I had made over the years, but they insisted I come up here. I say I have no advice to give the Senate. Your problems are somewhat changed from what they were when I was here. I am deeply grateful to Senator Foss for the kind remarks he made about me. I did, while I was in the Senate, try to serve the State of North Dakota to the best of my ability, and I certainly put in long hours doing it. But the State of North Dakota has given me so much, and made so many opportunities possible for me, that I could never repay the debt that I owe this great commonwealth of North Dakota. I sincerely believe there is no state in the union which offers a man of limited talents and practically no capital greater opportunities than the State of North Dakota gave me and will give other men similarly situated, and if I should live to be a hundred

years old I shall be forever grateful for the opportunities that this state has given me.

I am glad to come back and meet so many of these friends that I have made over the years. It is a real pleasure and something that I shall treasure as long as I live—those friendships I have made here in the Senate and in this legislature—and I thank you very, very kindly for your very kind reception.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 23, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 68

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

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 23, 1959

Mr. President: I have the honor to transmit:

House Bill No. 542

House Bill No. 543

House Concurrent Resolution "A"

House Concurrent Resolution "I"

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 23, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "B"

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

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 8 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 19 has had the same under consideration and recommend that the same be amended as follows:

In the title of the bill at the end of the third line strike out the period and insert the following: ", and declaring an emergency."

In line 3 strike out the figure "\$296,108.00" and in lieu thereof insert the figure "\$327,108.00".

After line 15 insert the following two lines:

"Emergency (to be made available immediately
on passage) \$31,000.00"

In line 16 strike out the figure "\$296,108.00" and in lieu thereof insert the figure "\$327,108.00".

After line 16 insert the following:

"Section 2 EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval on such item as is designated to be made available immediately on passage."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 44 has had the same under consideration and recommend that the same do pass.

SENATOR LIVINGSTON, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 62 has had the same under consideration and recommend that the same be amended as follows:

Strike everything after the words A Bill and insert in lieu thereof the following:

To amend and re-enact sub-section 7 of section 20-0101, sub-section 1 of section 20-0302 and section 20-0702 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to repeal sections 20-0711, 20-0712, 20-0714, 20-0715, 20-0716, 20-0717, and 20-0718 of the North Dakota Revised Code of 1943 and sections 20-0710 and 20-0713 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of game animals, license to take beaver, season for taking fur-bearing animals and to authorize the governor by proclamation to protect beavers, raccoons, and badgers.

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

1 SECTION 1. AMENDMENT.) Subsection 7 of section
2 20-0101 of the 1957 Supplement to the North Dakota
2a Revised
3 Code of 1943 is hereby amended and re-enacted to read
4 as follows:

5 7. "Game animals" shall include big game animals, as
6 herein defined and (((badgers, beavers, minks)))
6a mink,
7 muskrats, (((raccoons,))) and weasels;

8 SECTION 2. AMENDMENT.) Sub-section 1 of section
9 20-0302 of the 1957 Supplement to the North Dakota
9a Revised

10 Code of 1943 is hereby amended and re-enacted to read
10a as
11 follows:

12 1. Any resident of this state, or any member of his
12a family
13 residing customarily with him, may hunt, fish, or
13a trap
14 during the open season without a license upon land
14a owned
15 or leased by such resident. No such person, however,
16 shall (((trap, take or kill beaver, nor))) hunt, take
16a or kill
17 deer without first having procured (((a limited li-
17a cense
18 to take beaver, or))) a big game hunting license, as
18a the

19 case may be, as prescribed in this title, but upon the
20 execution and filing of an affidavit by any person
20a owning
21 or leasing land within a district opened for the hunt-
21a ing

22 of deer, such person shall receive a license to hunt
23 deer upon such land described in said affidavit with-
23a out

24 charge therefor, and such license so issued without

25 charge shall have endorsed on it the description of
 25a such
 26 land and it may be used to hunt deer only upon such
 27 land; and
 28 SECTION 3. AMENDMENT.) Section 20-0702 of the
 29 1957 Supplement to the North Dakota Revised Code of
 29a 1943
 30 is hereby amended and re-enacted to read as follows:
 31 20-0702. FUR-BEARING ANIMALS WHICH ARE
 32 PROTECTED: NOT TO BE TAKEN OR DISTURBED
 33 DURING CLOSED SEASONS.) No person shall hunt,
 33a shoot,
 34 trap, or take, in this state, any mink, muskrats,
 34a (((badg-
 35 ers,))) weasels, (((beavers,))) or tree squirrels,
 36 (((or raccoons,))) except during the open of lawful
 36a season
 37 thereon as established under the provisions of section
 38 20-0801 or section 20-0704. The governor may, by
 39 proclamation, place beavers, raccoons and badgers on
 40 the protected list of fur-bearing animals at any time,
 40a and
 41 may keep such fur-bearers on the protected list for
 41a such
 42 length of time as he may deem reasonable and neces-
 42a sary.
 43 If such fur-bearers are placed on the protective list as
 44 provided for in this section, the governor may, by
 45 proclamation, prescribe the area, manner and number
 45a that
 46 may be hunted, trapped, shot or taken.
 47 SECTION 4. REPEAL.) Sections 20-0711, 20-0712,
 48 20-0714, 20-0715, 20-0716, 20-0717, and 20-0718 of the
 49 North Dakota Revised Code of 1943 and sections
 49a 20-0710
 50 and 20-0713 of the 1957 Supplement to the North
 50a Dakota
 51 Revised Code of 1943 are hereby repealed.

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 66 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 67 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 84 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 85 has had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after the word "machines" delete the period and insert a comma and add the following words: "and providing a penalty."

Add section 2. "SECTION 2. PENALTY.) Any person violating the provisions of this statute shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not more than thirty days or by a fine of not more than one hundred dollars or by both such fine and imprisonment.

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LIVINGSTON, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 96 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "B"

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

CONSIDERATION OF AMENDMENTS

Senator Wartner moved that the amendments to Senate Bill No. 41 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 74 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 23, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B"

Which the President has signed.

VIC GILBREATH, Secretary.

Senators Wenstrom and Longmire introduced:

Senate Bill No. 138. A Bill for an Act to amend and reenact Section 32-1503 of the North Dakota Revised Code of 1943 relating to the classification of the estates and rights in private property which may be taken for public use.

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

Senator Fiedler introduced:

Senate Bill No. 139. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 10-1533 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the apportionment and distribution of proceeds of cooperative associations.

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

Senators Andre, Holand and Garaas (at the request of The State Tax Commissioner) introduced:

Senate Bill No. 140. A Bill for an Act to amend Section 57-3822 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 14 of this section to provide for deduction of an additional depreciation allowance; and declaring an emergency.

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

Senator Wadeson (By request) introduced:

Senate Bill No. 141. A Bill for an Act stating when dogs are a public nuisance, and the procedure to be followed when dogs are declared a public nuisance.

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

Senators Livingston, Erickstad, Longmire, Holand and Garaas introduced:

Senate Bill No. 142. A Bill for an Act relating to chemical tests of intoxication for drivers of motor vehicles and providing for suspension of operator's license upon refusal to submit to proper test.

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

Senators Livingston and Becker introduced:

Senate Bill No. 143. A Bill for an Act to amend and reenact section 27-1631 of the North Dakota Revised Code of 1943 relating to the publication of names of children under the jurisdiction of juvenile court.

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

Senators Krause, Kisse, George, Baeverstad, Schrock, Vendsel, Fiedler, Van Horn, Miller, Becker, Kee, Roen, Hernet, and Erickson introduced:

Senate Bill No. 144. A Bill for an Act to amend and reenact subsection 3 of section 39-0467 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to allocation of motor vehicle registration tax proceeds for counties.

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

Senators Roen and Erickson (by request) introduced:

Senate Bill No. 145. A Bill for an Act to amend and reenact section 62-0107 of the North Dakota Revised Code of 1943 relating to the issuance of a license to carry a pistol.

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

Senators Wartner and Gefreh introduced:

Senate Bill No. 146. A Bill for an Act to provide for lost stock and transfer books of corporations by providing a procedure for creating a new stock and transfer book where stock and transfer book lost or incomplete, providing procedure with respect thereto, and providing for effect to be given thereto.

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

Senators Roen, Erickson, Krause, and Freed introduced:

Senate Bill No. 147. A Bill for an Act to amend and reenact subsection 3 of section 20-0402 of the North Dakota Revised Code of 1943 and subsection 4 of section 20-0802 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the seasons for hunting pheasants.

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

Senators Livingston, Lautenschlager and Luick introduced:

Senate Bill No. 148. A Bill for an Act requiring bodily injury liability and property damage liability insurance on every motor vehicle or operator thereof or the showing of financial responsibility, providing exceptions and providing a penalty.

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

Senators Yunker, Luick, Gilbertson and Krause introduced:

Senate Bill No. 149. A Bill for an Act to amend and reenact section 57-4003 of the North Dakota Revised Code of 1943 by creating and enacting subsection 9 and to amend and reenact section 57-4012 of the North Dakota Revised Code of 1943, relating to use tax on motor vehicles purchased outside this state.

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

Senators Brooks, Livingston, Garaas, and Longmire introduced:

Senate Bill No. 150. A Bill for an Act to amend and reenact sections 40-4501, 40-4502, 40-4508, 40-4513 and 40-4516, of the 1957 Supplement to the North Dakota Revised Code of 1943, and section 40-4509 of the North Dakota Revised Code of 1943 relating to police pensions in cities.

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

Senator Vendsel introduced:

Senate Bill No. 151. A Bill for an Act relating to corrupt practices of candidates for state and national office.

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

Senators Longmire and O'Brien introduced:

Senate Bill No. 152. A Bill for an Act to amend and reenact section 50-0705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership of property by applicants for old age assistance.

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

Senator Klefstad (by request) introduced:

Senate Bill No. 153. A Bill for an Act to repeal Section 15-29082 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the admission of pupils and tuition.

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

Senators Morgan, Meidinger, Klefstad, Kee, Wadeson, Vendsel, and Gronvold introduced:

Senate Bill No. 154. A Bill for an Act providing for the election and terms of office of directors of the Garrison Diversion Conservancy District, relating to powers and duties of its board of directors, amending sections 61-2405, 61-2408 and 61-2409 of the 1957 Supplement to the North Dakota Revised Code of 1943 and levying a tax of one-tenth of one mill for administrative purposes and declaring an emergency.

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

Senators Brooks, Livingston and Longmire introduced:

Senate Bill No. 155. A Bill for an Act relating to municipal police officers' witness fees in criminal actions.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 75. A Bill for an Act to amend and re-enact Section 12-0113 of the North Dakota Revised Code of 1943 relating to the disposition of moneys resulting from fines, forfeitures, and penalties for violations of state laws and disposition of moneys resulting from forfeiture of bail.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Absent and not voting:		
Berube	Roen	Trenbeath
Larson		

So the bill passed and the title was agreed to.

Senate Bill No. 76. A Bill for an Act to provide that any person charged with or convicted of a felony who willfully forfeits his bail shall be guilty of a misdemeanor.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Berube	Roen	Trenbeath
Larson		

So the bill passed and the title was agreed to.

Senate Bill No. 102. A Bill for an Act to amend and re-enact section 48-0201 of the North Dakota Revised Code of 1943, relating to the construction of 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Fiedler	Krause	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Absent and not voting:

Berube	Larson	Trenbeath
Erickstad	Roen	

So the bill passed and the title was agreed to.

**FIRST READING OF HOUSE BILLS
AND CONCURRENT RESOLUTIONS**

House Bill No. 542. A Bill for an Act to amend and reenact section 53-0607 of the North Dakota Revised Code of 1943, relating to the transfer and disposition of funds in the attorney general inspector license fund, and to transfer all moneys in the World War II Adjusted Compensation Administration Fund, to the general fund of this state.

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

House Bill No. 543. A Bill for an Act to transfer certain funds now deposited in the Bank of North Dakota, and all future revenue collections, to the general fund of this state, and to amend and reenact section 6-0634 of the North Dakota Revised Code of 1943, and sections 2-0511, 2-0518, 43-2208, and 57-3910 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of certain moneys to the general fund of this state.

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

House Concurrent Resolution "A". A concurrent resolution memorializing the Secretary of Agriculture to utilize available funds for purchase of poultry products in school lunch program.

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

House Concurrent Resolution "I". A resolution relating to the illness of Lydia Langer, commending her and wishing her a speedy recovery.

Was read the first time.

MOTIONS

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

**SECOND READING OF HOUSE
CONCURRENT RESOLUTION**

House Concurrent Resolution "I". A resolution relating to the illness of Lydia Langer, commending her and wishing her a speedy recovery.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "I" be adopted by a rising vote of the Senate, which motion prevailed, and the resolution was declared adopted.

MOTIONS

Senator Holand requested that the President be granted the unanimous consent of the Senate to instruct the Secretary of the Senate to send an appropriate message of condolence to Senator Trenbeath, who is absent for the purpose of attending the funeral of his brother, which request was granted, and the President instructed the Secretary accordingly.

Senator Holand moved that the Senate recess until 1:30 p.m., January 24, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

**EIGHTEENTH DAY AFTER RECESS
AND NINETEENTH DAY**

Bismarck, January 24, 1959

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

FIRST READING OF SENATE BILLS

Senators Wartner and Holand introduced:

Senate Bill No. 156. A Bill for an Act to repeal sections 47-0304 and 47-0305 of the North Dakota Revised Code of 1943 relating to the accumulation of income.

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

Senators Hernet, Kee and George introduced:

Senate Bill No. 157. A Bill for an Act to amend and reenact subsection 2 of section 52-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to definitions; section 52-0405 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to standard rate of contributions; reduction of rates; section 52-0406 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to variations in standard rate of contributions; how determined; section 52-0409 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to classification of employers to determine contributions; regulations governing; and section 52-0411 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to unpaid contributions to bear interest; interest collected paid into unemployment compensation fund.

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

Senators Hernet, Kee and George introduced:

Senate Bill No. 158. A Bill for an Act to enact subsection 9 of section 52-0602, relating to disqualification for benefits; and to amend and reenact section 52-0603 of the North Dakota Revised Code of 1943, relating to benefits payable when; section 52-0604 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to schedule of benefits, qualifying wages and definitions; section 52-0605 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to maximum potential benefits, and section 52-0606 of the North Dakota Revised Code of 1943, relating to weekly benefit for unemployment.

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

Senator Erickstad introduced:

Senate Bill No. 159. A Bill for an Act to create and enact section 29-2406 of the North Dakota Revised Code of 1943 relating to time within which motion for new trial may be made.

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

Senator Erickstad introduced:

Senate Bill No. 160. A Bill for an Act making an appropriation for the purpose of paying special assessments levied against property of the state of North Dakota by the city of Devils Lake.

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

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Senate Rules has had under consideration the adoption of permanent rules to govern the Thirty-sixth Legislative Assembly and make the following recommendation:

That the permanent rules of the Thirty-fifth Legislative Assembly be adopted as the permanent rules of the Thirty-sixth Legislative Assembly, except that rules 5, 29, 30, 31, 36, 39, 40, 41, 42, 43, and 71 as amended to read as follows:

5. REFERENCE TO THE JOURNAL

The Secretary shall, each evening deliver to the printer, having the contract for printing the legislative journals, a complete copy of the Senate Journal. Printed copies of the same in such number, style, and on such grade of paper as may be determined by the joint printing committees of the House and Senate shall be delivered before 9:00 o'clock a.m., of the following calendar day to the Secretary, who shall cause a copy of the same to be placed immediately on the desk of each member. The Committee on Revision and Correction of the Journal shall, before the beginning of the next legislative day, carefully examine and review the same. Any mistake therein shall be noted by the committee and reported to the Senate for action: An additional two hundred copies of the corrected daily journal shall be printed and upon termination of the legislative session these two hundred copies of the daily journal shall be assembled into two hundred sets to serve as the permanent journals. Twenty-five sets of the permanent journals shall be bound and sewed with hard covers, two sets of which shall be deposited and filed with the secretary of state, who shall preserve the same and attach his certificate thereto showing the date of delivery to him and attesting that such copies are identical and official journals as delivered to him. The secretary of state shall forward one of these twenty-five sets of the permanent journals to the supreme court library, law school library at the University of North Dakota, attorney general, legislative research committee, and each of the district judges. The remaining sets of the journal shall be distributed by the secretary of state as prescribed jointly by the House and Senate printing committees, except that one set of the journal shall be sent to members of the legislative assembly, and to public officials upon their request if in the discretion of the secretary of state the public official needs such journal to carry on the functions of his office.

29. WHEN INTRODUCED.

No bill, memorial or resolution requiring the signature of the Governor shall be introduced after the twenty-fifth day, nor shall any resolution, concurrent resolution or joint resolution be introduced after the forty-fifth day, except upon the approval of a majority of the Committee on Delayed Bills or upon two-thirds vote of the Senate.

30. DELAYED BILLS, RESOLUTIONS AND MEMORIALS.

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

31. FORM OF BILLS, NUMBER OF COPIES.

Every bill, memorial or resolution shall be in typewritten form and nine copies thereof shall be filed with the Secretary of the Senate. Each such bill, memorial or resolution shall have endorsed thereon its title and the name of the member, or committee introducing the same. The enacting clause shall be as follows: "Be it enacted by the Legislative Assembly of the State of North Dakota". No bill shall embrace more than one subject, which shall be expressed in its title. If the bill amends a present statute, the portion thereof constituting the amendment or amendments shall be underscored. In all bills which contain both sections amending existing statutes and sections which are new laws, the portion containing the amendment to the existing statute and all of the section containing new law shall be underscored. Any matter contained in the present statute but deleted in the proposed amended statute shall be contained in the typewritten bill but shall be set off from the remainder of the text by two or more parentheses at the beginning and end of such deleted matter. Where Legislative Research Committee sponsored bills do not use the above device of parentheses and underscoring, such bills must be accompanied by appropriate explanatory notations outlining the changes to be effected. The bills and resolutions to be introduced in the Senate shall be in such form and style as the Legislative Research Committee shall prescribe. One of such copies shall be delivered to the Chairman of the Committee to which the measure is referred, one copy to the Chairman of the Enrolled and Engrossed Bills Committee, one copy shall be delivered to the Legislative Research Committee for the purpose of checking for style and form and one shall remain in the custody of the Secretary until otherwise directed by the Senate, one shall be delivered to the printer having the contract for the printing of bills, one shall be delivered to the printer having the contract for printing the Senate Journal for use in setting of the bill title and three copies shall be available for newspaper representatives.

36. BILLS REFERRED.

Upon the first reading of a bill or joint resolution, the

President shall refer it to its appropriate committee, unless the Senate upon motion decides to refer the same to a select or other standing committee, or to the committee of the whole Senate; if to the committee of the whole Senate, then it shall come up for consideration as a special order of business of the next day, unless otherwise ordered by the Senate. All resolutions asking for a study of any matter by the Legislative Research Committee, shall be re-referred and acted upon by the Legislative Research Resolutions Committee before final action thereon by the Senate.

39. STANDING COMMITTEES.

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

1. Agriculture, thirteen members.
Agriculture; Livestock; Drainage and Irrigation; Warehouse and Grain Grading.
 2. Appropriations, seventeen members.
All bills calling for appropriations in excess of two hundred dollars.
 3. Education, thirteen members.
Public Schools, Libraries and Institutes of Higher Learning.
 4. Finance and Taxation, thirteen members.
Public Debt; Taxes and Tax Laws.
 5. Judiciary, thirteen members.
Elections and Election Privileges; Judiciary.
 6. State and Federal Government, thirteen members.
State and Federal Affairs; Board of Administration and Industrial Commission and institutions under their supervision; State Historical Society and State Parks; Immigration and Statistics.
 7. Industry, Business and Labor, thirteen members.
Banks and Banking; Corporations; Insurance; Matters pertaining to private business and Industry; Workmen's Compensation; Unemployment Compensation; Labor Laws and kindred subjects.
 8. Natural Resources, eleven members.
Game and Fish; Public Lands; Mines and Mining; Gas and Oil; Forestry.
 9. Political Subdivisions, eleven members.
Cities and Villages; Counties; Townships; Park Districts; Apportionment.
 10. Social Welfare and Veterans Affairs, eleven members.
Public Welfare; Public Health; Public Safety; Temperance; Matters affecting the Military and Veterans.
 11. Transportation, thirteen members.
Highways and Bridges; Railroads; Motor Vehicles; Airlines and Airports.
- (PROCEDURAL COMMITTEES)
12. Delayed Bills, to consist of five members.
 13. Employment, to consist of six members.
 14. Enrolled and Engrossed Bills, to consist of five members.

15. Mileage and Per Diem, to consist of three members.
16. Revision and Correction of Journal, to consist of three members.
17. Rules, to consist of nine members.
18. Legislative Research Resolutions Committee, to consist of five members, no one of whom is a member of the Legislative Research Committee.

In all cases a majority of the Committee shall consist of a quorum. The Committee Chairman or such person who is duly appointed to act as Chairman shall insure that minutes of each Committee meeting be kept. Such minutes shall include the names of all Committee members present; the bills or resolutions discussed by number, and a short phrase explaining what such bill or resolution relates to; the names of all persons and their addresses who appear in relation to any certain bill or resolution. The minutes shall also include a record of recommended amendments to bills and resolutions, and the total aye and nay vote of the Committee on all bills and resolutions referred out of the Committee. Upon adjournment of the Legislative Session the minutes of all Committee meetings shall be delivered to the Legislative Research Committee and retained by such Committee for a period of thirty days following such adjournment.

40. LIMITATION ON COMMITTEE MEMBERSHIP.

Each member shall serve on three standing committees, except that the Majority floor leader shall not serve on any standing committees and the Minority floor leader shall only serve on two standing committees. The Majority and Minority floor leaders shall be permitted to participate in all standing committees but shall not be permitted to vote therein unless they are duly appointed members of said committee.

41. MEETINGS OF COMMITTEES.

The Committee on Appropriations shall meet evenings. The Committee on Education, Finance and Taxation, and State and Federal Government shall meet on Monday and Tuesday of each week from 9:00 o'clock a.m. to 12:00 o'clock noon. The Committees on Agriculture, Judiciary, and Industry, Business and Labor shall meet on Wednesday and Thursday of each week from 9:00 o'clock a.m. to 12:00 o'clock noon. The Committees on Political Subdivisions, Natural Resources, Social Welfare and Veterans Affairs, and Transportation shall meet on Friday of each week from 9:00 o'clock a.m. to 12:00 o'clock noon. Any Committee may schedule Saturday morning meetings.

42. MEETINGS OF CHAIRMAN.

There shall be a meeting of committee chairman and the majority floor leader and the assistant majority floor leader each week at such time and place as may be designated by the majority floor leader. The majority floor leader shall be the chairman of the meeting. At such meeting they shall, as far as possible, arrange the schedule of the bills to be considered at committee hearings to the end of the following week.

43. NOTICE OF HEARINGS.

On Friday of each week each chairman shall deliver to the Secretary, a notice of the time and place of the meet-

ings of his committee for the following week, including a list of the bills, memorials and resolutions to be considered. This rule, however, shall not prevent a change in such schedule as to time, place or bill, if circumstances may so require. The decision of the chairman in this regard shall be final. The Secretary shall post the same on the bulletin board.

71. COURTESY OF THE FLOOR.

No person shall be entitled to the courtesy of the floor during a period beginning fifteen minutes prior to the convening of the Senate and ending at the time of recess or adjournment except members and former members of the Legislative Assembly, their parents, their husbands and wives as the case may be and their children, the Governor, former and present members of Congress, members of the press, legislative employees who have been given permanent passes, and all other persons who possess temporary passes. Only persons possessing a special pass shall be permitted upon that portion of the Senate floor between the railing and the rostrum at any time.

And when so amended recommend the same do pass.

SENATOR HOLAND, Chairman.

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Senate Rules has met in joint session with the House Rules Committee and have had under consideration the adoption of permanent joint rules to govern the Thirty-sixth Legislative Assembly and make the following recommendations:

That the permanent joint rules of the Thirty-fifth Legislative Assembly be adopted as the permanent joint rules of the Thirty-sixth Legislative Assembly, except that rule 14 be deleted and except that the rules following rule 14 be designated as "Constitutional References" and be renumbered, and that following the section titled "When Acts Take Effect" insert the following: "(Constitution, Section 67)".

And when so amended recommend the same do pass.

SENATOR HOLAND, Chairman.

Senator Holand moved that the report of the Committee on Rules relative to Joint Rules of the Senate and House be printed in the Journal and laid over one legislative day, which motion prevailed.

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

Senate Bill No. 41

Senate Bill No. 74

And find the same correctly engrossed.

SENATOR NESVIG, Acting Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 90 has

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

SENATOR LONGMIRE, Chairman.

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

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

And further recommend that the same be re-referred to the Legislative Research Resolutions Committee.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 554 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 24, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 61

Senate Bill No. 63

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

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, January 24, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "T"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

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

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

VIC GILBREATH, Secretary.

NINETEENTH DAY

Bismarck, January 24, 1959

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

Prayer by Chaplain John R. Heidinger, Messiah Lutheran Church, Mandan.

Roll Call: All Senators present except Senators Berube, Erickson, Foss, Garaas, George, Gronvold, Hystad, Klefstad, Larson, Lautenschlager, Livingston, Meidinger, Morgan, Mutch, O'Brien, Paulson, Saumur and Trenbeath.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correc-

tion of the Journal has carefully examined the Journal of the eighteenth day and recommend that the same be corrected as follows:

On page 115, line 34, delete the word "advise" and insert in lieu thereof the word "advice".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 24, 1959

Mr. President: I have the honor to transmit:

House Bill No. 510

House Bill No. 511

House Bill No. 513

House Bill No. 515

House Bill No. 520

House Bill No. 529

House Bill No. 575

House Bill No. 579

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

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Erickstad moved that the amendments to Senate Bill No. 19 be adopted, which motion prevailed.

Senator Schrock moved that Senate Bill No. 19 be referred to the Committee on Appropriations, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 62 be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 85 be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Ringsak, Yunker, Kee, Van Horn, Andre, Wartner and Hernet introduced:

Senate Bill No. 161. A Bill for an Act to amend and reenact section 6-0305 of the North Dakota Revised Code of 1943, relating to limitation of real estate loans by state banking associations.

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

FIRST READING OF HOUSE BILLS

House Bill No. 510. A Bill for an Act providing an appropriation for the paying of salary, clerkhire, travel and general expenses of the office of Commissioner of Veterans' Affairs.

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

House Bill No. 511. A Bill for an Act making an appropriation for the administration expenses of the Veterans' Aid Commission.

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

House Bill No. 513. A Bill for an Act making an appropriation to provide funds for the arrest and return of fugitives from justice.

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

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

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

House Bill No. 520. A Bill for an Act making an appropriation for salaries and expenses of the State Geological Survey and for cooperation of United States Geological Survey.

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

House Bill No. 529. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Game and Fish Department.

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

House Bill No. 575. A Bill for an Act to amend and reenact Section 12-2209 of the North Dakota Revised Code of 1943 relating to the definition of adultery.

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

House Bill No. 579. A Bill for an Act to amend and reenact section 24-0114, subsection 7 of section 39-0902, and section 39-0907 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 39-0903, subsection 18 of section 40-0501 and subsection 14 of section 40-0502 of the North Dakota Revised Code of 1943 relating to the regulation of speed limits by the highway commissioner, superintendent of state highway patrol and local authorities.

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

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 8, 9, 10, 11, 14, 15, 35, 41, 44, 66, 67, 74, 84 and 96, that the Senate recess until 1:00 p.m., January 26, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

NINETEENTH DAY AFTER RECESS
AND TWENTY-FIRST DAY

Bismarck, January 26, 1959

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

REPORT OF STANDING COMMITTEE

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

Senate Bill No. 19

Senate Bill No. 62

Senate Bill No. 85

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

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

Senator Livingston: Mr. President. I rise to a point of personal privilege.

Lt. Governor: State your point, Senator.

Senator Livingston: Mr. President. Last week my desk-mate Senator Grant Trenbeath, loved and respected by us all, lost a brother in the prime years of life.

Few, if any, of us here, were acquainted with the departed, but if we may evaluate the deceased as having been of somewhat the same mold as Grant, we'd be reasonably safe in assuming that this brother was a high-type Christian citizen, whose loss doesn't lend itself to dollar computation. Although the shock was at first sharp and sobering, we hope the ensuing busy days will mellow the grief and want of this hour.

Senator Erickstad moved that the remarks of Senator Livingston be printed in the Journal, which motion prevailed.

Senator Trenbeath: Mr. President. I would like to say this—I received the wire from you folks, I forget which day it was, either Friday or Saturday. I certainly appreciated it and I know my sister-in-law appreciated it.

SECOND READING OF SENATE BILLS

Senate Bill No. 8. A Bill for an Act making an appropriation for the general maintenance, improvements and

repairs, equipment, miscellaneous, new building and special projects, of the State Penitentiary.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kisse	Paulson
Brooks	Klefstad	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Gefreh	Roen	Van Horn
Kee		

So the bill passed and the title was agreed to.

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

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:

O'Brien	Roen	Van Horn
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So the bill passed and the title was agreed to.

Senate Bill No. 10. A Bill for an Act making an appro-

priation for the general maintenance and operation of the Tag and Sign Plant of the State Penitentiary.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Murphy	

Absent and not voting:

Ringsak Roen

So the bill passed and the title was agreed to.

Senate Bill No. 11. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment and miscellaneous expenses of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Murphy	

Absent and not voting:

Ringsak Roen

So the bill passed and the title was agreed to.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Roen.

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 the administrative expenses and the state aid of the State Equalization Fund, the administrative expenses and the teaching preparation scholarships of the teacher preparation scholarship plan, and the two agricultural schools on the basis of enrollment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner

Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 35. A Bill for an Act making an appropriation for the purpose of paying the wolf, coyote, fox, bobcat and magpie bounty.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Baeverstad	Kee	O'Brien
Becker	Kisse	Paulson
Berube	Klefstad	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Roen
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Schrock
Freed	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Holand	Murphy	Yunker
Hystad	Mutch	

Those voting in the negative were:

Brooks	Hernett	Wenstrom
Garaas	Vendsel	

So the bill passed and the title was agreed to.

Senate Bill No. 41. A Bill for an Act relating to creation, organization, reorganization, operation, powers, purposes, reports, fees, charges, and dissolution of domestic and foreign nonprofit corporations organized or operating within this state for any lawful purpose, providing certain penalties for violations of this Act, and relating to deferred repeal of chapters 10-08, 10-09, 10-10, and 10-11 of the North Dakota Revised Code of 1943, as amended, and to assign chapters 10-24, 10-25, 10-26, 10-27, and 10-28 of the North Dakota Revised Code of 1943 to this Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock

Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 44. A Bill for an Act to create and enact subsection 4 of section 39-0602 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the exemption of military personnel from obtaining a North Dakota driver's license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 66. A Bill for an Act authorizing the establishment of a book salvage industry at the state penitentiary and making an appropriation therefor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson

Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 67. A Bill for an Act authorizing the board of county commissioners in any county in this state to transfer certain real or personal property or the proceeds therefrom to nonprofit fair corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 74. A Bill for an Act to amend and reenact sections 27-0202, 27-0503, and 27-0808 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the salaries of judges of the supreme court, the salaries and expenses of judges of the district courts, and the salaries of judges of county courts of increased jurisdiction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur

Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 84. A Bill for an Act to amend and reenact section 11-3202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to memorial funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 96. A Bill for an Act to amend and reenact section 40-2410 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the constitutional debt limit of municipalities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock

Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE
Senate Chamber

Bismarck, January 26, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 75

Senate Bill No. 76

Senate Bill No. 102

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

VIC GILBREATH, Secretary.

MOTIONS

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

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

VIC GILBREATH, Secretary.

TWENTY-FIRST DAY

Bismarck, January 26, 1959

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

Prayer by Chaplain Thomas Dignan, St. Mary's Catholic, Bismarck.

Roll Call: All Senators present.

A quorum was declared by the President.

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

On page 130, line 10, after the word "Research" insert the word "Resolutions".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

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

COMMUNICATIONS

A communication addressed to The Honorable C. P. Dahl, Lieutenant Governor, from Hjalmar C. Nygaard, Speaker of the House, relative to Resolution No. 2, and the appointment of a committee to meet with the House committee relative to a study of the oil laws, which communication was referred to the Committee on Industry Business and Labor.

MOTIONS

Senator Holand moved that the President appoint a committee from the Senate to meet with a committee from

the House relative to a hearing on oil laws.

Senator Murphy moved that the Senate instruct such committee to encourage the House to strike from the scope of such hearing the proposition of oil tax distribution.

The President ruled the motion of Senator Murphy out of order.

Senator Murphy made the substitute motion that the President appoint a committee to meet with a committee from the House but that such committee be instructed upon its convening with the committee from the House not to review the distribution of the oil and gas production tax.

The question was on the substitute motion of Senator Murphy that the President appoint a committee to meet with a committee from the House to discuss House Resolution No. 2, but that such committee be instructed not to consider all of the provisions of this resolution, which motion was lost.

The question was on the motion of Senator Holand that the President appoint a committee to meet with a committee from the House relative to a hearing on oil laws, which motion prevailed.

The President appointed as such committee the Committee on Business, Industry and Labor.

Senator Garaas moved that in addition to the members of the Committee on Business, Industry and Labor, that all Senators who have oil and gas production in their counties also be made members of such committee which would include Senators Wenstrom, Van Horn, Roen, Garaas, Becker, Redlin and Livingston, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 26, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "I"

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 26, 1959

Mr. President: I have the honor to transmit:

House Bill No. 512

House Bill No. 519

House Bill No. 541

House Bill No. 563

House Concurrent Resolution "C"

House Concurrent Resolution "D"

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 26, 1959

Mr. President: I have the honor to return:

Senate Bill No. 52

Which the House has amended as follows:

On line number 105 of the bill, delete the words "if any county";

Delete line numbers 106, 107, 108, 109, 110 and 111 of the bill, and renumber accordingly.

Line 90, after the semi-colon, delete the word "and".

Line 93, delete the period and insert the word "and".

After the line 93, add a new line "19. State Tax Commissioner."

GERALD L. STAIR, Chief Clerk.

SIGNING OF A RESOLUTION

The Secretary announced that the President was about to sign:

House Concurrent Resolution "I"

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

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 62, 85, 90 and House Bill No. 554, that the Senate recess until 1:00 p.m., January 27, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

TWENTY-FIRST DAY AFTER RECESS AND
TWENTY-SECOND DAY

Bismarck, January 27, 1959

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 30 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted.

Senator Murphy made the substitute motion that the committee report on Senate Bill No. 30 be amended as follows:

Strike lines 19 and 20 including the item "\$25,000.00 for Agricultural and Industrial Development Department;"

Re-number the lines accordingly.

Recompute the appropriation grand total and subtotals shown on lines 42 and 21 respectively.

ROLL CALL

The question being on the motion of Senator Murphy that the committee report on Senate Bill No. 30 be amended, the roll was called and there were ayes, 19; nays, 30; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Johnson	Redlin
Berube	Lautenschlager	Schrock
Brooks	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Gilbertson	Paulson	Yunker
Hystad		

Those voting in the negative were:

Baeverstad	Holand	Miller
Becker	Kee	Morgan
Erickson	Kisse	Mutch
Erickstad	Klefstad	Ringsak
Foss	Krause	Roen
Freed	Larson	Saumur
Gefreh	Livingston	Trenbeath
George	Longmire	Wadeson

Gronvold
Hernett

Luick
Meidinger

Wartner
Wenstrom

So the motion was declared lost.

The question being on the motion of Senator Foss that the committee report on Senate Bill No. 30 be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 47 has had the same under consideration and recommend that the same be returned to Senate without recommendation.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 56 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 71 has had the same under consideration and recommend that the same be amended as follows:

In the title of the bill change the word "Section" to "Sections" and after the words "Section 15-5708" insert the words "and 15-5710."

In line 15 delete the brackets around the words "in a rural school."

In line 27 delete the words "twenty-one" and insert in lieu thereof the words "forty-five".

In line 34 delete the brackets around the word "rural".

In line 49 insert between the words "Dakota" and "public" the word "rural".

At the end of the bill after line 52 add the following:

SECTION 2. AMENDMENT.) Section 15-5710 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-5710. COLLECTION OR CANCELLATION OF VOTES.) If a scholarship recipient, before the notes provided for in this Act (Chapter) become due, has satisfactorily completed (((either a full eight or nine months school term))) two years of teaching in a one-room rural school, the notes and accrued interest thereon shall be cancelled. The county superintendent of schools of the county where the recipient has taught shall certify to the board the time of teaching completed by the recipient, and the board, if satisfied, shall notify the state treasurer to cancel the notes. Whenever less than a full school year of teaching has been completed the notes may be cancelled in the order of execution, corresponding with the months of teaching which are completed. In the event of death or total disability of the recipient, the notes and accrued interest shall be cancelled. The board may designate the county superintendent of schools of the county where the recipient has taught or resides as its agent in the collection

of such notes and in carrying out the provisions of this Act (chapter).

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MEIDINGER, Chairman.

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 77 has had the same under consideration and recommend that the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 81 has had the same under consideration and recommend that the same be amended as follows:

In line 7 strike out the word "eight" and insert in lieu thereof the word "twelve".

In line 10, delete the word "homes" and insert in lieu thereof the word "home" and add a period.

In line 10, delete the words "except in the event of a mechanical failure of the vehicle."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 105 has had the same under consideration and recommend that the same be amended as follows:

In line 3, delete the word "moneys" and insert in lieu thereof the word "money".

In line 5, insert a comma after the word "fund".

In line 6, insert a comma after the word "administration".

And when so amended recommend the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 112 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 115 has had the same under consideration and recommend that the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 117 has 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 "from" delete the word "Canada" and insert in lieu thereof the words "foreign countries"

In line 16, after the word "from" delete "other states or"

In line 17, after the word "from" delete "other states or"

In line 22, after the word "country" insert a period and delete the word "or"

Delete all of line 23.

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 119 has had the same under consideration and recommend that the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 120 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 121 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 153 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted.

Senator Larson made the substitute motion that action on the committee report on Senate Bill No. 153 be laid over until the bill is printed, which motion prevailed.

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

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "G" has had the

same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

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

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

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 542 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 27, 1959

Mr. Speaker: I have the honor to inform you that the President has appointed Senators: Hernetf, Larson, Freed, George, Hystad, Kee, Krause, Lautenschlager, Meidinger, Mutch, O'Brien, Thompson, Vendsel, Wenstrom, Van Horn, Roen, Garaas, Becker, Redlin and Livingston to act with a like committee from the House to study the oil laws in their various phases as they apply to the oil industry.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, January 27, 1959

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "I"

Which the President has signed.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, January 27, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 8

Senate Bill No. 9

Senate Bill No. 10

Senate Bill No. 11

Senate Bill No. 14

Senate Bill No. 15

Senate Bill No. 35

Senate Bill No. 41

Senate Bill No. 44

Senate Bill No. 66

Senate Bill No. 67

Senate Bill No. 74

Senate Bill No. 84

Senate Bill No. 96

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

VIC GILBREATH, Secretary.

FIRST READING OF SENATE BILLS

Senators Johnson and Baeverstad (by request) introduced:

Senate Bill No. 162. A Bill for an Act to amend and reenact section 24-0132 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the acquisition of property for controlled-access facilities.

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

Senator Wenstrom (by request) introduced:

Senate Bill No. 163. A Bill for an Act relating to and regulating the practice of dentistry, providing for exceptions, establishing state board of dental examiners, prescribing qualifications of membership, providing for meetings, appointment of officers, and payment of compensation, prescribing the powers and duties of board, requiring examinations, prescribing qualifications of applicants, authorizing the issuance of licenses and certificates of registration, prescribing grounds for suspension or revocation and imposing conditions for renewal thereof, prescribing procedure for hearings, issuance of orders and appeals, authorizing revocation and reinstatement of licenses, and certificates of registration upon payment of fees, declaring certain acts as misdemeanors and prescribing punishment therefor and to repeal Chapter 43-08, as amended, of the North Dakota Revised Code of 1943 and all acts in conflict herewith.

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

Senators Roen, Longmire and Erickson introduced:

Senate Bill No. 164. A Bill for an Act to create and enact subsection 6 of section 40-3502 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of the word "undertaking" in the municipal revenue bond law, and declaring an emergency.

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

Senators Trenbeath, Wenstrom, Johnson, Meidinger, Roen, Luick, Garaas, Murphy, Erickstad and Yunker introduced:

Senate Bill No. 165. A Bill for an Act making an appropriation to the state water conservation commission for continued participation in the investigation, planning, construction and maintenance of multiple-purpose projects for beneficial utilization, control and management of public waters and providing that moneys appropriated by this Act, and any unused balance of moneys remaining unexpended, appropriated for the purposes mentioned, shall be covered into a fund designated "multiple purpose fund" and that such fund shall remain available to the commission until expended.

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

Senators Livingston, Becker, Trenbeath, Vendsel, Fielder, Yunker, Redlin, Kisse, Erickson, Saumur and Roen introduced:

Senate Bill No. 166. A Bill for an Act to promote development, utilization and marketing of wheat grown in North Dakota; declaring public policy and purpose; creating the North Dakota State Wheat Commission and prescribing its powers, authority and duties; providing funds by the levy of an excise tax and appropriation of the proceeds; and declaring an emergency, and providing a penalty.

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

Senators Vendsel, Murphy and Brooks introduced:

Senate Bill No. 167. A Bill for an Act requiring police vehicles used to stop motor vehicles at night to be equipped with flashing red lights and proper police markings.

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

Senators Ringsak, Mutch, Krause, Brooks and Kee introduced:

Senate Bill No. 168. A Bill for an Act to amend and reenact section 48-0202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the procurement of plans, drawings, and specifications from a licensed architect when a public building is altered, repaired, or constructed.

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

Senator Holand introduced:

Senate Bill No. 169. A Bill for an Act to amend and reenact section 39-0651 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to drivers license carrying warnings and convictions.

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

Senator Holand (at the request of the Tax Commissioner) introduced:

Senate Bill No. 170. A Bill for an Act to amend Section 46-0420 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to destruction of public records of the state and permitting microfilmed copies of such records to be used as evidence.

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

Senator Gefreh introduced:

Senate Bill No. 171. A Bill for an Act to amend and reenact section 57-0228 of the North Dakota Revised Code of 1943, relating to valuation basis for computation of tax.

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

Senators Yunker, Longmire and O'Brien introduced:

Senate Bill No. 172. A Bill for an Act to amend and reenact section 15-2905 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to compensation of school board members.

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

Senators Erickson, Freed, Roen and Baeverstad introduced:

Senate Bill No. 173. A Bill for an Act to create and enact section 57-38153 of the North Dakota Revised Code of 1943, relating to gains and losses on breeding, draft, and dairy livestock.

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

Senator Murphy (by request) introduced:

Senate Bill No. 174. A Bill for an Act to create and enact Section 57-38154 of the North Dakota Revised Code of 1943 relating to income tax to provide for postponement of gain arising from the sale of a residence and providing for an effective date.

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

Senators Vendsel, Fiedler, Kisse and Roen introduced:

Senate Bill No. 175. A Bill for an Act requiring inspection of livestock to determine ownership, providing certain exceptions and a penalty.

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

Senators Fiedler, Vendsel, Kisse and Roen introduced:

Senate Bill No. 176. A Bill for an Act to amend and reenact section 36-0512 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership and title of livestock sold through sales rings.

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

Senators Baeverstad and Gronvold introduced:

Senate Bill No. 177. A Bill for an Act to amend and reenact subsections 1.b., 1.c., 1.d., 2.f., and 2.h. of section 26-03A03 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to health and accident insurance policies, and to repeal section 26-03A07 of the 1957 Supplement to the North Dakota Revised Code of 1943.

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

Senators Larson and Trenbeath introduced:

Senate Bill No. 178. A Bill for an Act making an appropriation to the state board of administration for the purpose of lighting the exterior of the state capitol building and the capitol grounds.

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

FIRST READING OF A SENATE RESOLUTION

Senators Kisse, Miller and Hystad introduced:

Senate Resolution No. 2. A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-sixth Legislative Assembly of the State of North Dakota.

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

FIRST READING OF HOUSE BILLS AND RESOLUTIONS

House Bill No. 512. A Bill for an Act making an appropriation for the general maintenance, improvements and

special projects for the North Dakota Soldiers' Home at Lisbon, North Dakota.

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

House Bill No. 519. A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintaining and construction of dams; planning and surveying projects; expenses of state compacts; and for organizing water conservation and irrigation districts for construction and development.

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

House Bill No. 541. A Bill for an Act to transfer and dispose of certain special funds and nonreverting appropriations, and to amend and reenact sections 54-2714, and 54-2715 of the North Dakota Revised Code of 1943, and sections 6-0746, 6-0748, 6-0749, 39-1702, 54-3809, and 57-3204 of the 1957 Supplement to the North Dakota Revised Code of 1943, and to repeal section 6-0751 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer and disposition of moneys in certain special funds and nonreverting appropriations.

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

House Bill No. 563. A Bill for an Act to amend and reenact section 20-0201 of the North Dakota Revised Code of 1943, relating to the term of office of the state game and fish commissioner.

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

House Concurrent Resolution "C". A concurrent resolution favoring the early construction of the proposed Bowman Haley dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

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

House Concurrent Resolution "D". A concurrent resolution urging state departments and agencies to extend reasonable vacation and sick leave benefits to permanent employees who are paid on an hourly basis.

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

MOTIONS

Senator Holand moved that the report of the Committee on Rules, which is printed in the Journal of January 24, 1959, be adopted, which motion prevailed.

Senator Holand moved that the report of the Committee on Rules relative to Joint Rules of the Senate and House, which is printed in the Journal of January 24, 1959, be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 62. A Bill for an Act to amend and reenact sub-section 7 of section 20-0101, subsection 1 of section 20-0302 and section 20-0702 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to repeal

sections 20-0711, 20-0712, 20-0714, 20-0715, 20-0716, 20-0717, and 20-0718 of the North Dakota Revised Code of 1943 and sections 20-0710 and 20-0713 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of game animals, license to take beaver, season for taking fur-bearing animals and to authorize the governor by proclamation to protect beavers, raccoons, and badgers.

Which has been read.

Senator Trenbeath moved that Senate Bill No. 62 be amended as follows:

In line 18 after the word "license" strike out the comma and the words "as the".

In line 19 strike out the words "case may be" and the comma after the word "be".

Which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 62 be deemed properly reengrossed and placed on second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, on the floor, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 85. A Bill for an Act to prohibit the sale of contraceptives through vending machines, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak

Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schröck
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 90. A Bill for an Act to amend and re-enact section 61-0610 of the North Dakota Revised Code of 1943 relating to notice of election in an irrigation district after district is organized and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

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

SECOND READING OF A HOUSE BILL

House Bill No. 554. A Bill for an Act to amend and re-enact section 54-3601 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to membership on the North Dakota Indian Affairs Commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson

Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 52, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 52 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 52. A Bill for an Act to amend and reenact sections 46-0204 and 46-0305 of the 1957 Supplement to the North Dakota Revised Code of 1943, and sections 46-0412, 46-0413, 46-0414, and 46-0415 of the North Dakota Revised Code of 1943, relating to legislative bills, journals, and resolutions, and to repeal sections 46-0307 of the 1957 Supplement to the North Dakota Revised Code of 1943 and 46-0308 of the North Dakota Revised Code of 1943.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

COMMUNICATIONS

A communication was presented from C. B. Birkholz of Fairmount, North Dakota, relative to trucks and buses

and urging tighter restrictions on same, which communication was referred to the Committee on Transportation.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 27, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 52.

VIC GILBREATH, Secretary.

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

VIC GILBREATH, Secretary.

TWENTY-SECOND DAY

Bismarck, January 27, 1959

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

Prayer by Chaplain Kasper Benson, Bismarck.

Roll Call: All Senators present.

A quorum was declared by the President.

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

SENATOR KEE, Chairman.

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

MOTIONS

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

VIC GILBREATH, Secretary.

TWENTY-THIRD DAY

Bismarck, January 28, 1959

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain Theodore Gustin, St. Joseph's Catholic, Mandan.

Roll Call: All Senators present.

A quorum was declared by the President.

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

On page 153, in line 28, correct the spelling of the name "Livingston".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

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

REPORTS OF STANDING COMMITTEE

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

Senate Bill No. 62

And find the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

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

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

Senate Bill No. 52

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

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

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

Senate Bill No. 52

And find the same correctly enrolled.

SENATOR ERICKSON, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 28, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 62

Senate Bill No. 85

Senate Bill No. 90

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

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, January 28, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 554

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

REPORTS OF STANDING COMMITTEES

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 26 have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure "\$563,800.00" and insert in lieu thereof the figure "\$564,400.00".

In line 8 strike out the figure "\$10,800.00" and insert in lieu thereof the figure "\$11,400.00".

In line 24 strike out the figure "\$563,800.00" and insert in lieu thereof the figure "\$564,400.00".

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 27 have had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 33 have had the same

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

In line 6 strike out the figure "\$3,000.00" and insert in lieu thereof the figure "\$1,500.00".

In line 13 strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$2,500.00".

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 34 have had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 64 have had the same under consideration and recommend that the same do pass.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 91 have had the same under consideration and recommend that the same be amended as follows:-

In line 7 after the word "persons" delete the "comma" and the words "and by" and in lieu thereof insert a "period".

In line 8 delete the word "persons sixty-five years of age and older."

In line 18 after the word "health" delete the "period" and in lieu thereof insert a "comma" and the words "as evidenced by physician's certificate filed with the assessor."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 97 have had the same under consideration and recommend that the same be amended as follows:

In the fourth line of the title of the bill after the word "propel" insert the word "commercial"

In line 6 after the word "or" insert the word "commercial"

In line 12 after the word "any" insert the word "commercial"

In line 23 after the word "any" insert the word "commercial"

In line 57 after the word "any" insert the word "commercial"

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 141 have had the same under consideration and recommend that the same do pass.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "A" have had the same under consideration and recommend that the same be amended as follows:

In line two of the title after the word "poultry" insert a "comma" and the words "beef and pork".

And when so amended recommend the same do pass.

SENATOR WADESON, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Meidinger moved that the amendments to Senate Bill No. 71 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to Senate Bill No. 81 be adopted, which motion prevailed.

Senator Schrock moved that the amendments to Senate Bill No. 105 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 117 be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Brooks, Larson and Longmire introduced:

Senate Bill No. 179. A Bill for an Act to amend and re-enact sections 57-1701, 57-1702 and 57-1705 of the North Dakota Revised Code of 1943 relating to excess levies.

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

Senators Livingston, Brooks, Krause and Redlin introduced:

Senate Bill No. 180. A Bill for an Act to amend and re-enact section 26-2602 of the North Dakota Revised Code of 1943, relating to authorized contract provisions.

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

Senators Livingston, Brooks, Krause and Redlin introduced:

Senate Bill No. 181. A Bill for an Act to amend and re-enact section 26-2605 of the North Dakota Revised Code of 1943, relating to annual report to commissioner of insurance.

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

Senators Van Horn, Thompson and Wenstrom introduced:

Senate Bill No. 182. A Bill for an Act providing that all new motor vehicles sold or registered in North Dakota after December 31, 1959, shall be equipped with a device that will notify the operator that he is exceeding a certain speed, and providing for the effective date.

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

Senator Andre introduced:

Senate Bill No. 183. A Bill for an Act to amend and reenact section 57-5102 and subsection 1 of section 57-5115 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the oil and gas gross production tax and its distribution, creating a special education fund, and making an appropriation from such fund.

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

Senators Saumur and Longmire introduced:

Senate Bill No. 184. A Bill for an Act to amend and reenact Section 15-2012 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to vocational rehabilitation.

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

Senators Longmire and Saumur introduced:

Senate Bill No. 185. A Bill for an Act providing for the transfer of certain real property for the benefit and use of the state blind school located at Grand Forks, North Dakota.

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

Senators Baeverstad, Foss, Holand, Brooks, Wartner, Freed, Longmire, Trenbeath, Luick, Miller, Erickson and Becker introduced:

Senate Bill No. 186. A Bill for an Act to amend and reenact sections 57-3807, 57-3821 and 57-3827 of the North Dakota Revised Code of 1943, and sections 57-3801, 57-3827 and 57-3831 of the 1957 Supplement to the North Dakota Revised Code of 1943, all relating to taxation of incomes of individuals and fiduciaries; to provide deductions from net income in computing taxable income of individuals and fiduciaries, and to simplify preparation of their income tax returns for income years commencing after December 31, 1958, and to repeal subsection 3 of section 57-3817 and subsection 9 of section 57-3822 of the North Dakota Revised Code of 1943, and subsection 5 of section 57-3817 and subsection 13 of section 57-3822 of the 1957 Supplement to the North Dakota Revised Code of 1943.

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

Senator Garaas introduced:

Senate Bill No. 187. A Bill for an Act to amend and reenact subsection 57 of section 40-0501 of the North Dakota Revised Code of 1943, relating to the power of the governing body of municipalities to grant franchises and privileges.

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

Senators Erickson, Roen, Krause and Kisse introduced:

Senate Bill No. 188. A Bill for an Act relating to the restoration of the surface of mining property after abandonment.

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

The Committee on Appropriations introduced:

Senate Bill No. 189. A Bill for an Act making an appropriation to pay expenses of county reorganization committees, and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 190. A Bill for an Act making an appropriation for the purpose of supplementing the appropriation made for the construction of a school for the blind in the initiated measure which was approved in June, 1958.

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

Senator Fiedler introduced:

Senate Bill No. 191. A Bill for an Act to permit North Dakota to take advantage of the National Defense Education Act for the purpose of improving instruction in the state in accordance with the Act, making an appropriation and declaring an emergency.

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

Senators Kisse, Garaas, Livingston and Redlin introduced:

Senate Bill No. 192. A Bill for an Act to create and enact section 10-13081 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the sale, lease and dissolution of electrical cooperatives.

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

Senators Trenbeath and Longmire (by request) introduced:

Senate Bill No. 193. A Bill for an Act requiring certain persons to report the names and addresses of blind persons to the superintendent of the school for the blind.

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

Senators Hernett, Wadson, Krause and Fiedler introduced:

Senate Bill No. 194. A Bill for an Act to amend and reenact section 20-0329 and subsection 1 of section 20-0329 of the North Dakota Revised Code of 1943 relating to the transportation of game or fish by nonresidents and to provide for a limitation on the total number of certain game birds which may be taken during the year by nonresidents.

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

Senators Baeverstad, Nesvig and Wenstrom introduced:

Senate Bill No. 195. A Bill for an Act to amend and reenact section 52-0907 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to purposes for which fund may be used; section 52-0908 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to default in taxes; interest; action to collect; levy of tax by

political subdivisions; section 52-0909 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to rate of contribution; section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943; relating to deductions from and additions to benefits; subsection A. of section 52-0920 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to definitions; to enact subsection d. of section 52-1004 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to contributions by employees of the state and of political subdivisions; to amend and reenact subsection d. of section 52-1005 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to plans for coverage of employees of political subdivisions and to amend and reenact section 52-1009 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to studies and reports, and declaring an emergency.

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

Senator Murphy (by request) introduced:

Senate Bill No. 196. A Bill for an Act to amend and reenact Chapter 19-06 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to imitation ice cream, and fixing the effective date thereof.

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

Senators Livingston, Paulson, Baeverstad, Garaas, Trenbeath and Freed introduced:

Senate Bill No. 197. A Bill for an Act to amend and reenact section 50-1209. of the North Dakota Revised Code of 1943 relating to child placement agencies.

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

Senators Freed and Foss introduced:

Senate Bill No. 198. A Bill for an Act to amend and reenact section 19-0805 of the North Dakota Revised Code of 1943, relating to license fees for beverages.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 52

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 28, 1959

Mr. President: I have the honor to transmit:

House Bill No. 545

House Bill No. 555

House Bill No. 584

House Bill No. 598

House Bill No. 599

House Bill No. 604

House Bill No. 605

House Concurrent Resolution "E"

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

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 52

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

VIC GILBREATH, Secretary.

MOTIONS

Senator Freed requested that the Senate recognize a group of students and their instructor from the Model High at Dickinson, North Dakota, which request was granted.

Senator George requested that the Senate recognize the Senior Class of Steele, North Dakota, which request was granted.

Senator Erickson requested that the Senate recognize the Junior and Senior Modern Problems Class of the New England Public High School and their instructor, which request was granted.

Senator Livingston moved that the President appoint a committee to escort Maurice M. Harrington, Mayor of Minot, to the rostrum, which motion prevailed.

The President appointed Senator Livingston as a committee of one to escort Mayor Harrington to the rostrum, and Mayor Harrington was escorted to the rostrum and invited to address the Senate.

Mayor Harrington: Governor Dahl, and Senators. It is with a great deal of pleasure that I accept this honor to talk to this august body. Senator Livingston prevailed upon me to do this. I am real bashful and did not want to do it, but I can't help but bring greetings from the City of Minot. I have the job of sitting before the city council most of the time. I know there are uncomfortable times and unhappy times and I know that will be true in this body also. Your job is bigger than ours and I want to compliment you on the way you have taken over the business of the State for the past several days, and with that I just want to say thank you.

Senator Gronvold moved that the remarks of Mayor Harrington be printed in the journal, which motion prevailed.

Senator Thompson moved that a committee be appointed to escort former Senator John Leier from Benson County to the rostrum, which motion prevailed.

The President appointed Senator Thompson as a committee of one to escort former Senator John Leier to the rostrum, and former Senator Leier was invited to address the Senate.

Senator Leier: Members of the Senate. This is what happens to everyone that is here today unless the Honorable Lieutenant Governor calls you the late so and so and so. Someday we will all perhaps be in the same capacity as I am now. I have no regrets. It has given me one of

the most liberal educations that a man can have, that a citizen can have. I have always kind of felt this way that former legislators that have been relegated to the scrap heap should more or less be seen and not heard so I shall confine my remarks very briefly. I want to mention just one thing that impressed me the past several weeks. We did a little traveling the wife and I. We drove through the great southwest, the highly advertised southwest, and believe me, gentlemen, if you have never been there before it is the most desolate, most lonesome, the most bare piece of ground that God has ever given any country, measured by North Dakota standards. Believe me, as a farmer I was agriculture minded and that's what I looked mostly to, and we traveled for 1500 or 2000 miles, and again, measured by North Dakota standards, there wasn't enough hay or grass to feed ten North Dakota steers. I hope North Dakota never puts laws on its books like we met up with in Arizona at the port of entry there. Those of you who have traveled route 66 have perhaps run across the same thing we did that day. That is that we were stopped at the port of entry. I knew it was there. Did not know why they stopped people. They said, "Do you have any fruit?" I said: "No, we don't have any fruit. We come from North Dakota, and at this time of the year it is quite cold." "You can't come in if you brought any of the cold with you." I said: "We didn't. We left that behind." "Have you any seeds, do you have any seed, or any shrubbery?" I said: "No," My wife said: "What do you want to know for, seeds would not grow in this country anyway."

I know you are in deep deliberation and I don't wish to take any more of your time. Much could be said perhaps but I certainly appreciate the privilege to stand before this august body and make a few remarks. I thank you.

Senator Baeverstad moved that the remarks of former Senator Leier be printed in the journal, which motion prevailed.

Senator Redlin moved that the President appoint a committee to escort former Senator Ralph Dewing to the rostrum, which motion prevailed.

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

Mr. Dewing: Mr. President, Mayor Harrington and Members of the Senate. This is indeed a pleasure to come back to the Senate and visit with old friends and new, and not to have any responsibilities or any worries, and I have the deep satisfaction of knowing that during the years I served here I made a lot of friends, and it always reminds me back to the past election year when I was campaigning statewide, a lot of people said: "Ralph, you should have a cinch, you made so many friends down at the legislature."

I said: "Maybe that's true." But as it happened there weren't very many democrats in the legislature and most of my friends were republicans, but seemingly even that has been changed somewhat today, but I am very glad to be here. I know you are very busy and have a lot of things to do, and with that I am going to say thank you.

Senator Vendsel moved that the remarks of former

Senator Dewing be printed in the journal, which motion prevailed.

MOTIONS

Senator Holand moved that Senate Resolution No. 2 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Holand moved that Senate Resolution No. 2 be printed in the journal and laid over one legislative day, which motion prevailed.

Senator Holand moved that after the reading of Senate Bills No. 30, 47, 56, 77, 112, 115, 119, 120, 121, Senate Concurrent Resolutions "F", "G", "H" and House Bill No. 542, that the Senate recess subject to the call of the chair, which motion prevailed.

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

MOTIONS

Senator Holand moved that the Senate reconsider the action by which Senate Resolution No. 2 was ordered printed in the journal and laid over one legislative day, which motion prevailed.

Senator Holand moved that Senate Resolution No. 2 be re-referred to the committee on photography, which motion prevailed.

Senator Holand moved that the Senate recess until 1:00 p.m., January 29, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

TWENTY-THIRD DAY AFTER RECESS AND
TWENTY-FOURTH DAY

Bismarck, January 29, 1959

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

SECOND READING OF SENATE BILLS

Senate Bill No. 30. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Baeverstad	Holand	Murphy
Becker	Hystad	Mutch
Berube	Johnson	Nesvig
Brooks	Kee	O'Brien
Erickson	Kisse	Paulson
Erickstad	Klefstad	Redlin
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Livingston	Van Horn
Gefreh	Longmire	Vendsel
George	Luick	Wartner
Gilbertson	Meidinger	Wenstrom
Gronvold	Miller	Yunker

Absent and not voting:

Ringsak	Trenbeath	Wadeson
Roen		

So the bill passed and the title was agreed to.

Senator Murphy: Mr. President. In regard to the vote that I cast I want the sentence I am about to speak recorded in the journal.

I will vote in favor of this appropriation despite the position taken on the motion to amend lines 19 and 20, for the reason the Bank of North Dakota must continue to operate despite the failure to justify the appropriation of \$25,000.00.

Senate Bill No. 47. A Bill for an Act to amend and re-enact sections 5-0308, 5-0309, 5-0310, 5-0313, 5-0314, 5-0315, 5-0317, and 5-0402 of the North Dakota Revised Code of 1943, and sections 5-0205, 5-0206, 5-0211, 5-0212, 5-0213, 5-0217, 5-0218, 5-0220, 5-0222, 5-0307, 5-0311 and 5-0322 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the transfer of a part of the tax collection functions of the state treasurer, to the state tax commissioner.

Which has been read.

Senator Longmire moved that Senate Bill No. 47 be indefinitely postponed, which motion prevailed.

Senate Bill No. 56. A Bill for an Act relating to the construction of certain buildings by the state highway department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 77. A Bill for an Act to amend and re-enact Section 57-3818 of the North Dakota Revised Code of 1943, as amended, relating to the exemption from the state income tax of all income accruing from federal social security retirement payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1:

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak

Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker
Absent and not voting:		
Hernett		

So the bill passed and the title was agreed to.

Senate Bill No. 112. A Bill for an Act to amend and re-enact Section 24-0211 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to records of the Highway Department open to public; certified copies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 115. A Bill for an Act to amend and re-enact section 57-5011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the assignment of refund claims on motor fuel tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen

Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 119. A Bill for an Act to amend and reenact section 57-2001 of the North Dakota Revised Code of 1943, relating to the penalty for delinquent personal property taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Thompson

So the bill passed and the title was agreed to.

Senate Bill No. 120. A Bill for an Act to amend and reenact section 24-0209 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to Highway Department budgets.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin

Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:
Thompson

So the bill passed and the title was agreed to.

Senate Bill No. 121. A Bill for an Act to provide Highway Department short term financing.

Which has been read.

Senator Schrock moved that Senate Bill No. 121 be referred to the Committee on State and Federal Government, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

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

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	O'Brien
Brooks	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Those voting in the negative were:

Ringsak Trenbeath

Absent and not voting:
Thompson

So the resolution was declared adopted.

Senate Concurrent Resolution "G". A concurrent resolution authorizing and directing the legislative research committee to study the need for special education within the state and the manner in which facilities for such special education can be best obtained.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "G" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

Senate Concurrent Resolution "H". A resolution urging the State Board of Public School Education and the State Board of Higher Education to examine the curricula, and standards of accomplishment, of the schools of this state.

Which has been read.

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

SECOND READING OF A HOUSE BILL

House Bill No. 542. A Bill for an Act to amend and reenact section 53-0607 of the North Dakota Revised Code of 1943, relating to the transfer and disposition of funds in the attorney general inspector license fund, and to transfer all moneys in the World War II Adjusted Compensation Administration Fund, to the general fund of this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that after the reading of Senate Bills No. 12, 27, 28, 34, 64, 71, 81, 105, 117 and 141, that the Senate adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

TWENTY-FOURTH DAY

Bismarck, January 29, 1959

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

Roll Call: All Senators present.

A quorum was declared by the President.

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

SENATOR KEE, Chairman.

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

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 71
Senate Bill No. 81
Senate Bill No. 105
Senate Bill No. 117

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 79 has 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 providing that all loaves of packaged bread shall have printed on the package, or by the use of a gummed sticker, or a slip of paper inserted inside wrapper, the amount of money the farmer received from the sale of cereal grains or potatoes used in the manufacture of such bread.

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

1 SECTION 1. PACKAGED BREAD TO CONTAIN
1a CERTAIN
2 PRINTING.) Any person, partnership, corporation, or
3 association selling packaged loaves of bread at retail
4 or wholesale in this state shall cause to be printed
5 on the package of each individual loaf, or by the use
6 of a gummed sticker, or a slip of paper inserted inside
7 wrapper, the size of actual printed material or printing
8 to cover not less than an area to measure four inches by
9 four inches, in twenty-four point boldface caps, the
10 amount of money the farmer received for producing
10a cereal
11 grain or potatoes necessary to manufacture the loaf of
12 bread. The actual statement to be printed on each loaf
13 of packaged bread shall be "THE FARMER'S GROSS
13a RETURN
14 FOR THIS LOAF OF BREAD IS LESS THAN FOUR
14a AND ONE HALF
15 CENTS". The amount of money that the farmer receives
16 for producing the cereal grain or potatoes necessary
17 to manufacture any type of a loaf of bread shall be
18 determined by the North Dakota agricultural college,
19 and the agricultural college shall make available such

20 prices each year to any bakery, retailer of bread or any
 21 other individual desiring a copy thereof. No person,
 22 partnership, corporation or association shall be re-
 22a quired
 23 to change this printed material as provided for in this
 24 Act, more than once each year, and then only if the
 25 cost is greater than four and one-half cents.

And when so amended recommend the same do pass.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 82 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 83 has had the same under consideration and recommend that the same be amended as follows:

In line 27, after the word "elects" insert the words "before injury."

And when so amended recommend the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 87 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 88 has had the same under consideration and recommend that the same be amended as follows:

In line 13, after the word "bond" insert the words "in a form prescribed by the department."

And when so amended recommend the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 93 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 103 has had the same under consideration and recommend that the same be amended as follows:

In the first line of the title of the bill after the number "57-2201" delete the comma and insert the word "and"

In the first line of the title of the bill after the number "57-2202" delete the comma

In the second line of the title delete the following language: "and 57-2210"

In the fourth line of the title after the word "taxes" insert a comma and the following language: "and the publication of delinquent personal property taxes and maintaining a record of all such delinquent taxes"

In line 11 of the bill delete the word "and"

In line 14 of the bill after the word "collection" insert the following language: "and that in January of the next year the list of unpaid delinquent personal property taxes will be published in the official newspaper in the county"

Delete everything after "line 30" and insert in lieu thereof the following language:

"SECTION 3. COUNTY AUDITOR TO PUBLISH LIST AND MAINTAIN RECORD OF DELINQUENT PERSONAL PROPERTY TAXES.) The county auditor, upon receiving a list of the delinquent personal property taxes as required by law, shall cause the same to be published in the official newspaper of the county and entered in individual accounts by taxpayers in a record to be kept in his office. Such record shall show the names of delinquent taxpayers alphabetically arranged, the amount of the tax of each, for what year or years, and all other information as shown on the original tax list. Subsequent payments shall be posted from duplicate copies of tax receipts transmitted by the treasurer and sheriff."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 110 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 122 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 153 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 26 be adopted, which motion prevailed.

Senator Holand moved that Senate Bill No. 33 be referred to the Committee on Appropriations, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 91 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 97 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to House Concurrent Resolution "A" be adopted, which motion prevailed.

MOTIONS

Senator Wadeson moved that Senate Bill No. 173 be returned to the Senate from the Committee on Agriculture, which motion prevailed.

Senator Wadeson moved that Senate Bill No. 173 be referred to the Committee on Finance and Taxation, which motion prevailed.

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

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

FIRST READING OF SENATE BILLS AND A CONCURRENT RESOLUTION

Senators Gefreh, Paulson, Murphy, Holand and Meidinger introduced:

Senate Bill No. 199. A Bill for an Act providing for an appropriation for armory and military construction purposes.

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

Senators Longmire, Meidinger and Schrock introduced:

Senate Bill No. 200. A Bill for an Act to amend and reenact section 15-3401 of the North Dakota Revised Code of 1943 relating to the age of compulsory school attendance.

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

Senators Gefreh and Holand introduced:

Senate Bill No. 201. A Bill for an Act to amend and reenact section 39-0614 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the issuance and types of motor vehicle operators licenses.

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

Senator Brooks introduced:

Senate Bill No. 202. A Bill for an Act to amend and reenact section 12-4003 of the North Dakota Revised Code of 1943, relating to amount of money which constitutes petit and grand larceny.

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

Senators Hystad, Redlin, Van Horn and Berube introduced:

Senate Bill No. 203. A Bill for an Act to amend and reenact subsection 1 of section 32-1504 of the North Dakota Revised Code of 1943 relating to property which may be taken by eminent domain.

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

Senator Brooks introduced:

Senate Bill No. 204. A Bill for an Act to amend and reenact section 20-0306 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to nonresident hunting, trapping or fishing licenses.

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

Senators Brooks and Wartner introduced:

Senate Bill No. 205. A Bill for an Act to amend and reenact section 6-0816 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to issuing checks or drafts without an account, or without sufficient funds or credit with a bank or other depository; providing for penalty and rule of evidence.

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

Senators Livingston, Becker, Schrock, Lautenschlager and Wartner introduced:

Senate Bill No. 206. A Bill for an Act authorizing the state historical society to transfer and convey or exchange for other land certain state owned land to The Great Plains Area Council, Boy Scouts of America.

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

Senators Longmire and O'Brien introduced:

Senate Bill No. 207. A Bill for an Act to amend and reenact subsection 5 of section 23-0603 and sections 50-0734 and 50-07342 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the obligation of counties in paying burial costs of persons receiving old age assistance.

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

Senator Brooks introduced:

Senate Bill No. 208. A Bill for an Act to amend and reenact sections 49-0505 and 49-0506 of the North Dakota Revised Code of 1943, relating to the filing by public utilities of rates, fares, schedules; classifications, contracts, rules, and regulations, with the public service commission, and the investigation thereof by the commission.

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

Senators Nesvig, Vendsel, Van Horn, Andre, Garaas, Thompson, Fiedler, Murphy and Lautenschlager introduced:

Senate Concurrent Resolution "L". A concurrent resolution providing for the amendment of section 121 of the Constitution of the state of North Dakota as amended by Article 69 of the Amendments to the Constitution of the state of North Dakota relating to the elective franchise.

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

FIRST READING OF A RESOLUTION

Senator Vendsel introduced:

Senate Resolution No. 3. A resolution requesting all lending agencies in the state of North Dakota, including

the Bank of North Dakota, to refrain from charging discounts to borrowers on home loans.

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

**FIRST READING OF HOUSE BILLS AND
A CONCURRENT RESOLUTION**

House Bill No. 545. A Bill for an Act to amend and reenact sections 20-1302, 20-1303, 20-1304, 20-1305, 20-1309, 20-1402, 20-1403, 20-1404, 20-1405, 20-1406, and 20-1410 of the North Dakota Revised Code of 1943, relating to proof of kill for the collection of bounties on predatory animals and birds, and to penalties.

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

House Bill No. 555. A Bill for an Act to amend and reenact section 20-0607 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the taking of minnows, other than for resale, by the use of a dip net, minnow trap, or minnow seine.

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

House Bill No. 584. A Bill for an Act to amend and reenact section 40-1008 of the North Dakota Revised Code of 1943 relating to the city manager plan of local government for cities.

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

House Bill No. 598. A Bill for an Act relating to counties, municipalities, health districts and other political subdivisions of the state of North Dakota; providing for the establishment of ambulance service therein; and declaring an emergency.

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

House Bill No. 599. A Bill for an Act to amend and reenact section 16-1107 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to constitutional amendments and initiated and referred measures.

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

House Bill No. 604. A Bill for an Act to amend and reenact sections 16-1013 and 16-1305 of the North Dakota Revised Code of 1943 relating to the oath of election officers and authentication of reports and poll lists.

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

House Bill No. 605. A Bill for an Act providing for registering absent voters' ballots on voting machines.

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

House Concurrent Resolution "E". A concurrent resolution memorializing Congress to provide additional funds for the construction of nursing homes.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 12. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Gasoline Tax Division in the office of the State Auditor.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Gronvold	Klefstad	Paulson
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So the bill passed and the title was agreed to.

Senate Bill No. 27. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Gronvold	Klefstad	Paulson
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So the bill passed and the title was agreed to.

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

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Klefstad Paulson

So the bill passed and the title was agreed to.

Senate Bill No. 34. A Bill for an Act making an appropriation for the deficiency in salaries of the elected state officials of the State of North Dakota for the last six months of the biennium ending June 30, 1959; and declaring an emergency.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Klefstad Paulson

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

Senate Bill No. 64. A Bill for an Act to amend and reenact section 36-1517 of the North Dakota Revised Code of 1943, relating to tuberculin and brucellosis testing of entire counties being enforced under certain conditions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Klefstad

So the bill passed and the title was agreed to.

Senate Bill No. 71. A Bill for an Act to amend and reenact Sections 15-5708 and 15-5710 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to teaching scholarships.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 81. A Bill for an Act to create and enact Section 15-3428 of the North Dakota Revised Code of 1943, relating to transportation of elementary school children and to amend and reenact Section 15-3419 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to qualifications of school bus drivers.

Which has been read.

Senator Holand moved that Senate Bill No. 81 be referred to the Committee on Education, which motion prevailed.

Senate Bill No. 105. A Bill for an Act to transfer funds received in the payment of interest and principal under Chapter 15-60, of the 1957 Supplement to the North Dakota Revised Code of 1943, to the state school construction revolving fund and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luiek	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:
Gilbertson

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

Senate Bill No. 117. A Bill for an Act to amend and reenact section 5-0306 of the North Dakota Revised Code of 1943, relating to stamps representing tax on liquor in this state, and allowing a limited amount of liquor to be brought into this state from foreign countries by tourists or other people.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien

Becker	Kee	Paulson
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Those voting in the negative were:

Fiedler	Redlin
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So the bill passed and the title was agreed to.

Senate Bill No. 141. A Bill for an Act stating when dogs are a public nuisance, and the procedure to be followed when dogs are declared a public nuisance.

Which has been read.

Senator Wadeson moved that Senate Bill No. 141 be referred to the Committee on Agriculture, which motion prevailed.

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

VIC GILBREATH, Secretary.

TWENTY-FIFTH DAY

Bismarck, January 30, 1959

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain R. J. Sausoman, Wesleyan Methodist,
Bismarck.

Roll Call: All Senators present.

A quorum was declared by the President.

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

SENATOR KEE, Chairman.

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

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 26

Senate Bill No. 91

Senate Bill No. 97

And find the same correctly Engrossed.

SENATOR ERICKSON, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 17 has had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure "\$289,720.00" and in lieu thereof insert the figure "\$365,000.00".

In line 9 strike out the figure "\$275,000.00" and in lieu thereof insert the figure "\$350,280.00".

In line 10 strike out the figure "\$289,720.00" and in lieu thereof insert the figure "\$365,000.00".

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 21 has had the same

under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 50 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

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

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

"For an Act to amend and reenact subsection 2 of section 20-0802 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the nonmigratory waterfowl bag limit and to repeal section 20-0806 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to nonmigratory waterfowl season.

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

1 SECTION 1. AMENDMENT.) Subsection 2 of section
2 20-0802 of the 1957 Supplement to the North Dakota
3 Revised Code of 1943 is hereby amended and reenacted
4 to read as follows:

5 2. A bag limit on migratory waterfowl which is
6 less than the federal bag limit thereon ((, or
7 a bag limit on nonmigratory waterfowl which is
8 less than the federal bag limit on migratory
9 waterfowl));

10 SECTION 2. REPEAL.) Section 20-0806 of the 1957
11 Supplement to the North Dakota Revised Code of 1943
11a is
12 hereby repealed."

And when so amended recommend the same do pass.

SENATOR TRENBEATH, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 78 has had the same under consideration and recommend that the same be amended as follows:

In line 25, after the word "All" insert the word "elected."

In line 27, delete the word "ten" and insert in lieu thereof the word "five," and renumber the lines accordingly.

In line 63, underscore the numeral "16-1710".

And further recommend that Senate Bill No. 78 be placed on the calendar without recommendation.

SENATOR KLEFSTAD, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 99 has 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 reenact subdivision d of subsection 1 of section 38-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943, providing for oil well drilling bonds.

- d. the furnishing of a reasonable bond with good and sufficient surety, conditioned (((for the performance of the duty to plug each dry or abandoned well;))) upon the full compliance with the provisions of Chapter 38-08 of the North Dakota Revised Code of 1943 and amendments thereto, and the rules and regulations of the Industrial Commission of the State of North Dakota prescribed to govern the production of oil and gas on state and private lands within the State of North Dakota.

And number the lines accordingly.

And when so amended recommend the same do pass.
SENATOR TRENBEATH, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 106 has had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title of the bill after the word "to", delete the word "revocation" and insert in lieu thereof the words "forfeiture and reinstatement"

In line 12 of the bill, delete the word "hereafter" and insert in lieu thereof the word "hereinafter".

In line 13 of the bill after the period, delete the balance of the bill and insert in lieu thereof the following:

"However, in the case of a forfeiture of a fishing license for a first violation, such license or permit shall be reinstated thirty days from the date of such forfeiture."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR TRENBEATH, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 154 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 155 has had the same under consideration and recommend that the same be amended as follows:

In line 4, after the word "subpoenaed" insert the words "by the state."

And when so amended recommend the same do pass.

SENATOR KLEFSTAD, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 160 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR TRENBEATH, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "C" has had the same under consideration and recommend that the same do pass.

SENATOR TRENBEATH, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Wadeson moved that the amendments to Senate Bill No. 79 be adopted.

Senator Baeverstad made the substitute motion that Senate Bill No. 79 be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 83 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 88 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 103 be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 30, 1959

Mr. President: I have the honor to return:

Senate Bill No. 52

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 30, 1959

Mr. President: I have the honor to transmit:

House Bill No. 554

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 30, 1959

Mr. President: I have the honor to transmit:

House Bill No. 551

House Bill No. 578

House Bill No. 580

House Bill No. 587

House Bill No. 600

House Bill No. 602

House Bill No. 610

House Concurrent Resolution "F"

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

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 30, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 12

Senate Bill No. 27

Senate Bill No. 28

Senate Bill No. 30

Senate Bill No. 34

Senate Bill No. 56

Senate Bill No. 64

Senate Bill No. 71

Senate Bill No. 77

Senate Bill No. 105

Senate Bill No. 112

Senate Bill No. 115

Senate Bill No. 117

Senate Bill No. 119

Senate Bill No. 120

Senate Concurrent Resolution "F"

Senate Concurrent Resolution "H"

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

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, January 30, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 542

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

MOTIONS

Senator Brooks moved that Senate Bill No. 208 be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Brooks moved that Senate Bill No. 208 be referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senator O'Brien moved that the Senate reconsider the

action by which Senate Bill No. 101 was withdrawn, which motion prevailed.

Senator O'Brien moved that Senate Bill No. 101 be referred to the Committee on Education, which motion prevailed.

Senator Holand moved that all of the temporary procedural committees that were heretofore appointed by the President, and which have not been discharged, be made into permanent committees of the Senate, which motion prevailed.

FIRST READING OF SENATE BILLS AND A CONCURRENT RESOLUTION

Senator Wartner introduced:

Senate Bill No. 209. A Bill for an Act authorizing the disposal of volumes containing obsolete laws.

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

Senators Wenstrom and Garaas introduced:

Senate Bill No. 210. A Bill for an Act authorizing the filing of notices of liens for taxes payable to the United States of America and certificates discharging such liens and to make uniform the law relating thereto.

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

Senator Murphy introduced:

Senate Bill No. 211. A Bill for an Act authorizing the governor to enter into contracts with the attorney general of the United States in order that inmates of the state penitentiary needing special care not available at the penitentiary may be transferred to a federal institution where such care is available.

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

Senators Fiedler, Trenbeath and Holand introduced:

Senate Bill No. 212. A Bill for an Act relating to publication of county official proceedings and notices.

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

Senators Trenbeath, Livingston, Klefstad and Roen introduced:

Senate Bill No. 213. A Bill for an Act to amend and reenact section 4-0815 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the one mill levy for county agent work, providing that all counties may levy such one mill regardless of taxable valuation and providing that the excess proceeds from the one mill levy be deposited in the county general fund.

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

Senators Yunker and Garaas introduced:

Senate Bill No. 214. A Bill for an Act requiring public contractors to comply with the state and federal safety codes.

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

Senator Gefreh introduced:

Senate Bill No. 215. A Bill for an Act to provide for the registration of trade names with the secretary of state for business which is transacted in this state.

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

Senator Wenstrom introduced:

Senate Bill No. 216. A Bill for an Act making an appropriation for the construction of buildings by the state highway department.

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

Senator Wenstrom introduced:

Senate Bill No. 217. A Bill for an Act to amend and reenact Section 39-0639 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Right of Appeal to Court.

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

Senators Erickson and Gronvold introduced:

Senate Bill No. 218. A Bill for an Act relating to the liability of owners, operators, and others of aircraft, and defining a "guest".

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

Senators Gronvold, Wenstrom, Roen, Saumur, Freed and Hernettt introduced:

Senate Bill No. 219. A Bill for an Act relating to the organization of small business investment corporations.

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

Senators Wartner and Garaas introduced:

Senate Bill No. 220. A Bill for an Act to provide for a period of thirty days in which a person may initiate action to set aside irregular proceedings for the creation of a special assessment for improvements if the irregularity is not due to fraud.

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

Senators Wartner and Garaas introduced:

Senate Bill No. 221. A Bill for an Act to amend and reenact sections 27-1501, 27-1502 and 27-1510 of the North Dakota Revised Code of 1943, relating to making retired judges of the supreme court and district court members of the judicial council and limiting state bar fund payment for their mileage expenses to travel within the state.

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

Senators Gefreh, Roen and Longmire introduced:

Senate Bill No. 222. A Bill for an Act to amend and reenact subsection 9 of section 39-1601; paragraph 2 of section 39-1605; subsections 2, 3 and 4 of section 39-1614; subsection 2 b. of section 39-1620; and section 39-1624 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to financial responsibility of drivers and owners of motor vehicles.

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

Senators Longmire and Gefreh introduced:

Senate Bill No. 223. A Bill for an Act to amend and reenact subsection 3 of section 28-1406 of the North Dakota Revised Code of 1943 relating to the grounds for challenge for cause of jurors.

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

Senators Roen and Erickson introduced:

Senate Bill No. 224. A Bill for an Act to amend and reenact section 24-0101 of the North Dakota Revised Code of 1943, and section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the designation and mileage of the state highway system.

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

Senators Freed, Roen, Vendsel, Meidinger, Longmire and Garaas introduced:

Senate Bill No. 225. A Bill for an Act authorizing an easement over certain property now owned by the state of North Dakota to the United States of America, for park purposes and the reversion thereof in case of nonuse, declaring it an emergency.

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

Senators Ringsak, Van Horn, Garaas and Gefreh introduced:

Senate Bill No. 226. A Bill for an Act providing that any person who by any act willfully encourages, causes, or contributes to the violation of parole of any person on probation or parole is guilty of a misdemeanor.

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

Senators Ringsak, Trenbeath and Yunker introduced:

Senate Bill No. 227. A Bill for an Act relating to the clearance of nonnavigable streams and to repeal section 61-0115 of the North Dakota Revised Code of 1943 relating to responsibility of riparian owners to clear beds of streams.

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

Senators Mutch, Gronvold and Johnson introduced:

Senate Bill No. 228. A Bill for an Act to amend and reenact section 57-4305 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to payment of tax.

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

Senators Vendsel, Ringsak, Morgan and Garaas introduced:

Senate Bill No. 229. A Bill for an Act protecting sources of information of gatherers of news.

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

Senators Hernet, Kee, Garaas and Baeverstad introduced:

Senate Concurrent Resolution "M". A concurrent resolution for amendment of sections 26, 29, 30, and 35 of the Constitution of the state of North Dakota relating to the establishment of senatorial districts by counties, the manner of electing senators and representatives from such districts, and a manner of reapportioning members elected to the House of Representatives after each federal decennial census.

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

Senator Holand moved that after the reading of Senate Bills No. 26, 82, 87, 91, 93, 97, 110, 122 and House Concurrent Resolution "A", that the Senate recess subject to the call of the chair, which motion prevailed.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 26. A Bill for an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Those voting in the negative were:
Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 82. A Bill for an Act to provide for reimbursement to certain employees from the workmen's compensation fund for judgments rendered against them involving employee's injuries.

Which has been read.

Senator Gefreh moved that Senate Bill No. 82 be laid over one legislative day, which motion prevailed.

Senate Bill No. 87. A Bill for an Act to amend and reenact section 30-1915 of the North Dakota Revised Code of 1943, relating to written bids of estate realty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:
Saumur

So the bill passed and the title was agreed to.

Senate Bill No. 91. A Bill for an Act to amend and re-enact section 57-0208 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 21 relating to the exemption of clothing, household goods, and musical instruments of certain persons from personal property taxation.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Those voting in the negative were:

Larson Roen

So the bill passed and the title was agreed to.

Senate Bill No. 93. A Bill for an Act to amend and re-enact section 14-0319 of the 1957 Supplement to the North

Dakota Revised Code of 1943 and section 14-0320 and 14-0321 of the North Dakota Revised Code of 1943, relating to marriage licenses and certificates of marriage and the manner of their disposition.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Saumur

So the bill passed and the title was agreed to.

Senator Baeverstad moved that Senate Bill No. 97 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Holand moved that Senate Bill No. 110 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 122. A Bill for an Act to amend and re-enact section 61-1614 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the deposit of funds of water conservation and flood control districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Ereed	Livingston	Vendsel
Gefreh	Longmire	Wadeson
George	Luick	Wartner

Gilbertson	Meidinger	Wenstrom
Gronvold	Miller	Yunker
Hernett	Morgan	

Those voting in the negative were:

Garaas	Schrock	Van Horn
Murphy		

Absent and not voting:

Saumur

So the bill passed and the title was agreed to.

**SECOND READING OF A HOUSE
CONCURRENT RESOLUTION**

House Concurrent Resolution "A". A concurrent resolution memorializing the Secretary of Agriculture to utilize available funds for purchase of poultry products in school lunch program.

Which has been read.

Senator Wadson moved that House Concurrent Resolution "A" be adopted, which motion prevailed.

Senator Holand moved that the Senate recess until 1:00 p.m., January 31, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

TWENTY-FIFTH DAY AFTER RECESS AND
TWENTY-SIXTH DAY

Bismarck, January 31, 1959

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 554

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

FIRST READING OF SENATE BILLS AND
CONCURRENT RESOLUTIONS

Senator Murphy (by request) introduced:

Senate Bill No. 230. A Bill for an Act governing the organization and operation of corporations organized for the purpose of insuring titles to real property.

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

Senators Ringsak, Kee, Wartner and Kisse introduced:

Senate Bill No. 231. A Bill for an Act to amend and reenact 34-0112 of the North Dakota Revised Code of 1943.

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

Senators Trenbeath and Luick introduced:

Senate Bill No. 232. A Bill for an Act relating to apportionment of benefits, to a county, city, village or to any tract, piece or parcel of land benefited by an established drain and not included in the drainage area, or district, served by such drain when established, providing for the consolidation of established drains, and relating to power of board of drain commissioners to secure adequate outlets for such drains.

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

Senator Krause introduced:

Senate Bill No. 233. A Bill for an Act authorizing the highway commissioner to redesignate as a part of the state highway system, highways which have been previously removed from the system.

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

Senators Gefreh and Ringsak introduced:

Senate Bill No. 234. A Bill for an Act to amend and reenact section 10-2302 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the filing of annual reports of domestic and foreign corporations.

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

Senator Holand introduced:

Senate Bill No. 235. A Bill for an Act making an appropriation for the purpose of reconstructing federal-aid secondary route number 169 from state highway number 32 to the entrance of the North Dakota Soldier's Home in Lisbon.

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

Senator Longmire introduced.

Senate Bill No. 236. A Bill for an Act to amend and reenact section 35-1205 of the North Dakota Revised Code of 1943 relating to notice to owners before a lien can attach for materials furnished to contractors or subcontractors.

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

Senator Longmire introduced:

Senate Bill No. 237. A Bill for an Act to amend and reenact sections 15-5210, 15-5215, 15-5216, 15-5217, 15-5218, 15-5219, 15-5220, 15-5222, 15-5226, and 15-5227 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to loans for dental students from the medical center loan fund.

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

Senators Brooks and Nesvig introduced:

Senate Bill No. 238. A Bill for an Act to provide that no court of this state or game warden of this state shall enforce any laws that protect any species of ducks or geese, to amend and reenact sections 20-0402 and 20-0403 of the North Dakota Revised Code of 1943 and subsection 6 of section 20-0101 and section 20-0802 of the 1957 Supplement to the North Dakota Revised Code of 1943, and section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943 which consists of section 2 of chapter 163 of the North Dakota Session Laws of 1953, relating to the protection of migratory waterfowl and to repeal section 20-0806 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943, consisting of section 2 of chapter 156 of the North Dakota Session Laws of 1953, relating to the authority of the governor to declare a season on nonmigratory waterfowl.

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

Senator Vendsel introduced:

Senate Bill No. 239. A Bill for an Act to provide for a court administrator for the improvement of the judicial system.

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

Senator Foss introduced:

Senate Bill No. 240. A Bill for an Act to amend and reenact subsection 7 of section 39-0632 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to suspension of driver's license.

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

Senator Foss introduced:

Senate Bill No. 241. A Bill for an Act authorizing the state board of higher education to negotiate a lease with the Valley City Development Corporation, a domestic corporation located at 236 Second Avenue Northeast, Valley City, North Dakota, for certain state land located on the State Teachers College campus at Valley City.

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

Senator Kisse introduced:

Senate Bill No. 242. A Bill for an Act to amend and reenact subsection 3 of section 20-0104; and section 20-0407 to the North Dakota Revised Code of 1943 relating to hunting from boat in open water.

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

Senator Vendsel introduced:

Senate Bill No. 243. A Bill for an Act to amend and reenact section 16-1708 of the North Dakota Revised Code of 1943 relating to the filling of vacancies of precinct committeemen.

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

Senator Foss (by request) introduced:

Senate Bill No. 244. A Bill for an Act to amend and reenact Section 24-0501 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the allocation and use of tax funds.

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

Senator Longmire (by request) introduced:

Senate Bill No. 245. A Bill for an Act to amend and reenact sections 47-2102, 47-2103, 47-2104, 47-2105, 47-2106, 47-2107 and 47-2108 of the North Dakota Revised Code of 1943, relating to the tax levied on the selling and licensing of performing rights of music or dramatico-musical compositions, and to provide for transfer of records.

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

Senators Longmire and Saumur introduced:

Senate Bill No. 246. A Bill for an Act to provide for the erection on the campus of the University of an assembly hall, the cost to be paid from donated funds and other funds not raised by taxation.

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

Senator Murphy introduced:

Senate Bill No. 247. A Bill for an Act to amend and re-

enact subsection 2 of section 5-0101 of the North Dakota Revised Code of 1943, relating to definition of liquor.

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

Senators Garaas and Foss (by request) introduced:

Senate Bill No. 248. A Bill for an Act to prescribe procedure in traffic offense cases.

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

Senator Fiedler (by request of The State Tax Commissioner) introduced:

Senate Bill No. 249. A Bill for an Act relating to non-resident contractor's performance bonds and providing for payment of all use taxes due the State of North Dakota.

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

Senator Fiedler introduced:

Senate Bill No. 250. A Bill for an Act to amend and reenact section 11-1317 of the North Dakota Revised Code of 1943, relating to destruction of county records.

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

Senator Erickstad (at request of Civil Defense Director) introduced:

Senate Bill No. 251. A Bill for an Act to amend and reenact sections 11-0412 and 11-0413 of the North Dakota Revised Code of 1943 to provide for emergency relocation of county government and its return to its normal site.

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

Senator Erickstad (at request of Civil Defense Director) introduced:

Senate Bill No. 252. A Bill for an Act to amend and reenact section 39-1125 of the North Dakota Revised Code of 1943, relating to the use of warning devices on vehicles.

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

Senator Erickstad (at request of Civil Defense Director) introduced:

Senate Bill No. 253. A Bill for an Act to amend and reenact subdivision h of subsection 7 of section 54-0119 of the North Dakota Revised Code of 1943, relating to the rights of the state over persons enumerated.

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

Senator Fiedler introduced:

Senate Bill No. 254. A Bill for an Act repealing section 11-13021 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the duties of county auditor in rendering services to private individuals, and fees to be charged.

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

Senator Garaas introduced:

Senate Bill No. 255. A Bill for an Act to provide that corporations, associations and organizations representing itself to be a taxpayers' group to file statement of all contributions received of more than one hundred dollars per calendar year with secretary of state.

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

Senator Garaas introduced:

Senate Bill No. 256. A Bill for an Act authorizing the establishment of homes for the aged by the counties of the state.

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

Senators Vendsel, Garaas and Murphy introduced:

Senate Bill No. 257. A Bill for an Act to amend Chapter 57-38 of the North Dakota Revised Code of 1943 relating to income taxation by adding thereto section 57-38291 to provide, with respect to taxpayers and dependents, a credit to be deducted from the income tax imposed.

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

Senator Murphy introduced:

Senate Bill No. 258. A Bill for an Act to levy a tax of four per centum of the market value of sulphur, propane, butane and natural gasoline extracted and saved from natural gas as defined in Section 57-5101 of the 1957 Supplement to the North Dakota Revised Code of 1943, to whom paid and how apportioned.

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

Senator Morgan introduced:

Senate Bill No. 259. A Bill for an Act to authorize and regulate maximum rates of charge for loans of one thousand dollars or less under certain conditions; to provide that such charges may be made by licensees under the Consumer Finance Regulatory Act; to provide that the purchase of wages or other compensation for services shall be deemed a loan of money for the purpose of regulation under this Act; to prescribe penalties; and to exempt certain lenders.

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

Senator Morgan introduced:

Senate Bill No. 260. A Bill for an Act to provide for licensing, regulation, examination, and supervision of the business of lending in amounts of one thousand dollars or less; to provide for the administration and enforcement of this Act and the Consumer Finance Act by the state examiner; to prescribe penalties; and to exempt certain lenders.

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

Senators Meidinger and Kee introduced:

Senate Bill No. 261. A Bill for an Act authorizing factory representatives of passenger motor vehicle manufacturers

to purchase a manufacturer's plate which shall be in lieu of all registration fees, sales tax, and use tax on the passenger motor vehicles used by such representatives in the course of their employment.

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

Senator Wadeson (by request) introduced:

Senate Bill No. 262. A Bill for an Act to amend and reenact section 36-0509 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to records to be kept by operators of sales rings and certain records to be sent to the consignor.

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

Senators Larson and Murphy (by request) introduced:

Senate Bill No. 263. A Bill for an Act creating a state painters and decorators commission, defining terms, providing for the administration of the commission, and its powers and duties, providing a penalty, and making an appropriation.

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

Senators Erickson and Roen introduced:

Senate Bill No. 264. A Bill for an Act to create a motor vehicle registration reciprocity commission; to define its powers and duties; and to provide for reciprocal use of the highways.

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

Senators Vendsel, Thompson, Kee, Redlin and Kisse introduced:

Senate Bill No. 265. A Bill for an Act to amend and reenact sections 16-1710 and 16-1715 of the North Dakota Revised Code of 1943 relating to meetings of county committee and the state central committee.

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

Senator Baeverstad introduced:

Senate Bill No. 266. A Bill for an Act to create the North Dakota Seed Potato Act, defining terms and providing for the formation, regulations and administration of the Act, and providing penalties.

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

Senators Trenbeath, Larson, Brooks, O'Brien, Roen and Vendsel introduced:

Senate Bill No. 267. A Bill for an Act to amend and reenact section 65-0208 of the North Dakota Revised Code of 1943 relating to rule-making power of the workmen's compensation bureau.

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

Senators Thompson and Baeverstad introduced:

Senate Bill No. 268. A Bill for an Act authorizing certain counties to discontinue the operation of county

agricultural and training schools, and declaring an emergency.

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

Senators Longmire, Livingston, Saumur, Mutch and Lautenschlager introduced:

Senate Bill No. 269. A Bill for an Act to amend and reenact subsection 2 of section 57-3607, section 57-3613 and subsection 2 of section 57-3620 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to cigarette and snuff taxes, providing an exemption, and permitting possession or sale of unstamped cigarettes or snuff.

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

Senators Holand and Erickstad introduced:

Senate Bill No. 270. A Bill for an Act to amend and reenact section 30-1101 of the North Dakota Revised Code of 1943 relating to persons not competent to serve as executor, administrator, or guardian.

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

Senator Wenstrom introduced:

Senate Bill No. 271. A Bill for an Act to amend and reenact section 5-0121 of the North Dakota Revised Code of 1943 relating to the right of action for damages against persons causing the intoxication of persons causing damage.

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

Senator Wenstrom introduced:

Senate Bill No. 272. A Bill for an Act establishing a commission to work jointly with the state of Montana and the national park service for the purpose of investigating the historical significance of the area in northwestern North Dakota and northeastern Montana at the confluence of the Yellowstone and Missouri rivers for the purpose of determining the feasibility of preserving the historical sites of the area illustrative of the history of the United States and making an appropriation therefor.

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

Senators Gefreh, Erickstad, Kee, Ringsak, Klefstad, Longmire, Mutch, Saumur and Wenstrom introduced:

Senate Bill No. 273. A Bill for an Act to establish a grants-in-aid program to provide funds upon a contractual basis to nonprofit corporations for the construction of nursing homes or combination nursing homes and homes for the aged and infirm, providing for the licensing and regulation of such homes, providing an appropriation, and to amend and reenact section 23-1601 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the licensing of hospitals and similar institutions.

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

Senators Becker, George, Krause, Roen, Kisse, Erickson, Hernet, Redlin and Schrock introduced:

Senate Bill No. 274. A Bill for an Act to amend and reenact section 16-1711 of the North Dakota Revised Code of

1943 and to repeal section 16-1712 of the North Dakota Revised Code of 1943 relating to the selection of delegates for the state central committee.

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

Senator Wenstrom introduced:

Senate Bill No. 275. A Bill for an Act to abolish the office of justice of the peace and to confer the jurisdiction of such office elsewhere, and to amend and reenact sections 27-0820, 27-0702, 33-0108, 40-1801, 29-0114, 29-0706, 11-1002, 11-1006, 58-0502, 58-0507, 40-1501, 40-1401, 40-1803, 40-1807, 40-1808, 40-1810, 40-1811, 40-1813, 40-1814, 40-1816, 40-1817, 40-1818, 40-1819, 33-0312, 33-1212, and 40-1805 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, relating to the jurisdiction and powers of police magistrate, county court, county court of increased jurisdiction, and creating a new chapter 27-18 of the North Dakota Revised Code of 1943, relating to the creation of the office of county justice and prescribing the compensation, jurisdiction and powers thereof, and providing for appeal, and amending and reenacting section 40-0708 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, providing for the office of police magistrate in villages, and eliminating the office of justice of the peace conformable to section 1 of this Act, and repealing sections 40-1802, 11-1003, and 33-0123 of the North Dakota Revised Code of 1943.

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

Senators Livingston, Larson, Luick, Foss and Thompson introduced:

Senate Bill No. 276. A Bill for an Act to amend and reenact section 24-1203 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the depositing of garbage on highways.

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

Senators Johnson, Miller and Yunker introduced:

Senate Bill No. 277. A Bill for an Act to amend and reenact section 11-1014 of the North Dakota Revised Code of 1943 relating to fees and compensation received by County Officers.

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

Senator Larson (by request) introduced:

Senate Bill No. 278. A Bill for an Act to amend and reenact Sections 43-0704 and 43-0705 of the North Dakota Revised Code of 1943, relating to contractors licenses.

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

Senator Longmire (by request) introduced:

Senate Bill No. 279. A Bill for an Act to amend and reenact Section 50-0108 of the 1957 Supplement to the North Dakota Revised Code of 1943 providing for members of county welfare board; term of office; oath; compensation.

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

Senators Roen, Erickson, Miller, Gronvold, Kisse and Larson introduced:

Senate Bill No. 280. A Bill for an Act to provide for the transfer of all federal-aid highways to the state highway system, to provide for limitations on expenditures on such highways and to amend subsection 42 of section 24-A0102 and sections 24-0105, 24-0236, 24-0402, 24-0516, 39-0467, 57-4112 and 57-5211 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 24-0101 of the North Dakota Revised Code of 1943 relating to state and county highways and allocation of funds therefor and to repeal section 24-0403 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 57-4113 of the North Dakota Revised Code of 1943 relating to feeder roads.

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

Senator Livingston introduced:

Senate Bill No. 281. A Bill for an Act to amend and reenact section 15-5901 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of exceptional children.

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

Senator Ringsak introduced:

Senate Bill No. 282. A Bill for an Act to amend and reenact subsection 2 of section 5-0503 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the qualifications for a license to sell alcohol or alcoholic beverages.

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

Senators Longmire, Livingston, Saumur, Lautenschlager and Mutch introduced:

Senate Bill No. 283. A Bill for an Act to amend and reenact sections 5-0205 of the North Dakota Revised Code of 1943, as amended by the 1955 Session Laws, Chapter 96, section 1, and section 5-0222 of the 1953 Supplement to the North Dakota Revised Code of 1943 as amended by the 1953 Session Laws Chapter 96, section 9, relating to alcoholic beverages and exempting the sale of or by an instrumentality of the armed forces of the United States from certain taxes of this state.

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

Senators Larson, Livingston and Wenstrom introduced:

Senate Bill No. 284. A Bill for an Act to provide for a continuing traffic survey as a basis for distribution of the counties' share of motor vehicle registration fees and to amend and reenact subsection 3 of section 39-0467 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the distribution of such fees, and providing an effective date.

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

Senators Brooks, Yunker, Miller, Larson, Lautenschlager, Roen, Hernet, Ringsak and Murphy introduced:

Senate Bill No. 285. A Bill for an Act to amend sections 5-0505 and 5-0507, and to repeal section 5-0504 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the sale of alcoholic beverages and other commodities at the same establishment.

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

Senators O'Brien and Morgan (by request of the Public Welfare Board) introduced:

Senate Bill No. 286. A Bill for an Act to amend and reenact Section 50-0604 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Compensation of Members of the Public Welfare Board of North Dakota.

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

Senators Ringsak and Redlin introduced:

Senate Bill No. 287. A Bill for an Act to amend and reenact section 16-1715 of the North Dakota Revised Code of 1943 relating to the term of office of the state central committee chairman.

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

Senator Vendsel introduced:

Senate Bill No. 288. A Bill for an Act to amend and reenact sections 16-1716 and 16-1717 of the North Dakota Revised Code of 1943 relating to dates for meeting of state party conventions.

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

Senator Luick (by request) introduced:

Senate Bill No. 289. A Bill for an Act to repeal chapter 39-15 of the code, relating to liability for injury to guests in motor vehicles.

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

Senator Longmire (by request) introduced:

Senate Concurrent Resolution "N". A concurrent resolution for an amendment of section 180 of the Constitution of the state of North Dakota.

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

Senators Erickstad and Foss introduced:

Senate Concurrent Resolution "O". A concurrent resolution directing and authorizing the Legislative Research Committee to conduct a comprehensive study of civil defense, government operations, both state and local, and laws relating thereto in order to determine their adequacy in providing the greatest possible protection for the lives and property of the people of this state in the event of natural disaster and foreign attack; and to present its findings and recommendations to the Thirty-seventh Legislative Assembly.

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

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

VIC GILBREATH, Secretary.

TWENTY-SIXTH DAY

Bismarck, January 31, 1959

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

Prayers by Chaplain Glenn Field, Capitol Heights Baptist, Bismarck.

Roll call: All Senators present except Senators Berube, Gefreh and Gronvold.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-fifth day and find the same correct.

SENATOR KEE, Chairman.

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 100 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR LIVINGSTON, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 114 has had the same under consideration and recommend that the same do pass.

SENATOR LUICK, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 116 has had the same under consideration and recommend that the same do pass.

SENATOR LIVINGSTON, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 118 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR LIVINGSTON, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 123 has had the same under consideration and recommend that the same do pass.

SENATOR LIVINGSTON, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 131 has had the same under consideration and recommend that

the same do pass, and further recommend that the same be re-referred to the Committee on Education.

SENATOR LIVINGSTON, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 137 has had the same under consideration and recommend that the same do pass.

SENATOR LUICK, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 138 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 162 has had the same under consideration and recommend that the same do pass.

SENATOR LUICK, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 188 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

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

REPORT OF SELECT COMMITTEE

Mr. President: Your Committee on Photography to whom was referred Senate Resolution No. 2 has had the same under consideration and recommend that the same be printed in the journal and laid over one legislative day and not printed as a bill.

SENATOR KISSE, Chairman.

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

SENATE RESOLUTION NO. 2

Introduced by Senators Kisse, Miller and Hystad

A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-sixth Legislative Assembly of the State of North Dakota.

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

- 1 WHEREAS, for historical purposes it has been the
- 2 custom of all North Dakota legislative assemblies to
- 3 have composite group pictures made of all members of
- 3a such
- 4 assemblies; and
- 5 WHEREAS, Campbell's Studio of Bismarck, North
- 5a Dakota
- 6 offers to make a composite group picture of the
- 6a members

7 of the 1959 North Dakota senate size 30 x 40 inches,
 8 said picture to be framed and ready to hang, and
 8a fifty-five
 9 eleven by fourteen copies of said picture for each
 10 member and desk force of the senate, and one five by
 11 seven inch print of each senator and the lieutenant
 12 governor for the state historical society, at a cost
 13 of four hundred and seventy-five dollars.

14 NOW, THEREFORE, BE IT RESOLVED, that Camp-
 14a bell's
 15 Studio, Bismarck, North Dakota, be, and is hereby
 16 appointed official photographer for the North Dakota
 17 senate of the thirty-sixth legislative assembly.

18 BE IT FURTHER RESOLVED, that the Campbell's
 18a Studio of
 19 Bismarck, North Dakota, be and is hereby awarded the
 19a sole
 20 privilege of photographing members of the senate of the
 21 thirty-sixth legislative assembly, at a cost price of four
 22 hundred and seventy-five dollars, to be taken out of
 23 legislative expenses.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 83

Senate Bill No. 88

Senate Bill No. 103

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

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

The Committee on Enrollment and Engrossment respect-
 fully reports that:

Senate Bill No. 52

Was delivered to the Governor for his approval at the
 hour of 3:41 o'clock p.m., January 30, 1959.

SENATOR ERICKSON, Chairman.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill
 No. 17 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate
 Bill No. 60 be adopted, which motion prevailed.

Senator Klefstad moved that the amendments to Senate
 Bill No. 78 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to
 Senate Bill No. 99 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate
 Bill No. 106 be adopted, which motion prevailed.

Senator Klefstad moved that the amendments to Senate
 Bill No. 155 be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 31, 1959

Mr. President: I have the honor to return:

Senate Bill No. 39

Which the House has amended as follows:

That in line one of title insert "a comma" after the number "24-0118";

Further in line one of title delete word "and" and after the number "24-0518" add the words "and 24-0404"

In line 5 of the title delete the period and insert "comma" and the following language "and declaring an emergency."

In line 23, strike out the word "acquisition,"

In line 51, strike out the words "nor shall he require any county"

In line 52, strike out the entire line.

In line 53, strike out the word "therefor"

After line 69, add a new section as follows:

SECTION 3. AMENDMENT.) Section 24-0404 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and re-enacted to read as follows:

24-0404. MUNICIPALITIES MAY AID FEDERAL HIGHWAY CONSTRUCTION.) A municipality, through its governing body, wherever a federal aid highway is routed through such municipality, may participate in the financing, planning, construction and acquisition of right of way of said highway ((in the same manner and proportion as a county by law is permitted to contribute)).

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 renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 31, 1959

Mr. President: I have the honor to transmit:

House Bill No. 542

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 31, 1959

Mr. President: I have the honor to transmit:

House Bill No. 568

House Bill No. 615

House Bill No. 623

House Bill No. 634

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

GERALD L. STAIR, Chief Clerk.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Longmire and Saumur introduced:

Senate Concurrent Resolution "P". A concurrent resolution of appreciation to Chester Fritz for the gift of a library to the State University of North Dakota.

Was read the first time.

Senator Longmire moved that Senate Concurrent Resolution "P" be printed in the journal and not as a bill and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "P"

Introduced by Senators Longmire, Saumur
 Of appreciation to Chester Fritz for the gift of a library
 to the State University of North Dakota.

**BE IT RESOLVED BY THE SENATE OF THE STATE OF
 NORTH DAKOTA, THE HOUSE OF REPRESENTA-
 TIVES JOINTLY CONCURRING:**

1 WHEREAS through the generous gift of Chester Fritz
 2 the sum of One Million Dollars has been made available
 3 for the construction of a library at the State University
 4 of North Dakota,
 5 NOW THEREFORE BE IT RESOLVED by the Senate
 5a of the State
 6 of North Dakota, the House of Representatives jointly
 6a con-
 7 curring, that on behalf of the people of the State of
 7a North
 8 Dakota, we express our thanks and appreciation for the
 9 generosity and foresight of Mr. Fritz in making this
 9a signifi-
 10 cant contribution to the cultural life of the State, and we
 11 commend the State Board of Higher Education for
 11a providing
 12 space upon the University campus for the library, for
 12a taking
 13 prompt steps toward the construction thereof and for its
 14 action in providing that such library shall be named
 15 THE CHESTER FRITZ LIBRARY, in order to perpetu-
 15a ate the
 16 name, generosity and foresight of the donor.

SECOND READING OF SENATE BILLS

Senator Holand moved that Senate Bill No. 110 be laid
 over one legislative day, which motion prevailed.

Senator Holand moved that after the reading of Senate
 Bills No. 21, 22, 50, 83, 88, 103, 154, 160 and Senate Con-
 current Resolution "I" and House Concurrent Resolution
 "C", that the Senate recess subject to the call of the chair,
 which motion prevailed.

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

SECOND READING OF SENATE BILLS

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the
 roll was called and there were ayes, 40; nays, 0; absent
 and not voting, 9.

Those voting in the affirmative were:

Andre	Kee	Paulson
Baeverstad	Kisse	Redlin
Becker	Krause	Ringsak
Brooks	Larson	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Livingston	Thompson
Fiedler	Longmire	Trenbeath
Freed	Luick	Van Horn

Garaas	Miller	Vendsel
George	Murphy	Wadeson
Gilbertson	Mutch	Wartner
Holand	Nesvig	Wenstrom
Hystad	O'Brien	Yunker
Johnson		

Absent and not voting:

Berube	Gronvold	Meidinger
Foss	Hernett	Morgan
Gefreh	Klefstad	Roen

So the bill passed and the title was agreed to.

Senate Bill No. 22. A Bill for an Act making an appropriation to carry out the provisions of Chapter 6-07 of the 1957 Supplement to the North Dakota Revised Code of 1943 for the Closed Bank Fund.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Johnson	Paulson
Baeverstad	Kee	Redlin
Becker	Kisse	Ringsak
Brooks	Krause	Saumur
Erickson	Larson	Schrock
Erickstad	Lautenschlager	Thompson
Fiedler	Livingston	Trenbeath
Foss	Longmire	Van Horn
Freed	Luick	Vendsel
Garaas	Miller	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad	O'Brien	
Absent and not voting:		
Berube	Hernett	Morgan
Gefreh	Klefstad	Roen
Gronvold	Meidinger	

So the bill passed and the title was agreed to.

Senate Bill No. 50. A Bill for an Act authorizing the republication of the North Dakota Revised Code of 1943 and providing an appropriation therefor to the secretary of state.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Johnson	Paulson
Baeverstad	Kee	Redlin
Becker	Kisse	Ringsak
Brooks	Krause	Saumur
Erickson	Larson	Schrock
Erickstad	Lautenschlager	Thompson

Fiedler	Livingston	Trenbeath
Foss	Longmire	Van Horn
Freed	Luick	Vendsel
Garaas	Miller	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad	O'Brien	
Absent and not voting:		
Berube	Hernett	Morgan
Gefreh	Klefstad	Roen
Gronvold	Meidinger	

So the bill passed and the title was agreed to.

Senator Wartner moved that Senate Bill No. 82 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 82. A Bill for an Act to provide for reimbursement to certain employees from the workmen's compensation fund for judgments rendered against them involving employee's injuries.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Johnson	Paulson
Baeverstad	Kee	Redlin
Becker	Kisse	Ringsak
Brooks	Krause	Saumur
Erickson	Larson	Schrock
Erickstad	Lautenschlager	Thompson
Fiedler	Livingston	Trenbeath
Foss	Longmire	Van Horn
Freed	Luick	Vendsel
Garaas	Miller	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad	O'Brien	
Absent and not voting:		
Berube	Hernett	Morgan
Gefreh	Klefstad	Roen
Gronvold	Meidinger	

So the bill passed and the title was agreed to.

Senate Bill No. 83. A Bill for an Act to amend and re-enact section 65-0429 of the North Dakota Revised Code of 1943 relating to employers carrying workmen's compensation insurance on nonhazardous employment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson

Becker	Kisse	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Holand	Mutch	Wenstrom
Hystad	Nesvig	Yunker
Absent and not voting:		
Berube	Hernett	Meidinger
Gefreh	Klefstad	Roen
Gronvold		

So the bill passed and the title was agreed to.

Senate Bill No. 88. A Bill for an Act to amend and reenact section 24-0220 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to bidding requirements for state highway department contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Holand	Mutch	Wenstrom
Hystad	Nesvig	Yunker
Absent and not voting:		
Berube	Hernett	Meidinger
Gefreh	Klefstad	Roen
Gronvold		

So the bill passed and the title was agreed to.

Senate Bill No. 103. A Bill for an Act to amend and reenact sections 57-2201, 57-2202, and 57-2210 of the North Dakota Revised Code of 1943, relating to collection of personal property taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Holand	Mutch	Wenstrom
Hystad	Nesvig	Yunker

Absent and not voting:

Berube	Hernett	Meidinger
Gefreh	Klefstad	Roen
Gronvold		

So the bill passed and the title was agreed to.

Senate Bill No. 154. A Bill for an Act providing for the election and terms of office of directors of the Garrison Diversion Conservancy District, relating to power and duties of its board of directors, amending sections 61-2405, 61-2408 and 61-2409 of the 1957 Supplement to the North Dakota Revised Code of 1943 and levying a tax of one-tenth of one mill for administrative purposes and declaring an emergency.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
George	Morgan	Wadeson
Gilbertson	Murphy	Wenstrom
Hystad	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Berube	Hernett	Roen
Gefreh	Klefstad	Wartner
Gronvold	Meidinger	

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

Senate Bill No. 160. A Bill for an Act making an appropriation for the purpose of paying special assessments

levied against property of the state of North Dakota by the city of Devils Lake.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Johnson	Paulson
Baeverstad	Kee	Redlin
Becker	Kisse	Ringsak
Brooks	Krause	Saumur
Erickson	Larson	Schrock
Erickstad	Lautenschlager	Thompson
Fiedler	Livingston	Trenbeath
Foss	Longmire	Van Horn
Freed	Miller	Vendsel
Garaas	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad	O'Brien	
Absent and not voting:		
Berube	Hernett	Meidinger
Gefreh	Klefstad	Roen
Gronvold	Luick	

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "I". A concurrent resolution memorializing the Congress to establish as a national park a suitable area of land lying at the confluence of the Yellowstone and Missouri Rivers in northwestern North Dakota and northeastern Montana to include the sites of Fort Buford, Fort Union, and Mondak, and to preserve and develop this area of national historical significance as a historical memorial.

Which has been read.

Senator Wenstrom moved that Senate Concurrent Resolution "I" be adopted, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "C". A concurrent resolution favoring the early construction of the proposed Bowman Haley dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

Which has been read.

Senator Trenbeath moved that House Concurrent Resolution "C" be adopted, which motion prevailed.

MOTIONS

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

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

VIC GILBREATH, Secretary.

TWENTY-EIGHTH DAY

Bismarck, February 2, 1959

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain Leslie Burgum, Bismarck.

Roll Call: All Senators present.

A quorum was declared by the President.

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

On page 216, line 51, after the word "that" insert the following words "the amendments to".

On page 216, line 20, after the name "Longmire" insert the words "and Saumur".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

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

REPORT OF STANDING COMMITTEE

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

Senate Bill No. 17

Senate Bill No. 60

Senate Bill No. 78

Senate Bill No. 99

Senate Bill No. 106

Senate Bill No. 155

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

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

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 2, 1959

Mr. President: I have the honor to transmit:

House Bill No. 612

House Bill No. 621-

House Concurrent Resolution "G"

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

GERALD L. STAIR, Chief Clerk.

COMMUNICATIONS

Resolutions were presented from the Commercial Club of the City of Bottineau, Dunseith Commercial Club, Roette Commercial Club, Willow City Commercial Club, Mohall Community Club, Business Men's Club of Glenburn, North Dakota Grain Dealers Association and the Rolla Commercial Club, relative to Senate Bill No. 94, which resolutions were referred to the Committee on Transportation.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 2, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 21

Senate Bill No. 22

Senate Bill No. 26

Senate Bill No. 50

Senate Bill No. 82

Senate Bill No. 83

Senate Bill No. 87

Senate Bill No. 88

Senate Bill No. 91

Senate Bill No. 93

Senate Bill No. 103

Senate Bill No. 122

Senate Bill No. 154

Senate Bill No. 160

Senate Concurrent Resolution "I"

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

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 2, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 554

Which the President has signed.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 2, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "C"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 2, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "A"

Which the Senate has amended.

VIC GILBREATH, Secretary.

REPORTS OF STANDING COMMITTEES

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

In the title of the bill after the word "Act", delete the following words: "providing that only that time fixed by

the Interstate Commerce Commission for all portions of this state shall be observed, and providing for an emergency," and insert in lieu thereof the following words: "providing that the time fixed by the United States Congress or by order of the Interstate Commerce Commission for all portions of this state be adopted, and providing for an emergency."

Delete lines 2 and 3 of the bill;

Delete line 4 of the bill with the exception of the word "No"; and insert in lieu thereof the following words: "The standard time filed and prescribed for the State of North Dakota by act of Congress or by order of the Interstate Commerce Commission shall apply in each and every part of this state for all purposes."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 73 has had the same under consideration and a majority recommend that the same do pass.

Duane Mutch
G. A. Klefstad
H. W. George
Lloyd Erickson
Leland Roen

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same be indefinitely postponed.

Raymond Andre
Clayton Paulson

Senator Andre moved that the report of the minority be substituted for that of the majority.

Senator Vendsel: I speak for the motion by Senator Andre to indefinitely postpone Senate Bill No. 73. Generally, I am in very definite basic agreement with the idea of Congressional districts serving the best interests of the people of the United States. I think it is a fine way to have government more responsive to the people in general. This is generally the most practical way that people can be represented in most areas of the United States. However, I feel that North Dakota is definitely different from the other states in the particular matter of representation. Most such congressional districts have different mixed backgrounds within their respective states. They are divided into congressional districts that have their particular problems, and elect men who understand their particular problems to represent them in a favorable manner in the House of Representatives in the United States Congress. In many states, because they have different kinds of industry in different parts of the state, they very definitely require different kinds of representation.

In North Dakota we do not have that situation. We don't have it at all. We have a little more industry in the east, but the western half of North Dakota is fast catching up

to the industrial east of North Dakota. The oil development—the large air base at Minot is an industry in itself, putting western North Dakota on a par with the eastern half or third of the state.

We have a tremendous water development program which will soon, we hope, be passed by the United States Congress, if they ever get off dead center down in Washington, which will be of great value to this state; and, as I mentioned some time ago when a resolution was adopted by this body regarding water development, the various potentials of that development in this state, have been a bi-partisan effort by both congressmen. Don Short and Quentin Burdick have jointly introduced legislation for the authorization of this water development program.

I should say at this stage of the game, this is a purely political scheme to divide the State of North Dakota and have two congressmen working completely against one another for favors from the federal government; and I believe that is what we are doing if we pass this bill.

There is another implication in this bill that is purely political. It can be termed in no other manner. Evidently, the person or persons, or the group or groups, who devised this purely political scheme have done a lot of research, by considering many elections' returns over a period of many years.

Now it is common knowledge to all of us, and each citizen of the state, if they read newspapers, that this bill was drawn and introduced in this body as the result of a Republican party caucus. I've never heard of a Democrat being considered on this measure, either in this body, or around the state.

This bill is offered supposedly, in my opinion, to defeat the first Democratic congressman ever to be elected from the state of North Dakota, the Honorable Quentin Burdick.

It is done also, supposedly to reelect the Honorable Don Short, who is now a representative from the state of North Dakota.

I wonder how the people of North Dakota are going to like a bill of this type if it becomes law in the future, because if it passes, we are only being allowed to vote for one congressman and not two. Our voting rights are being taken away.

Now I have done a lot of reading about politics in North Dakota and the United States, and all of us are very familiar with politics as such. They go behind closed doors, and they sit down and do some gerrymandering, and the only purpose is to defeat the incumbent or reelect him, if you please, and to be sure that their man can be defeated or reelected as the case may be. This is always done by the party in power, whether it be Democrats or Republicans. In this case, it happens to be Republicans.

Now I ask you why this hasn't been done before if it is so necessary that this State be divided into two congressional districts. How come we suddenly arrive at this point? Has the majority party been asleep at the switch since the 1930's, because we have had this situation since that time. It is strictly for political reasons and none other.

I also say that if this bill is presented in the best interests of the people of the State of North Dakota, to more ade-

quately represent the people of the State, why not wait until after the 1960 census, because then we will have a better picture of the population density of this state; and during the past years we have had a tremendous transition of people, and we are going to have a greater transition. I very definitely recommend the defeat of this bill and recommend that you vote for the substitute motion offered by Mr. Andre in the best interest of all the people of the State.

Senator Garaas moved that the remarks of Senator Vendsel be printed in the journal, which motion prevailed.

Senator Holand: Mr. President, I rise to speak in opposition to the motion of Senator Andre to substitute the minority report.

First, may I observe that if the Senator received no responses from his constituents on this subject he probably did not solicit them, and they probably are not so deeply concerned about the loss of basic rights through such districting. Since Senator Andre has suggested that my statements to the committee were neither significant nor pertinent I shall take the liberty of reviewing them for the Senate.

First, may I say that it seems to me the idea of congressional districting is consistent with the basic concept of congress. Senator Vendsel would have you believe that we are instigating a divorce proceeding in which the West is seeking separation from the East, or vice versa. The Senator well knows, as do all of you, that under the organization of the United States Congress the Senate of that body was, and always will be so constituted as to represent the states on an at large basis. North Dakota will always have two senators who will be elected at large. The lower house of congress is intended to provide a closer contact with the people of particular districts. Thus New York state has some 43 or 44 representatives, some of them representing sections of New York City alone. It is therefore entirely proper that North Dakota should be divided into congressional districts, as do practically all of the other states.

I believe that a division into districts will result in better service to the people of North Dakota. Congressmen will have less territory to cover. They will become better acquainted with their constituents, and the people will have a more direct contact with congress through their representatives. Based on my limited experience on the staff of Senator Young I am satisfied that considerable duplication of effort would be saved in that people would soon learn to contact their respective congressman on matters of importance to them.

Further, it seems to me that division of the state as proposed is a logical division. North Dakota is basically agricultural. No one can or should deny this. Yet the interests of the East differ from those of the West in many respects. The East district has the Red River Valley and more intensified grain farming, while the West tends toward range operations. The West also has oil and coal, while the East has its larger cities tending toward the industrial. Is it reasonable to say that someone from Richland, Cass, Grand Forks or Pembina County has the same

understanding of western North Dakota's problems as would someone from say Bowman or some other western county? I believe not.

Senator Vendsel has complained that those who drew this plan are guilty of gerrymandering. This is the first time such an objection has been raised. Why did not he and the others of his group make this complaint to the committee considering the bill? He feels free to come upon the floor of the senate waving a flag of condemnation, yet neither he nor anyone else has suggested an alternate plan. He knows that committees are set up for the purpose of giving all proposed legislation detailed study before these measures come on the floor.

I believe also that the division as proposed is fair. Population wise it divides the state nearly in half, putting perhaps slightly more of our population in the eastern division. The senator has suggested that it is a scheme to defeat Quentin Burdick in the next election. How can he draw such a conclusion when in the last election Burdick would have defeated Short in the eastern district by approximately 4500 votes? I might add that in the proposed western district Short would be the winner by approximately 2500 votes.

One other point of consideration is that under the re-districting plan our future candidates for congress would be running against one other candidate instead of three, as is the case under the present arrangement. We believe this is unfair to the candidates and fairer to the people.

Now in conclusion may I say that the minority leader has suggested that the idea of districting is politically inspired. I suppose that any idea coming from the majority is "political" in his opinion. The fact that we have proposed this plan should not in any way detract from its merit. Through all these general accusations no one has been able to point at any feature of this proposal that would label it as political. But even if it were political in nature, would that make it wrong? Political inspiration was certainly involved in the senators own aspirations to the United States Senate. Did this make him wrong? I am sure he thinks not.

Senator Erickstad moved that the remarks of Senator Holand be printed in the journal, which motion prevailed.

The question being on the motion of Senator Andre that Senate Bill No. 73 be indefinitely postponed.

Senator Vendsel requested a division, which request was granted.

The motion was declared lost.

Senator Vendsel moved that a roll call vote be taken on the motion to adopt the committee report, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Klefstad that the report of the majority be adopted on Senate Bill No. 73, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hernett	Meidinger
Becker	Holand	Morgan

Brooks	Kee	Mutch
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Roen
Foss	Krause	Saumur
Gefreh	Larson	Trenbeath
George	Livingston	Wadeson
Gilbertson	Longmire	Wartner
Gronvold	Luick	Wenstrom
Those voting in the negative were:		
Andre	Lautenschlager	Redlin
Berube	Miller	Schrock
Fiedler	Murphy	Thompson
Freed	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Hystad	Paulson	Yunker
Johnson		

So the motion was declared carried.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 128 have had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 129 have had the same under consideration and recommend that the same be amended as follows:

In line 23, insert triple parentheses after the word "and" and capitalize the word "Provided".

In line 33, after the word "year" insert a period and triple parentheses.

In line 40, after the word "however" insert triple parentheses.

In line 41, delete the parentheses after the word "year".

In line 43, delete the underlined words: "and in lieu thereof said annuity".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 130 have had the same under consideration and recommend that the same be amended as follows:

In line 26, delete the semicolon after the word "association" and add the following: "and any assistants to the secretary holding at least a first grade professional certificate."

In line 31, delete the word "consecutive".

And when so amended recommend the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 131 have had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 132 have had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 140 has had the same under consideration and recommend that the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 185 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

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

MOTIONS

Senator Wadson moved that a committee of two be appointed to escort:

Floyd E. Henderson, former member of the House and who has served as Commissioner of Veterans Affairs for North Dakota for the past twelve years;

Ralph B. Johnson, Administrator, Illinois Veterans Commission, Springfield, Illinois; Lawrence J. LaLone, Executive Secretary, Michigan Veterans Trust Fund, Lansing, Michigan;

Ernest A. Jones, Director, South Dakota Veterans Department, Pierre, South Dakota; and

Gordon A. Huseby, Director, Department of Veterans Affairs, Madison, Wisconsin, to the rostrum, which motion prevailed.

The President appointed as such committee Senators Wadson and Van Horn, and the said gentlemen were escorted to the rostrum and recognized by the Senate.

Senator Freed moved that the President appoint a committee of two to escort former Lt. Gov. Ray Schnell to the rostrum, which motion prevailed.

The President appointed as such committee Senators Freed and Lautenschlager and former Lt. Gov. Ray Schnell was escorted to the rostrum and invited to address the Senate.

Mr. Schnell: Thank you, Mr. President. Members of the Senate and guests. It is usually customary that when you are given the honor and privilege to address an audience of this kind that you should say something very compli-

mentary for all, but I have been out of the State of North Dakota for a number of weeks and I really haven't even had time to read the paper and see what the North Dakota legislature has accomplished, and I would not even know where to begin to say anything in the way of a compliment, or on any measures that have been passed, or that is on the way, or that have been considered by the Senate.

I just got back from a trip to the southwest, in the cattle growing area of this western United States and also covered some of the corn belt states that buy the feeder cattle that are produced in North Dakota, and I have had many men talk to me from Iowa, Illinois, Indiana, Nebraska, Kansas, who buy the feeder cattle that come from North Dakota, and they say that they used to buy those southern cattle, that they used to buy the cattle produced by the cotton farmer, the cotton farmer that had to raise cattle instead of cotton, but they did not have much luck, tried it for a number of years, and they were now back buying North Dakota cattle and they are doing much better, even though the cost is more, and that is very encouraging. I know that all people in this legislature are interested in promoting some new industry in North Dakota, to bring in more people, more people who have money, money to invest, money to develop our natural resources, but I would like to remind you that we have one in our state that we have had for a long time, that is the cattle business. We have the reputation of raising the best feeder cattle in America, and a lot of feeders like the good northern cattle. There are a lot of feeders in this state, in the eastern part of the state where it would not be profitable to raise the feeder cattle, but they can feed them and it will put another hundred dollars in the pocket of someone that lives in North Dakota that will be distributed among the people and the taxpayers of the State. These oil wells I understand could be pumped dry but the cattle business in North Dakota will stay for a long time and bring in hundreds and millions of dollars a year and it should be encouraged, and the livestock people in North Dakota should get some encouragement to go ahead and produce more wealth for the State of North Dakota. We have come a long ways the last few years even in this State. We are not the coldest nation anymore. But they kind of let me down on that when it was down to forty below. This is a great State and it has places to go. We have so many opportunities for people to invest money. We have come a long ways and the people that raise feeder cattle in connection with their farming operations, they are in pretty good shape financially. We need more cattle today. They need about one-fourth more head of cattle because they slaughter them at a lot lighter age, about 400 pounds lighter than they did six to ten years ago. We need more cattle.

I thank you for the opportunity to get up and say a few words and I know you will come out of this session with some good laws that will provide benefits for the whole State of North Dakota. Thank you a lot.

Senator Freed moved that the remarks of former Lt. Gov. Ray Schnell be printed in the journal, which motion prevailed.

Senator Vendsel moved that the President appoint a committee to escort Mr. Don Blore, President of the North

Dakota Young Democrats, to the rostrum, which motion prevailed.

The President appointed as such committee Senator Vendsel and Mr. Blore was escorted to the rostrum and invited to address the Senate.

Mr. Blore: William Jennings Bryan, one of the greatest speakers who ever lived, once told a story about a little brown shriveled-up watermelon seed which was planted in the ground, and the rains came, and the sun shown and the seed began to grow into a vine, and the vine brought forth the watermelon with a thousand more seeds capable of producing a thousand more watermelons and a thousand times a thousand more seeds. Bryan then pointed out to his audience that if God could render such a miracle in a watermelon seed, how much more could He render in the mind of a human being who has a soul.

Now let's turn from that story to talk about North Dakota. Then we will return to show how the watermelon seed affects North Dakota.

Our state is faced by many problems each of which constitutes a legislative challenge and represents an area where political giants will be made. Every day military personnel enter our state and take up residence in heretofore exclusively civilian communities. The integration of military and civilian life will require time and attention from this body in the future. North Dakota also had a new industry in the form of oil. Where there is oil, there is money, and where there is money, there are attempts made to buy and sell lawmakers. This represents a challenge for popularly elected representatives to keep faith with their sacred democratic trust. One need not travel far to see vast fields of golden grain shining in the sun—food for many people. Professors speak glowingly about it and students dream dreams about it and it all goes back to what has become known as William Jennings Bryan's Godseed.

I call upon you to reach down inside your hearts and find God's seed and let it grow and multiply in the form of non-partisan legislation benefiting all cities of North Dakota, Republican and Democrat alike. To this end I offer you the facilities of the North Dakota Young Democrats Organization for publicity with respect to legislation introduced here and thank you for your hospitality in allowing me to speak here today.

Senator Vendsel moved that the remarks of Mr. Blore be printed in the journal, which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Erickson and Roen introduced:

Senate Concurrent Resolution "Q". A concurrent resolution requesting the Federal Communications Commission to permit television booster stations in North Dakota.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 542

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

**FIRST READING OF HOUSE BILLS
AND CONCURRENT RESOLUTIONS**

House Bill No. 551. A Bill for an Act to provide financial assistance in the transportation of school children and to create and enact sections 15-40011 and 15-56011 of the North Dakota Revised Code of 1943 and to amend and reenact sections 15-4013, 15-4014, 15-40141, 15-4015, 15-4016, 15-4019, 15-4020, 15-4021, 15-5601, 15-5602, 15-5603, 15-5604, 15-5605, 15-5606, 15-5609, 57-1524, and 57-1525 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to county and state equalization funds and county tuition funds and school tax levies and limitations, and to repeal chapter 15-58 and section 57-15251 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 57-1526 of the North Dakota Revised Code of 1943.

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

House Bill No. 568. A Bill for an Act to amend and reenact section 32-0902 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to exemption of salary in garnishment proceedings.

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

House Bill No. 578. A Bill for an Act to provide for the levy of special assessments on certain state property.

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

House Bill No. 580. A Bill for an Act to amend and reenact section 26-2244 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to adjustment of hail insurance on damaged crops.

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

House Bill No. 587. A Bill for an Act to amend and reenact sections 24-0217 and 24-0223 of the 1957 Supplement to the North Dakota Revised Code of 1943 to increase the sums of highway contracts requiring advertising for bids and contract bonds.

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

House Bill No. 600. A Bill for an Act to amend and reenact section 4-2242 of the North Dakota Revised Code of 1943 relating to the method of discontinuing soil conservation districts.

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

House Bill No. 602. A Bill for an Act to amend and reenact sections 11-1002, 11-1003, 58-0410, 58-0502, 58-0505, 58-0507, 58-1503, and 58-1504 of the North Dakota Revised Code of 1943, as amended, relating to the election of county and township constables and relating to police in unincorporated villages and to repeal sections 58-1003 and

58-1004 of the North Dakota Revised Code of 1943 relating to the office of township constables.

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

House Bill No. 610. A Bill for an Act to amend and reenact section 40-4911 of the North Dakota Revised Code of 1943 relating to meetings of the board of park commissioners of municipalities.

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

House Bill No. 612. A Bill for an Act to amend and reenact sections 65-0509, 65-0511, and 65-0517 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to maximum and minimum benefits to be paid for total disability, for temporary partial disability, and for death, under the Workmen's Compensation Act.

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

House Bill No. 615. A Bill for an Act to amend and reenact section 39-1204 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to width, height and length limitations on vehicles and exceptions thereto.

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

House Bill No. 621. A Bill for an Act authorizing either registered or certified mail where the term "registered mail" appears in the laws of this state.

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

House Bill No. 623. A Bill for an Act to provide for use of yield right-of-way signs and to amend and reenact subsection 49 of section 39-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to through highways.

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

House Bill No. 634. A Bill for an Act to create and enact subsection 18 of section 58-0601 of the North Dakota Revised Code of 1943, relating to the general powers and duties of township boards, and declaring an emergency.

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

House Concurrent Resolution "F". A concurrent resolution memorializing the Secretary of Agriculture to re-establish a local testing program for grains that are subject to an application for a federal loan.

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

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

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

MOTIONS

Senator Hernettt moved that Senate Bill No. 110 be referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Concurrent Resolution "P" be placed on second reading and final passage, which motion prevailed.

**SECOND READING OF A SENATE
CONCURRENT RESOLUTION**

Senate Concurrent Resolution "P". A concurrent resolution of appreciation to Chester Fritz for the gift of a library to the State University of North Dakota.

Was read the second time.

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

MOTIONS

Senator Kisse moved that the rules be suspended, and that Senate Resolution No. 2 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 2. A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-sixth Legislative Assembly of the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernettt	Mutch	Yunker
Holand		

So the resolution was declared adopted.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the Senate do concur in the House Amendments to Senate Bill No. 39, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 39 be deemed properly reengrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 39. A Bill for an Act to amend and re-enact sections 24-0118 and 24-0518 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the cost and expense of acquisition of right-of-way for the state highway system.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Those voting in the negative were:

Brooks	Meidinger
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So the bill passed and the title was agreed to.

Senator Holand moved that after the reading of Senate Bills No. 17, 60, 78, 99, 106, 114, 116, 123, 137, 138, 155, 162, and 188, that the Senate recess until 1:00 p.m., February 3, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

TWENTY-EIGHTH DAY AFTER RECESS AND
TWENTY-NINTH DAY

Bismarck, February 3, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 17. A Bill for an Act making an appropriation for the use of special education of exceptional children.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 60. A Bill for an Act to amend and reenact subsection 2 of section 20-0802 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the nonmigratory waterfowl bag limit and to repeal section 20-0806 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to nonmigratory waterfowl season.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 78. A Bill for an Act to amend and reenact Section 16-1710 of the North Dakota Revised Code of 1943 and Section 16-1703 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to salaries and mileage of precinct committeemen, and the petition placing precinct committeemen's names on ballot.

Which has been read.

Senator Klefstad moved that Senate Bill No. 78 be amended as follows:

In line 57 delete the words "All precinct"

Delete all of lines 58, 59, 60, 61, 62 and 63.

Senator Murphy requested that Senate Rule No. 15 be invoked, which request was denied.

Senator Becker moved that Senate Bill No. 78 be referred to the Committee on Political Subdivisions, which motion prevailed.

Senate Bill No. 99. A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 38-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943, providing for oil well drilling bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock

Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 106. A Bill for an Act to amend and reenact section 20-0337 of the North Dakota Revised Code of 1943, relating to forfeiture and reinstatement of fishing licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 114. A Bill for an Act to authorize the North Dakota State Highway Department to purchase, install and maintain a Highway Maintenance Radio Net.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson

Freed	Longmire	Trenbeath
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand		

Those voting in the negative were:

Gronvold	Mutch
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Absent and not voting:

Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 116. A Bill for an Act regulating the use of cigars, cigarettes, pipes and tobacco so as not to endanger life or property, and providing a penalty.

Which has been read.

Senator Brooks moved that Senate Bill No. 116 be re-referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

The President requested President Pro Tem Freed to preside.

Senate Bill No. 123. A Bill for an Act to amend and re-enact section 14-0302 of the North Dakota Revised Code of 1943, relating to the lawful age for marriage.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Kee	O'Brien
Baeverstad	Kisse	Paulson
Berube	Klefstad	Redlin
Erickstad	Krause	Ringsak
Fiedler	Larson	Roen
Foss	Livingston	Saumur
Garaas	Longmire	Schrock
Gefreh	Luick	Thompson
Gronvold	Morgan	Trenbeath
Hernett	Murphy	Vendsel
Holand	Mutch	Wenstrom
Hystad	Nesvig	Yunker
Johnson		

Those voting in the negative were:

Becker	Gilbertson	Miller
Brooks	Lautenschlager	Van Horn
Erickson	Meidinger	Wadeson

Absent and not voting:

Freed	George	Wartner
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So the bill passed and the title was agreed to.

Senate Bill No. 137. A Bill for an Act authorizing the state highway commissioner to determine the percentage of payments to contractors for work completed prior to acceptance and to amend section 24-0225 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Nesvig

So the bill passed and the title was agreed to.

The President returned to the chair.

Senate Bill No. 138. A Bill for an Act to amend and reenact Section 32-1503 of the North Dakota Revised Code of 1943 relating to the classification of the estates and rights in private property which may be taken for public use.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 155. A Bill for an Act relating to municipal police officers' witness fees in criminal actions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 162. A Bill for an Act to amend and reenact section 24-0132 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the acquisition of property for controlled-access facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 188. A Bill for an Act relating to the restoration of the surface of mining property after abandonment.

Which has been read.

Senator Klefstad moved that Senate Bill No. 188 be referred to the Committee on Natural Resources, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

TWENTY-NINTH DAY

Bismarck, February 3, 1959

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Irvin Hultin, Rural Methodist, Mandan.

Roll Call: All Senators present.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-eighth day and find the same correct.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 39

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 39

Senate Resolution No. 2

And find the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 39

Senate Resolution No. 2

And the President signed the same in the presence of the Senate.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 2

Was delivered to the Secretary of State for his approval at the hour of 1:15 o'clock p.m., February 3, 1959.

SENATOR ERICKSON, Chairman.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 81 has had the same under consideration and recommend that the same be amended as follows:

Delete lines 15, 16, 17, 18, 19 and 20. Insert in lieu thereof the following words: "Upon unanimous agreement of

the school board a reasonable tolerance shall be allowed."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 97 has had the same under consideration and recommend that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 101 has had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 121 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 126 has had the same under consideration and recommend that the same be amended as follows:

In line 215, after the word "paid" delete the words "into the general fund of this state." and in lieu thereof insert the following words: "to the secretary of the board. Said money so received may be used by the board in defraying its expenses in carrying out the provisions of this act. It shall be the duty of the secretary to sign all orders for payment of money and other accounts and other orders of the board."

In line 264, after the word "misdemeanor.", insert the following words: "Provided, however, that nothing in this act shall prohibit any person licensed or registered, in this state, under another law, from carrying out the therapy or practice for which he is duly licensed or registered. Nor shall it prevent schools, Y.M.C.A. Clubs, athletic clubs, and similar organizations from furnishing therapy service to their players and members. This Act, also, shall not be construed so as to prohibit masseurs and masseuses from engaging in their practice not otherwise prohibited by law and provided they do not represent themselves as physical therapists."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 171 has had the

same under consideration and recommend that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 172 has had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 178 has had the same under consideration and recommend that the same do pass, and further recommend that the same be re-referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 181 has had the same under consideration and recommend that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 183 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 184 has had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 193 has had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 200 has had the same under consideration and recommend that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 206 has

had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 209 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 246 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 543 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Hernettt moved that the amendments to Senate Bill No. 65 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to Senate Bill No. 129 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to Senate Bill No. 130 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 3, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 39.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 3, 1959

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "P"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 3, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 39

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 3, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 542

Which the President has signed.

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 73, 131, 132, 140 and 185, that the Senate recess until 1:30 p.m., February 4, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

TWENTY-NINTH DAY AFTER RECESS
AND THIRTIETH DAY

Bismarck, February 4, 1959

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE GOVERNOR

February 3, 1959

Members of the Senate
Thirty-Sixth Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Greetings:

Today I signed Senate Bill No. 52.

This bill has been filed with the Secretary of State.

Sincerely yours,
John E. Davis
Governor

SECOND READING OF SENATE BILLS

Senate Bill No. 73. A Bill for an Act to divide the state of North Dakota into two congressional districts, and defining the boundaries thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Miller
Becker	Kee	Morgan
Brooks	Kisse	Mutch
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Foss	Larson	Saumur
Gefreh	Livingston	Trenbeath
George	Longmire	Wadeson
Gronvold	Luick	Wartner
Heraett	Meidinger	Wenstrom

Those voting in the negative were:

Andre	Johnson	Redlin
Berube	Lautenschlager	Schrock

Fiedler	Murphy	Thompson
Freed	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Gilbertson	Paulson	Yunker
Hystad		

So the bill passed and the title was agreed to.

Senate Bill No. 131. A Bill for an Act to repeal section 15-3938 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to withdrawal from fund by members of armed forces.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 132. A Bill for an Act to amend and re-enact subsections 1 and 3 of section 15-3927 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the eligibility to participate in fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel

George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 140. A Bill for an Act to amend Section 57-3822 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 14 of this section to provide for deduction of an additional depreciation allowance; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 185. A Bill for an Act providing for the transfer of certain real property for the benefit and use of the state blind school located at Grand Forks, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath

Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 4, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 17
 Senate Bill No. 60
 Senate Bill No. 99
 Senate Bill No. 106
 Senate Bill No. 114
 Senate Bill No. 123
 Senate Bill No. 137
 Senate Bill No. 138
 Senate Bill No. 155
 Senate Bill No. 162

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 65
 Senate Bill No. 129
 Senate Bill No. 130

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

COMMUNICATIONS

A resolution from the City of Rugby was presented pertaining to House Bill No. 632, which communication was referred to the Committee on Political Subdivisions.

Resolutions pertaining to Senate Bill No. 86 was presented from the Cities of Minnewaukan, Petersburg, Town-er, Northwood, Souris, Burlington, Willow City, Cole-harbor, New England, New Salem, Village of Knox, and Chamber of Commerce from Dickinson, which resolutions were referred to the Committee on State and Federal Government.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTIETH DAY

Bismarck, February 4, 1959.

The Senate convened at 2:00 p.m., the President pre-siding.

Prayer by Chaplain J. H. Nicolai, Trinity Lutheran, Bismarck.

Almighty and Everlasting God, bless these men as they continue to serve their state and nation. Endow them with wisdom for their several duties, with a spirit of sacrifice for common welfare, with mercy and justice, with uprightness and kindness.

As thy Son came and sought to serve, may these men in Faith serve thee and thy people. O Thou who knowest all, correct, guide and direct them as they face the weighty and complex problems and as they continue on in the work before them now.

In Jesus' name, Amen.

Roll call: All Senators present.

A quorum was declared by the President.

Senator O'Brien moved that the prayer of the Chaplain be printed in the journal, which motion prevailed.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-eighth day after recess and twenty-ninth day and recommends that the same be corrected as follows:

On page 241, in line 10, delete the figure "49" and insert in lieu thereof the figure "48".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 113 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 116 has had the same under consideration and recommend that the same be amended as follows:

In line 4, after the word "tobacco," insert the following words "or otherwise,".

In line 11, after the word "than", delete the word "ninety" and insert in lieu thereof the word "thirty".

Re-number the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 141 has had the same under consideration and recommend that the same be amended as follows:

In line 2 of the bill delete the following language: "worries, or"

In line 8 of the bill after the word "shall", insert the following language: "give notice to the owner of such dog that a complaint has been filed in his office that such dog has been molesting certain persons and that the owner shall take the necessary action to prevent the dog from any further violations of this Act. If the justice of the peace receives a further complaint regarding such dog after notice has been given to the owner that his dog has been molesting certain people, the justice of the peace shall"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 150 has had the same under consideration and recommend that the same be amended as follows:

In line 10, following the words "(((one-half)))" insert the following words "(((of one mill)))".

In line 69, delete the triple parenthesis enclosing the words "and surviving parents".

In line 96, following the triple parenthesis underscore the word "the".

Underscore lines 97, 98, and 100.

In line 114, following the word "tables," delete the word "and" and insert in lieu thereof the word "the".

Renumber the lines of the bill accordingly.

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 152 has had the same under consideration and recommend that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 159 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 169 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 175 has had the same under consideration and recommend that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 176 has had the same under consideration and recommend that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 194 has had the same under consideration and recommend that the same be amended as follows:

In the first line of title of bill, after the word "section" delete the figures "20-0329" and in lieu thereof insert the figures "20-0328"

In line 32 after the words "Section 3." delete the words "In addition" and in lieu thereof insert the word "Subject"

And when so amended recommend the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 196 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 202 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 207 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 211 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 221 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 223 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution "A" has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "J" has had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title, delete the word "the" and insert in lieu thereof the word "and."

And further recommend it be re-referred to the Legislative Research Resolutions Committee.

And when so amended recommend the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "G" has had the same under consideration and recommend that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 4, 1959

Mr. President: I have the honor to return:

Senate Bill No. 39

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 4, 1959

Mr. President: I have the honor to transmit:

House Bill No. 518

House Bill No. 549

House Bill No. 576

House Bill No. 611

House Bill No. 613

House Bill No. 616

House Bill No. 629

House Bill No. 640

House Bill No. 645

House Bill No. 675

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 4, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "C"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Meidinger moved that the amendments to Senate Bill No. 81 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 126 be adopted, which motion prevailed.

MOTIONS

Senator Hernettt moved that Senate Bills Nos. 156, 182 and 198 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 156 be referred to the Committee on Judiciary, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 182 be referred to the Committee on Judiciary, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 198 be referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Luick moved that Senate Bill No. 289 be returned to the Senate, which motion prevailed.

Senator Luick moved that Senate Bill No. 289 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senator Holand moved that after the reading of Senate Bills Nos. 65, 97, 101, 121, 129, 130, 172, 181, 184, 193, 200, 206, 209, 246, and House Bill No. 543, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 4, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "A".

GERALD L. STAIR, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 65. A Bill for an Act providing that the time fixed by the United States Congress or by order of the Interstate Commerce Commission for all portions of this state be adopted, and providing for an emergency.

Which has been read.

Senator Freed moved that Senate Bill No. 65 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 97. A Bill for an Act to amend and reenact sections 57-4308, 57-5001 and 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the refund of motor fuels and special fuels taxes on fuels used to propel commercial watercraft on waters in this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Roen
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Larson	Thompson
Freed	Lautenschlager	Van Horn
Garaas	Livingston	Wadeson
Gefreh	Longmire	Wartner
George	Miller	Wenstrom
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Those voting in the negative were:

Meidinger

Absent and not voting:

Luick	Trenbeath	Vendsel
Ringsak		

So the bill passed and the title was agreed to.

Senate Bill No. 101. A Bill for an Act to create and enact section 15-53011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the classification of certain elementary school districts as high school districts for the purpose of reorganization.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 121. A Bill for an Act to provide Highway Department short term financing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 129. A Bill for an Act to amend and reenact subsections 1 and 2 of section 15-3928 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to retirement annuity of teachers.

Which has been read.

Senator Meidinger moved that Senate Bill No. 129 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 130. A Bill for an Act to amend and reenact subsection 1 of section 15-3901 of the North Dakota Revised Code of 1943, relating to definitions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner

Gronvold
Hernett
Holand

Murphy
Mutch

Wenstrom
Yunker

So the bill passed and the title was agreed to.

Senator Meidinger moved that Senate Bill No. 129 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 129. A Bill for an Act to amend and reenact subsections 1 and 2 of section 15-3928 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to retirement annuity of teachers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 172. A Bill for an Act to amend and reenact section 15-2905 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to compensation of school board members.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 9; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Freed	Longmire	Thompson
Garaas	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Mutch	Wartner

Hernett	Nesvig	Wenstrom
Holand	O'Brien	Yunker
Hystad		

Those voting in the negative were:

Baeverstad	Gefreh	Luick
Becker	Kisse	Murphy
Foss	Livingston	Vendsel

So the bill passed and the title was agreed to.

**FIRST READING OF A SENATE
CONCURRENT RESOLUTION**

Senator Berube introduced:

Senate Concurrent Resolution "R". A concurrent resolution authorizing and directing the Legislative Research Committee to make an interim study of the utilization of state institutions.

Was read the first time and referred to the Legislative Research Resolution Committee.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 5, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

**THIRTIETH DAY AFTER RECESS AND
THIRTY-FIRST DAY**

Bismarck, February 5, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

SIGNING OF A HOUSE CONCURRENT RESOLUTION

The Secretary announced that the President was about to sign:

House Concurrent Resolution "C"

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 5, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "Y"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 32 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 33 have had the same under consideration and recommend that the same be amended as follows:

In line 6 strike out the figure "\$3,000.00" and insert in lieu thereof the figure "\$1,500.00".

In line 13 strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$2,500.00".

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 36 has

had the same under consideration and recommend that the same be amended as follows:

In the last line of the title, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 6, delete the words "state treasurer,".

In line 9, delete the words "state tax commissioner," and following the word "of" in line 9, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 21, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 27, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 29, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

Renumber the lines accordingly.

And further recommend that the same be re-referred to the Committee on Appropriations.

And when so amended recommend the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 48 has had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, line 7, after the word "auditor" delete the words "and state auditing board" and after the word "of" delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 8, delete all the brackets and the words "department of comptroller".

Delete all of lines 10 and 11 and insert the following words in lieu thereof: "approved by such board, they shall be certified to the ((state auditor, who shall draw))) department of accounts and purchases, which shall prepare, and the state auditor shall sign, warrants".

In line 22, delete the word "COMPTROLLER" and insert in lieu thereof the words "ACCOUNTS AND PURCHASES".

In line 26, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 35, delete the word "COMPTROLLER" and insert in lieu thereof the words "ACCOUNTS AND PURCHASES".

In line 40, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 48, delete the word "comptroller's" and insert in lieu thereof the words "accounts and purchases".

In line 65, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 69, delete the word "comptroller's" and insert in lieu thereof the words "accounts and purchases".

In line 85, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

Delete all of line 97 and insert the following words in lieu thereof: "on ((the warrant of the state auditor))) a warrant prepared by the department of accounts and purchases and signed by the state auditor."

In line 123, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

Delete all of lines 125 through 128 and insert in lieu thereof the following words: "by his affidavit. The statement shall be submitted to the state auditing board for approval and shall be paid only when approved by said board."

In line 134, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

Delete all of line 152 and insert in lieu thereof the following words: "auditor's warrant))) warrants prepared by the department of accounts and purchases and signed by the state auditor".

In line 161, delete the word "COMPTROLLER" and insert in lieu thereof the words "ACCOUNTS AND PURCHASES".

In line 167, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 176, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In end of line 195 and beginning of line 196, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

In line 204, delete the word "comptroller" and insert in lieu thereof the words "accounts and purchases".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 53 has had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, in line 3 following the comma after the figure "10-0411," insert the figure "10-0413,".

In the title of the bill, in line 5 following the figure "10-04081" delete the word "and" and insert a comma in lieu thereof.

In the title of the bill, in line 6 following the figure "10-04082" insert a comma and the words "and 10-04121".

In the last line of the title after the word "laws" insert a comma followed by the words "and declaring an emergency".

In line 658 of the printed bill after the word "or" delete the rest of the line and all of lines 659 through 662 and up to and including the word "investment" in line 663 and insert the following words in lieu thereof: "If the proposed plan of business of the applicant appears to be unfair, unjust, or inequitable".

In line 678 after the period following the word "application", insert the following words: "If the commission fails to either approve or deny the application within sixty

days after date of filing of the application, the applicant may request the board of review provided for in section 10-04121 to consider the application, and upon receiving such request the board of review shall consider the application and render a decision as to whether the securities shall be registered or whether the application shall be denied, which decision shall be accompanied by a findings of fact and conclusions of law supporting such decision”.

In lines 691 and 692 after the word “issued” delete the words “within the past”.

In line 803 after the word “or” delete the rest of the line and all of lines 804 through 808 and up to and including the word “investment” in line 809 and insert the following words in lieu thereof: “if the plan of business of the applicant appears to be unfair, unjust, or inequitable”.

In line 969 after the word “applicant” insert the following words: “as the commissioner may require”

In line 1000 after the word “bond” insert the following words: “or a deposit of cash or other properties approved by the commissioner”

Delete all of lines 1006 through 1008 and up to and including the period in line 1009, and insert the following words: “(((The bond shall be in a form approved and in the amount required by the commissioner, and shall have as surety thereon a surety company authorized to do business in this state.))) The bond or deposit shall be of such type as may be approved by the commissioner and shall be in such an amount as he shall deem necessary to protect purchasers when there is taken into consideration the volume of business engaged in by the applicant and the number of salesmen employed by the applicant. Any such bond shall have as surety thereon a surety company authorized to do business in this state.”

At the end of the bill insert the following words:

“SECTION 12. Section 10-04121 of Chapter 10-04 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby created and reenacted to read as follows:

10-04121. BOARD OF REVIEW.) There shall be a board of review, consisting of the attorney general, secretary of state and the manager of the Bank of North Dakota, which shall consider appeals made from the final orders entered by the commissioner under section 10-0412. Any person adversely affected by an order of the commissioner entered under section 10-0412 may, within twenty days after the date of the entry of the order of the commissioner, make application to the board of review asking review of such orders. The board of review shall act upon such request for review of the order of the commissioner and shall enter a decision thereon in writing within 45 days after receipt of the application which decision shall be accompanied by a findings of fact and conclusions of law supporting such decision. Notice of decisions of such board shall be remitted to the person applying to the board for review and to the commissioner. Decisions of the board shall be made from the records and transcripts prepared during the hearings provided for in section 10-0412 and

any additional evidence that may be submitted in writing by the commissioner or aggrieved person to the board. A majority of the board shall constitute a quorum and shall be sufficient to render a decision upon matters before it. No person may appeal to the district courts under the provisions of section 10-0413 until he has made application to the board of review pursuant to the provisions of this section, and until a decision has been rendered by such board.

SECTION 13. AMENDMENT.) Section 10-0413 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

10-0413. APPEALS.) An appeal may be taken from any ((order of the commissioner)) decision of the board of review by any person adversely affected thereby to the district court of Burleigh County, North Dakota, by serving on the commissioner within 20 days after the date of entry of ((such order)) the decision of the board of review a written notice of appeal, signed by the appellant, stating:

- a. The order of the board of review from which the appeal is taken; and
- b. The grounds upon which a reversal or modification of such order is sought; and
- c. A demand for a certified transcript of the record of such order.
 1. Upon receipt of such notice of appeal, the commissioner shall, within 10 days thereafter, make, certify and deliver to the appellant a transcript of the record of the order from which the appeal is taken; provided, that the appellant shall pay the reasonable costs of such transcript. The appellant shall, within 5 days after receipt of such transcript, file such transcript and a copy of the notice of appeal with the clerk of the court. Said notice of appeal and transcript of the record shall constitute appellant's complaint. Said ((complaint)) action shall thereupon be entered on the trial calendar of the court.
 2. If the order of the commissioner shall be reversed, the court shall by ((its mandate)) order specifically direct the commissioner as to his further action in the matter, including the making and entering of any order or orders in connection therewith, and the conditions, limitations, or restrictions to be therewith contained.

SECTION 14. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 146 has had the same under consideration and recommend that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 189 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution "L" has had the same under consideration and a majority recommend that the same be indefinitely postponed.

G. A. Klefstad
H. W. George
Philip Berube
Lloyd M. Erickson
Duane Mutch
Elton W. Ringsak
Leland Roen
Clayton Paulson

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted.

Mr. President: A minority of your committee recommend that the same do pass.

John O. Garaas
Raymond Andre

Senator Garaas moved that the report of the minority be substituted for that of the majority, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 81

And find the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 126

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 39

Was delivered to the Governor for his approval at the hour of 10:00 o'clock a.m., February 5, 1959.

SENATOR ERICKSON, Chairman.

FIRST READING OF HOUSE BILLS

House Bill No. 518. A Bill for an Act making an appropriation for the financing of the operations of the State Soil

Conservation Committee and the activities of the State Soil Conservation Districts.

Was read the first time and referred to the Committee on Appropriations.

House Bill No 549. A Bill for an Act to amend and reenact section 57-1605 of the North Dakota Revised Code of 1943 relating to the vote necessary to approve excess levies in school districts.

Was read the first time and referred to the Committee on Education.

House Bill No. 576. A Bill for an Act to amend and reenact Sections 43-1014 and 43-1015 of the North Dakota Revised Code of 1943 relating to license fees of embalmers.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 611. A Bill for an Act to amend and reenact section 57-5005 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to refund of motor vehicle fuel tax to state or political subdivisions.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 613. A Bill for an Act to amend and reenact section 39-0636 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the restoration of revoked motor vehicle operators licenses.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 616. A Bill for an Act to amend and reenact section 39-1205 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to weight limitations for vehicles.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 629. A Bill for an Act authorizing the state board of higher education to negotiate a lease with the Mayville Mutual Aid Corporation, a domestic non-profit corporation, for certain state land located on the Mayville State Teachers College campus, and declaring an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 640. A Bill for an Act relating to the purchase of intoxicating liquor by or for a person under twenty-one years of age, the furnishing of false evidence as to age, and providing a penalty.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 645. A Bill for an Act to amend and reenact section 20-0310 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to licenses to hunt big game and special permits to hunt deer.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 675. A Bill for an Act to amend and reenact Section 12-5202 of the North Dakota Revised Code of

1943, relating to paroles from the state training school; and providing for the parole of children into licensed foster homes.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "Y". A concurrent resolution recognizing the efficient operation of the fiscal affairs of the State of North Dakota and commending the Governor and the administration for its excellent record during the past biennium and anticipated continued excellent record for the coming biennium.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Brooks, Vendsel, Van Horn, Garaas, Wartner, Erickstad, Livingston and Ringsak introduced:

Senate Concurrent Resolution "S". A Senate concurrent resolution urging the proper observance of November 11, Veterans Day as a holiday.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

Senator Wenstrom introduced:

Senate Concurrent Resolution "T". A concurrent resolution requesting the Governor of North Dakota to appoint a National Statuary Hall Committee whose duties it shall be to select a North Dakota representative for placement in Statuary Hall.

Was read the first time and referred to the Committee on State and Federal Government.

COMMUNICATIONS

A resolution was presented from the Junior Chamber of Commerce of Rugby, relative to Senate Bill No. 94, which resolution was referred to the Committee on Transportation.

A resolution was presented from the City Council of the City of Grand Forks relative to House Bill No. 651, which resolution was referred to the Committee on Political Subdivisions.

Resolutions were presented from the Chamber of Commerce of Velve, the Cities of Dawson, Wildrose, New Leipzig, Berwick, McHenry, Esmond, Leeds, Brinsmade, Argusville, Rolla, York, Hettinger, Tuttle, Oberon, Granville and Page, urging support of Senate Bill No. 86, which resolutions were referred to the Committee on State and Federal Government.

SECOND READING OF SENATE BILLS

Senate Bill No. 181. A Bill for an Act to amend and reenact section 26-2605 of the North Dakota Revised Code of 1943, relating to annual report to commissioner of insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Saumur

So the bill passed and the title was agreed to.

Senate Bill No. 184. A Bill for an Act to amend and reenact Section 15-2012 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to vocational rehabilitation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Saumur

So the bill passed and the title was agreed to.

Senate Bill No. 193. A Bill for an Act requiring certain persons to report the names and addresses of blind persons to the superintendent of the school for the blind.

Which has been read.

Senator Meidinger moved that Senate Bill No. 193 be re-referred to the Committee on Education, which motion prevailed.

Senate Bill No. 200. A Bill for an Act to amend and re-enact section 15-3401 of the North Dakota Revised Code of 1943 relating to the age of compulsory school attendance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 5; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Kee	O'Brien
Becker	Kisse	Paulson
Berube	Klefstad	Redlin
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Trenbeath
Foss	Longmire	Van Horn
Freed	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Those voting in the negative were:

Garaas	Johnson	Thompson
Gefreh	Ringsak	

So the bill passed and the title was agreed to.

Senate Bill No. 206. A Bill for an Act authorizing the state historical society to transfer and convey or exchange for other land certain state owned land to The Great Plains Area Council, Boy Scouts of America.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom

Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 209. A Bill for an Act authorizing the disposal of volumes containing obsolete laws.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 246. A Bill for an Act to provide for the erection on the campus of the University of an assembly hall, the cost to be paid from donated funds and other funds not raised by taxation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 543. A Bill for an Act to transfer certain funds now deposited in the Bank of North Dakota, and all future revenue collections, to the general fund of this state, and to amend and reenact section 6-0634 of the North Dakota Revised Code of 1943, and sections 2-0511, 2-0518, 43-2208, and 57-3910 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of certain moneys to the general fund of this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-FIRST DAY

Bismarck, February 5, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by E. S. Hedgebeth, Congregational Christian, Bismarck: "Our Father, we pray that Thou wouldst bless this Senate and its members individually that their deliberations may serve the ideal purpose of making our government more orderly, our laws more just and the relations between our people a more perfect expression of that human brotherhood which is the right of all Thy children. Amen."

Roll call: All Senators present.

A quorum was declared by the President.

Senator O'Brien moved that the prayer of the Chaplain be printed in the journal, which motion prevailed.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-ninth day after recess and thirtieth day and recommends that the same be corrected as follows:

On page 249 delete line 32.

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Livingston moved that the amendments to Senate Bill No. 116 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Bill No. 141 be adopted, which motion prevailed.

Senator Hernet moved that the amendments to Senate Bill No. 150 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 194 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Concurrent Resolution "J" be adopted, which motion prevailed.

MOTIONS

Senator Wartner moved that Senate Concurrent Resolution "J" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Roen, Erickson and Baeverstad introduced:

Senate Concurrent Resolution "U". A concurrent resolution authorizing and directing the legislative research committee to study a system of school financing based on a flat percentage assessment of net income.

Was read the first time and referred to the Committee on Finance and Taxation.

MOTIONS

Senator Holand moved that House Concurrent Resolution "Y" be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "Y" be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "Y". A concurrent resolution recognizing the efficient operation of the fiscal affairs of the State of North Dakota and commending the Governor and the administration for its excellent record during the past biennium and anticipated continued excellent record for the coming biennium.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "Y" be adopted.

Senator Vendsel made a substitute motion that the Senate do not concur in the adoption of House Concurrent Resolution "Y", and that a recorded vote be taken.

The President ruled the motion of Senator Vendsel out of order.

Senator Vendsel then withdrew the substitute motion and moved that House Concurrent Resolution "Y" be indefinitely postponed, which motion was lost.

The question was on the motion of Senator Holand that House Concurrent Resolution "Y" be adopted, which motion prevailed.

Senator Vendsel requested a recorded vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Holand that House Concurrent Resolution "Y" be adopted, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Miller
Becker	Kee	Morgan
Erickson	Kisse	Mutch
Erickstad	Klefstad	Ringsak
Foss	Krause	Roen
Freed	Larson	Saumur
Gefreh	Livingston	Trenbeath
George	Longmire	Wadeson
Gronvold	Luick	Wartner
Hernett	Meidinger	Wenstrom

Those voting in the negative were:

Andre	Johnson	Redlin
Berube	Lautenschlager	Schrock
Brooks	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Gilbertson	Paulson	Yunker
Hystad		

So the resolution was declared adopted.

Senator Brooks: "I would like to explain my vote. I want to be consistent. I have always been opposed to taking a bill that has been introduced by one set of sponsors and changing it over to another basis leaving the original names stand as sponsors. In this instance we have a resolution which was introduced, and I think wrongly, by the Democratic minority in the House, and then it was converted over to a majority resolution and the same sponsors were left on. I don't think that should stand on the record. If the proper sponsors were on it I would have voted for the resolution."

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 5, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 73
 Senate Bill No. 97
 Senate Bill No. 101
 Senate Bill No. 121
 Senate Bill No. 129
 Senate Bill No. 130
 Senate Bill No. 131
 Senate Bill No. 132

Senate Bill No. 140
 Senate Bill No. 172
 Senate Bill No. 185

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 5, 1959

Mr. President: I have the honor to transmit:

House Bill No. 565
 House Bill No. 627
 House Bill No. 642
 House Bill No. 646
 House Bill No. 687

House Concurrent Resolution "N"
 House Concurrent Resolution "W"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 5, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "A"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF A SENATE BILL

Senate Bill No. 65. A Bill for an Act providing that the time fixed by the United States Congress or by order of the Interstate Commerce Commission for all portions of this state be adopted, and providing for an emergency.

Which had been read.

Senator Freed moved that Senate Bill No. 65 be amended as follows:

After the word "only" insert the following: "except the counties of Morton, Mercer, Oliver, Grant, Sioux, Hettinger, Adams, Slope, Bowman, Golden Valley, Billings, Stark, Dunn and McKenzie."

Which motion was lost.

The President requested the President Pro Tem to preside.

Senator Wartner moved that Senate Bill No. 65 be placed at the foot of the calendar, which motion was lost.

Senator Wartner moved that Senate Bill No. 65 be referred to the Committee on Judiciary, which motion was lost.

Senator Wartner moved that Senate Bill No. 65 be amended as follows:

In line 5, after the word "purpose" delete the period and insert a comma and add the following: "except that portion of North Dakota southwest of the Missouri River".

Which motion was lost.

The President resumed the chair.

Senator Brooks moved that Senate Bill No. 65 be amended as follows:

After the word "purpose" delete the period and insert a comma and add the words: "except in cities of 30,000 or more within five miles of the boundaries of any state which operates on daylight time."

Which motion was lost.

ROLL CALL

The question being on the final passage of Senate Bill No. 65, the roll was called and there were ayes, 32; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Redlin
Erickstad	Kiefstad	Ringsak
Fiedler	Larson	Saumur
Garaas	Lautenschlager	Schrock
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gronvold	Miller	Wenstrom
Hernett	Morgan	Yunker
Holand	Mutch	

Those voting in the negative were:

Andre	Krause	Roen
Brooks	Livingston	Thompson
Erickson	Meidinger	Trenbeath
Foss	Murphy	Vendsel
Freed	Paulson	Wartner
Kisse		

Absent and not voting:

Gilbertson

So the bill passed and the title was agreed to and the emergency clause was declared carried.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 81, 113, 126, 152, 159, 169, 175, 176, 202, 207, 211, 221, 223, Senate Concurrent Resolution "A" and House Concurrent Resolution "G", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 81. A Bill for an Act to create and enact Section 15-3428 of the North Dakota Revised Code of 1943, relating to transportation of elementary school children and to amend and reenact Section 15-3419 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to qualifications of school bus drivers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Kee	Paulson
Becker	Klefstad	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Roen
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Meidinger	Trenbeath
Garaas	Miller	Van Horn
George	Morgan	Vendsel
Gilbertson	Murphy	Wadeson
Gronvold	Mutch	Wartner
Holand	Nesvig	Wenstrom
Hystad	O'Brien	Yunker

Those voting in the negative were:

Baeverstad	Gefreh	Johnson
Brooks	Hernett	Kisse

Absent and not voting:

Berube	Luick	Saumur
Longmire		

So the bill passed and the title was agreed to.

Senate Bill No. 113. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

Which has been read.

Senator Larson moved that Senate Bill No. 113 be laid over one legislative day, which motion prevailed.

Senate Bill No. 126. A Bill for an Act defining, regulating, and registering physical therapists, providing for the appointment of an examining committee, and providing a penalty for the violation of the provisions of the Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 21; absent and not voting, 3.

Those voting in the affirmative were:

George	Meidinger	Ringsak
Gilbertson	Miller	Roen
Gronvold	Morgan	Saumur
Hernett	Murphy	Schrock
Kee	Mutch	Trenbeath
Larson	Nesvig	Wartner
Livingston	O'Brien	Wenstrom
Longmire	Redlin	Yunker
Luick		

Those voting in the negative were:

Andre	Freed	Klefstad
Baeverstad	Garaas	Krause
Becker	Gefreh	Lautenschlager
Brooks	Holand	Paulson
Erickson	Hystad	Thompson
Erickstad	Johnson	Van Horn
Fiedler	Kisse	Vendsel

Absent and not voting:

Berube

Foss

Wadeson

So the bill passed and the title was agreed to.

SIGNING OF A HOUSE CONCURRENT RESOLUTION

The Secretary announced that the President was about to sign:

House Concurrent Resolution "A"

And the President signed the same in the presence of the Senate.

Senator Holand moved that the Senate recess until 1:15 p.m., February 6, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

**THIRTY-FIRST DAY AFTER RECESS AND
THIRTY-SECOND DAY**

Bismarck, February 6, 1959

The Senate convened at 1:15 p.m., pursuant to recess taken, the President presiding.

MOTIONS

Senator Freed moved that the Senate reconsider its action in adopting the committee report by which Senate Bill No. 196 was indefinitely postponed, which motion prevailed.

Senator Freed moved that Senate Bill No. 196 be referred to the Committee on Agriculture, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 152. A Bill for an Act to amend and reenact section 50-0705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership of property by applicants for old age assistance.

Which has been read.

Senator Holand moved that Senate Bill No. 152 be placed down below House Concurrent Resolution "G", which motion prevailed.

Senate Bill No. 159. A Bill for an Act to create and enact section 29-2406 of the North Dakota Revised Code of 1943 relating to time within which motion for new trial may be made.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn

Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Hernett		

Those voting in the negative were:
Murphy

Absent and not voting:
Longmire Luick

So the bill passed and the title was agreed to.

Senator Murphy: I rise to explain my vote. I voted no on this measure because where new evidence is found following conviction time might be too short to prepare a proper motion for a new trial so that the rights of the defendant might be served. It is most important that the judicial system never forget the defendant.

I do not represent organized crime.

Senate Bill No. 169. A Bill for an Act to amend and reenact section 39-0651 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to drivers license carrying warnings and convictions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:
Longmire Luick

So the bill passed and the title was agreed to.

Senate Bill No. 175. A Bill for an Act requiring inspection of livestock to determine ownership, providing certain exceptions and a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Murphy	

Those voting in the negative were:
Van Horn

Absent and not voting:
Nesvig

So the bill passed and the title was agreed to.

Senate Bill No. 176. A Bill for an Act to amend and reenact section 36-0512 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership and title of livestock sold through sales rings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 202. A Bill for an Act to amend and reenact Section 12-4003 of the North Dakota Revised Code of 1943, relating to amount of money which constitutes petit and grand larceny.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 207. A Bill for an Act to amend and reenact subsection 5 of section 26-0603 and sections 50-0734 and 50-07342 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the obligation of counties in paying burial costs of persons receiving old age assistance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 211. A Bill for an Act authorizing the governor to enter into contracts with the attorney general of the United States in order that inmates of the state penitentiary needing special care not available at the

penitentiary may be transferred to a federal institution where such care is available.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Those voting in the negative were:

Larson

So the bill passed and the title was agreed to.

Senate Bill No. 221. A Bill for an Act to amend and re-enact sections 27-1501, 27-1502 and 27-1510 of the North Dakota Revised Code of 1943, relating to making retired judges of the supreme court and district court members of the judicial council and limiting state bar fund payment for their mileage expenses to travel within the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Thompson
Freed	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Vendsel
George	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker

Those voting in the negative were:

Brooks	Klefstad	Larson
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 223. A Bill for an Act to amend and reenact subsection 3 of section 28-1406 of the North Dakota Revised Code of 1943 relating to the grounds for challenge for cause of jurors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Holand	Mutch	

Absent and not voting:

Hernett Wadeson

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "A". A concurrent resolution for amendment of sections 82, 83, and 84 of the Constitution of the state of North Dakota, relating to the term of office, powers and duties, and salaries of elected state officers in order to allow the legislative assembly to establish a separate department of labor.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "A" be placed below Senate Bill No. 152 on the calendar, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "G". A concurrent resolution favoring the early construction of the proposed Pembilier dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

Which has been read.

Senator Johnson moved that House Concurrent Resolution "G" be adopted, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 152. A Bill for an Act to amend and reenact section 50-0705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership of property by applicants for old age assistance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE
CONCURRENT RESOLUTION

Senate Concurrent Resolution "A". A concurrent resolution for amendment of sections 82, 83, and 84 of the Constitution of the state of North Dakota, relating to the term of office, powers and duties, and salaries of elected state officers in order to allow the legislative assembly to establish a separate department of labor.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Berube

So the resolution was declared adopted.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 6, 1959

Mr. President: I have the honor to transmit:
House Concurrent Resolution "D 1"
House Concurrent Resolution "E 1"
House Concurrent Resolution "I 1"
Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

FIRST READING OF A SENATE RESOLUTION

Senators O'Brien and Livingston introduced:

Senate Resolution No. 4. A resolution requiring all chaplains' invocations to be printed in the Senate Journal.
Was read the first time.

Senator O'Brien moved that Senate Resolution No. 4 be printed in the journal and not as a bill, which motion prevailed.

SENATE RESOLUTION NO. 4

Introduced by Senators O'Brien and Livingston
A resolution requiring all chaplains' invocations to be printed in the Senate Journal.

1 WHEREAS, the Senate of the State of North Dakota
2 has many distinguished members of the clergy acting as
3 Senate chaplains; and

4 WHEREAS, it is the desire of the members of the
5 Senate to permanently record the invocations given by
6 such chaplains in the Senate Journal.

7 NOW, THEREFORE, BE IT RESOLVED BY THE
8 SENATE OF THE THIRTY-SIXTH LEGISLATIVE
8a ASSEMBLY

9 OF THE STATE OF NORTH DAKOTA:

10 That all invocations of the chaplains of the Senate
11 of the State of North Dakota shall be printed in the
12 Senate Journal.

Senator O'Brien moved that the rules be suspended, and that Senate Resolution No. 4 be placed on second reading and final action, which motion prevailed.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 4. A resolution requiring all chaplains' invocations to be printed in the Senate Journal.
Was read the second time.

Senator O'Brien moved that Senate Resolution No. 4 be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 5 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 13 has had the same under consideration and recommend that the same be amended as follows:

In line 2 strike out the words "Attorney General License" and in lieu thereof insert the word "General".

Renumber the lines, if necessary.

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 31 has had the same under consideration and recommend that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 59 has had the same under consideration and recommend that the same be amended as follows:

In line 70 strike out the words "one hundred and".

In line 71 strike out the word "ninety" and insert in lieu thereof the words "two hundred and thirty".

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 95 has had the same under consideration and recommend that the same be amended as follows:

In line 15, delete the word "reweive" and insert in lieu thereof the word "receive".

And when so amended recommend the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 110 has had the same under consideration and recommend that the same be amended as follows:

In line 44 after the word "parking", delete the comma and all of line 45 and insert in lieu thereof the words "or streets."

Following line 45, insert the following: "4. All moneys collected by such city or village as a result of fines imposed upon persons violating any ordinances relating to the use of such parking meters shall be remitted to the state treasurer and shall be deposited by him in the general fund of the state treasury."

Renumber the lines and subsections accordingly.

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 133 has had the same under consideration and recommend that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 145 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 147 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 163 has had the same under consideration and recommend that the same be amended as follows:

In line 22 after the word "takes" delete the comma and the word "processes".

In line 70 after the word "To" delete the word "a" and after the word "licensed" delete the word "physician" and insert in lieu thereof the word "physicians" and delete the word "or" at the end of the line.

In line 71 delete the word "surgeon" and insert in lieu thereof the word "surgeons" and add a comma and the following words: "and other practitioners authorized by law."

In line 478 after the word "therefrom" insert the word "to".

In line 542 after the word "retain" delete the word "any".
Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 167 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted.

Senator Vendsel made the substitute motion that Senate Bill No. 167 be placed on the calendar without recommendation, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No.

180 has had the same under consideration and recommend that the same be amended as follows:

In line 9, after the word "services" insert a comma and insert the following words: "excluding the practice of medicine," and renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 188 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 197 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 201 has had the same under consideration and recommend that the same be amended as follows:

In line 26, after the word "to" delete the word "seven" and insert in lieu thereof the word "nine".

In line 32, after the word "to" delete the word "seven" and insert in lieu thereof the word "nine".

And when so amended recommend the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 212 has had the same under consideration and recommend that the same be amended as follows:

In line 5, after the word "of" delete the word "all".

In line 6, after the word "of" delete the word "all".

And when so amended recommend the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 213 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No.

247 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 251 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 252 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 253 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 256 has had the same under consideration and recommend that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution "O" has had the same under consideration and recommend that the same do pass, and further recommend that the same be re-referred to the Legislative Research Resolutions Committee.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 116

Senate Bill No. 141

Senate Bill No. 150

Senate Bill No. 194

Senate Concurrent Resolution "J"

And find the same correctly Engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Hernettt moved that Senate Bill No. 205 be returned to the Senate from the Committee on Business, Industry and Labor, which motion prevailed.

Senator Hernet moved that Senate Bill No. 205 be referred to the Committee on Judiciary, which motion prevailed.

Senator Meidinger moved that a committee of one be appointed to escort Col. F. E. Murphy of Jamestown to the rostrum, which motion prevailed.

The President appointed as such committee Senator Meidinger and Col. Murphy was escorted to the rostrum and invited to address the Senate.

Col. F. E. Murphy: Mr. President and members of the Senate: I'm very pleased to represent the North Dakota Civil Defense Association as president. We have had a long hard journey trying to tell the general public that the coveted United States is very gravely in danger of being attacked by the Russian Communists.

The United States government has a crash program in effect on our guided missile program. Millions of dollars are being spent right here in North Dakota on two very large Strategic Air Command bases at Minot and Grand Forks, plus the National Guard has spent vast sums on the Fargo City Airport for National Guard interceptor planes and facilities. The city of Bismarck, our state capital, makes the fourth strategic target in our great state. North Dakota Civil Defense has several bills in committee that I hope will pass with your unanimous approval. Continuity of Government at all levels—federal, state, county, city and villages must be ready to continue to govern themselves—regardless of the loss of our top officials.—At all levels of government. We better be ready.

Each county should have a full-time civil defense director, who will get out and talk "survival methods" to the Parent-Teacher Associations, Homemakers and 4-H Clubs, service clubs, church groups of all creeds, fire and police departments, and especially talk to our school children, they will carry it home to you mothers and dads for some action—NOW.

Our state surplus property program can be the "backbone" of our civil defense program. Millions of dollars worth of surplus property is available to our health, education and welfare programs. Now Civil Defense has been authorized to draw on these vast surplus stocks through our state surplus agency. If each of our fifty-three counties will get on the ball, requisition the surplus items made available on national listings to our state surplus officer we can save a great deal of money and it will give the volunteer civil defense worker some valuable tools to work with.

Through the National Civil Defense Plan the federal government has issued thirty radiological testing kits to thirty of our high schools, and forty-two more sets will be delivered to high schools by the end of March this year. The national plan is to train two million high school students as monitors for radiological effects by 1961.

Our attack warning system can now alert the nation in two minutes. We had four to six hours' notice time with jet aircraft, but now with the advent of Russian intercontinental ballistic missiles the alert has been cut to fifteen minutes. Gentlemen, we are faced with the possibility

and probability of an attack on this country at any time. It may be by nuclear bombs, biological or chemical warfare such as "nerve gas". This information is in our daily papers, and it is definitely no secret to our people in Washington and the Pentagon.

Our small military forces will have their own mission. We can't depend on them to enforce martial law. We here at the grass roots level will have to govern ourselves. We must organize and train hundreds of auxiliary civilian police to control looting. We will need thousands of first-aiders, nurses' aids, and hospital orderlies, plus millions of pints of whole blood, all of which must be drawn from somebody and then given to the disaster casualties. We must be prepared for any kind of emergency, whether it be an attack on this country or an act of God—fire, floods, or tornadoes.

You gentlemen are in the driver's seat. We must look to you, your vast years of experience, your sincere willingness and ability to help with this vital and extensive civil defense program is going to mean the difference as to whether we in North Dakota will survive or not.

Senator Erickstad moved that the remarks of Col. Murphy be printed in the journal, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-SECOND DAY

Bismarck, February 6, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Herman G. Johnson, Assembly of God, Mandan:

Our Heavenly Father, we come this hour to thank Thee for all of Thy blessings, both to us as individuals and as a people. We praise Thee for all the blessings that are ours through Thy Son, our Lord Jesus Christ. We thank Thee for Thy care, and interest in our welfare. We are glad that as a needy people we can come to Thee for help, wisdom, and guidance. We recognize our dependence on Thee for wisdom, and Thou hast said if any lack wisdom, let him ask God, who giveth liberally and upbraideth not. Help us to humbly recognize our need of Thee for defense and guidance.

Bless this body this hour as they give of their time and effort to accomplish the work before them. Help them in their deliberation and in all the decisions they are to make. Help them to have courage to do the right, and that in the orderly course of government, that which is right shall be established.

Bless and guide them now, we ask in Jesus' name for Jesus' sake, Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirtieth day after recess and thirty-first day and recommend that the same be corrected as follows:

On page 276, line 5, delete the word "Senate" and insert in lieu thereof the word "Senator".

On page 276, line 38, delete the word "originals" and insert in lieu thereof "original",

And when so corrected recommend that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

COMMUNICATIONS

Resolutions were presented from the cities Makoti, Ege-land, McClusky, Kramer, Bottineau, Edmore, Balta, Wimbledon, Ryder, Stanton, Forest River, Leeds, Perth, Bowbells, Wing, Landa, Willow City, Lansford, Gardena, Berthold, Antler and New Town, urging passage of Senate Bill No. 86, which resolutions were referred to the Committee on State and Federal Government.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 54

Senate Concurrent Resolution "E"

Senate Concurrent Resolution "D"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 6, 1959

Mr. President: I have the honor to transmit:

House Bill No. 577

House Bill No. 596

House Bill No. 630

House Bill No. 631

House Bill No. 643

House Bill No. 659

House Bill No. 662

House Bill No. 688

House Bill No. 692

House Bill No. 693

House Bill No. 700

House Concurrent Resolution "H"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 6, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 65

Senate Bill No. 81

Senate Bill No. 126

Senate Bill No. 181

Senate Bill No. 184

Senate Bill No. 200

Senate Bill No. 206

Senate Bill No. 209

Senate Bill No. 246

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 6, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 543

House Concurrent Resolution "Y"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 6, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "A"

House Concurrent Resolution "C"

Which the President has signed.

VIC GILBREATH, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 38 has had the same under consideration and recommend that the same be amended as follows:

Strike everything after the words "A Bill" and insert the following:

For an Act providing for the construction of access routes necessitated by the construction of the interstate highway; to amend and re-enact section 24-0236 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the expenditure of state highway funds; and to amend and re-enact section 24 A0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of interstate highway system; and to declare legislative intent.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. LEGISLATIVE INTENT.) It is the intent
2 of the legislature that the highway commissioner have
3 sufficiently broad authority to provide, within means
4 available, and with the cooperation from political
5 subdivisions, for an integrated highway system, in-
6 cluding reasonable access from the interstate high-
7 ways to the municipalities most directly affected by
8 construction of such highway.

9 SECTION 2. ACCESS ROUTES.) Whenever the con-
10 struction of an interstate, controlled access high-
11 way, results in the removal from the state highway
12 system, a highway which passes through or approaches
13 within one mile of any incorporated municipality, the
14 commissioner may if conditions warrant, expend state
15 highway funds to the extent of not over 25% of the
16 cost to construct access routes on the federal-aid
17 secondary county system. Only such access routes may
18 be constructed under authorization of this Act as are
19 not over three miles in length and are necessary to

20 provide as good or better access from such municipi-
 21 palities to the network of the state highway system,
 22 as existed prior to the construction of such inter-
 23 state highway.

24 Such access routes may be constructed from the
 25 municipal limits to the interstate highway or in such
 26 other locations as will, in the opinion of the com-
 27 missioner, comply with the intent of this Act.

28 SECTION 3. AMENDMENT.) Section 24-0236 of
 29 the 1957 Supplement to the North Dakota Revised
 30 Code of 1943 is hereby amended and re-enacted to
 31 read as follows:

32 24-0236. STATE FUNDS NOT USED ON FEEDER
 32a ROADS.)

33 Except as provided in section 2 of this Act ((NO))
 34 no state funds shall be expended for feeder roads
 35 or other roads not on the state highway system
 36 except for the necessary administrative costs and
 37 for such work as is reimbursable from federal or
 38 county funds or from funds of other organizations
 39 or governmental departments for which reimbursement
 40 arrangements have been made. After completion of
 41 any such cooperative construction, all authority
 42 and control over roads off the state highway system
 43 shall be returned to the local authorities under
 44 whom control was vested previously.

45 SECTION 4. AMENDMENT.) Section 24-A0102 of the
 46 1957 Supplement to the North Dakota Revised Code of
 47 1943 is hereby amended and re-enacted by creating
 48 and enacting subsection 46 to read as follows:

49 46. "Interstate system" or "interstate highway system"
 50 shall mean that part of the state highway
 51 system designated as the North Dakota portion
 52 of the national system of interstate and defense
 53 highways as provided for in public law 85-767,
 54 enacted by the 85th Congress of the United States.

And when so amended recommend the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 33 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 36 be adopted, which motion prevailed, and Senate Bill No. 36 was re-referred to the Committee on Appropriations.

Senator Holand moved that after the reading of the amendments to Senate Bills No. 48 and 53, and Senate Bills No. 32, 116, 141, 146, 150, 189, 194 and Senate Concurrent Resolution "L", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate Bill No. 48 be adopted, which motion prevailed.

Senator Erickstad moved that the amendments to Senate Bill No. 53 be adopted, which motion prevailed.

COMMUNICATIONS

A communication was presented from Bernice Huss, Sykeston, North Dakota, asking that Sykeston be considered as a possible location for a Geriatric Hospital.

FIRST READING OF HOUSE BILLS

House Bill No. 565. A Bill for an Act to provide for disinterment and removal of bodies in cemeteries under certain circumstances.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 627. A Bill for an Act to amend and reenact section 44-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to expenses of certain state officers.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 642. A Bill for an Act to amend and reenact sections 16-1012, 16-10121, 16-1016 and 40-2105 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to compensation of election officials.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 646. A Bill for an Act to provide for an alternate firemen's relief association plan whereby firemen can participate in a disability pension and retirement pension program, and the surviving dependents of a deceased fireman can receive pension payments.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 687. A Bill for an Act to amend and reenact subsection 9 of section 57-0208 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to property exempt from taxation owned by religious corporation or organization.

Was read the first time and referred to the Committee on Political Subdivisions.

House Concurrent Resolution "N". A concurrent resolution relating to governmental activities affecting the "business climate" of the State.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Concurrent Resolution "W". A concurrent resolution lauding the sound development of organized labor in North Dakota, and memorializing Congress to vigorously legislate to stamp out racketeering in the labor and management fields, and to protect the democratic rights of member control within labor unions.

Was read the first time and referred to the Committee on Industry, Business and Labor.

The President requested that the President Pro Tem preside.

SECOND READING OF SENATE BILLS

Senate Bill No. 32. A Bill for an Act making an appropriation to pay the costs of the administration of the Old Age and Survivor Insurance System.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	O'Brien
Brooks	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:

Ringsak	Thompson	Trenbeath
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So the bill passed and the title was agreed to.

Senate Bill No. 116. A Bill for an Act regulating the use of cigars, cigarettes, pipes and tobacco so as not to endanger life or property, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	O'Brien
Brooks	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
George	Luick	Wadeson
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Those voting in the negative were:

Gefreh	Meidinger	Wartner
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Absent and not voting:

Ringsak Thompson Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 141. A Bill for an Act stating when dogs are a public nuisance, and the procedure to be followed when dogs are declared a public nuisance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Kee	O'Brien
Berube	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Roen
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Schrock
George	Longmire	Van Horn
Gilbertson	Luick	Wadeson
Gronvold	Meidinger	Wenstrom
Holand	Morgan	Yunker

Those voting in the negative were:

Becker	Gefreh	Miller
Brooks	Hernett	Mutch
Freed	Johnson	Vendsel
Garaas	Larson	Wartner

Absent and not voting:

Murphy Thompson Trenbeath
Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 146. A Bill for an Act to provide for lost stock and transfer books of corporations by providing a procedure for creating a new stock and transfer book where stock and transfer book lost or incomplete, providing procedure with respect thereto, and providing for effect to be given thereto.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	O'Brien
Brooks	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel

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Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:

Ringsak	Thompson	Trenbeath
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So the bill passed and the title was agreed to.

Senate Bill No. 150. A Bill for an Act to amend and reenact sections 40-4501, 40-4502, 40-4508, 40-4513 and 40-4516, of the 1957 Supplement to the North Dakota Revised Code of 1943, and section 40-4509 of the North Dakota Revised Code of 1943 relating to police pensions in cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	O'Brien
Brooks	Kisse	Paulson
Erickstad	Klefstad	Redlin
Erickson	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:

Ringsak	Thompson	Trenbeath
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So the bill passed and the title was agreed to.

Senate Bill No. 189. A Bill for an Act making an appropriation to pay expenses of county reorganization committees, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	O'Brien
Brooks	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Roen
Fiedler	Larson	Saumur

Foss	Lautenschlager	Schrock
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:

Ringsak	Thompson	Trenbeath
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 194. A Bill for an Act to amend and reenact section 20-0329 and subsection 1 of section 20-0329 of the North Dakota Revised Code of 1943 relating to the transportation of game or fish by nonresidents and to provide for a limitation on the total number of certain game birds which may be taken during the year by nonresidents.

Which has been read.

Senator Hernett moved that Senate Bill No. 194 be laid over one legislative day, which motion prevailed.

Senator Holand moved that Senate Bill No. 113 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 113. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

Which has been read.

Senator Meidinger moved that Senate Bill No. 113 be laid over one legislative day, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-THIRD DAY

Bismarck, February 7, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain David E. Figg, Nazarene, Bismarck:

Our Father, we come to Thee with humble hearts and minds. We realize our need of Thee and Thy help as we face the problems of life. Grant Thy blessing upon these who have been elected to make laws for our great state. As they make decisions and endeavor to solve the problems that face our state, grant them clarity of mind, honesty of heart, fairness of attitude, and sincerity of purpose. May their actions be right in the sight of God and merit the support of the people of our state. For thy blessing in all these things we will give Thee the praise, for we ask them in Jesus' name. Amen.

Roll Call: All Senators present except Senators Berube, Brooks, Erickson, Foss, George, Gilbertson, Gronvold, Klefstad, Livingston, Meidinger, Nesvig, O'Brien, Ringsak, Thompson, Trenbeath and Vendsel.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-first day after recess and thirty-second day and recommend that the same be corrected as follows:

On page 294, line 23, delete the name "Erickson" and insert in lieu thereof the name "Erickstad".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 54

Senate Resolution No. 4

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "E"

And find the same correctly enrolled.

SENATOR MUTCH, Acting Chairman.

Senator Mutch moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 33

Senate Bill No. 36

Senate Bill No. 48

Senate Bill No. 53

And find the same correctly engrossed.

SENATOR MUTCH, Acting Chairman.

Senator Mutch moved that the report be adopted, which motion prevailed.

COMMUNICATIONS

Resolutions were presented from the cities of Hanks, Flasher, and the Chamber of Commerce of Powers Lake, urging support of Senate Bill No. 86, which resolutions were referred to the Committee on State and Federal Government.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 43 has had the same under consideration and recommend that the mimeographed copy of Senate Bill No. 43 be substituted for the original copy of Senate Bill No. 43, and that the same be deemed properly engrossed and the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 49 have had the same under consideration and recommend that the same be amended as follows:

Delete everything after "A BILL" and insert the following in lieu thereof:

For an Act to create and enact sections 34-06011 and 34-06012 of the North Dakota Revised Code of 1943, providing minimum wages for all employees except persons covered under federal minimum wage Acts, and domestic employment, and persons who are under sixteen years of age; providing for exceptions to the minimum wage in regard to employees who are incapacitated or who have limited ability due to age, physical or mental conditions, or experience and training, providing penalties; to amend and reenact subsection 1 of section 34-0602, sections 34-0601, 34-0607, 34-0609, 34-0610, 34-0612, 34-0613, and 34-0616 of the North Dakota Revised Code of 1943, relating to minimum wage and hours for women and minors in order to include all employees except minors under regulations affecting minimum wages; and to repeal subsection 3 of section 34-0602, subsections 3 and 4 of section 34-0603, subsections 3 and 4 of section 34-0605 and section 34-0615 of the North Dakota Revised Code of 1943, relating to powers and procedures in the establishment of minimum wages of women.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1.) Section 34-06011 of the North Dakota

2 Revised Code of 1943 is hereby created and enacted to
3 read as follows:

4 34-06011. MINIMUM WAGES.) No person, firm or
5 corporation shall employ any employee at a rate of less
6 than seventy-five cents per hour, except as provided for
7 in section 34-06012. However, this limitation shall not
8 apply to employees engaged in domestic employment
8a or to
9 employees covered by wage regulations issued under
9a the
10 provisions of the federal Fair Labor Standards Act or to
11 outside salesmen compensated on a commission basis
11a or to
12 persons who are under sixteen years of age.

13 SECTION 2.) Section 34-06012 of the North Dakota
14 Revised Code of 1943 is hereby created and enacted to
15 read as follows:

16 34-06012. SPECIAL EXCEPTION IN CERTAIN
16a CASES.)

17 For any employment in which a minimum wage is
17a applicable,
18 the commissioner of agriculture and labor may issue to
19 any person physically handicapped or mentally de-

19a fective,
20 or who has limited ability by reason of age or other
21 condition, or to an apprentice or learner, a special
22 license authorizing the employment of such person for

22a such
23 time and under such conditions as he may determine
23a and

24 at a wage less than the minimum wage established by or
25 under the provisions of this Act. The commissioner may
26 in his discretion hold such hearings and conduct such in-
27 vestigations as he shall deem necessary for the purpose

27a of
28 fixing the special minimum wage for the licensee. Such
29 license may be renewed from time to time by the
29a commis-

30 sioner.
31 SECTION 3. AMENDMENT.) Section 34-0601
32 of the North Dakota Revised Code of 1943 is hereby
33 amended and reenacted to read as follows:

34 34-0601. DEFINITIONS.) In this chapter,
35 unless the context or subject matter otherwise requires:

36 1. "Commissioner" shall mean the commissioner of
37 agriculture and labor;

38 2. "Minor" shall mean a person of either sex under
39 the age of (((eighteen))) sixteen years;

40 3. "Woman" shall mean only a woman eighteen
40a years of
41 age or over;

42 4. "Female" shall mean women and girls irrespective
43 of their ages;

44 5. "Occupation" shall mean a business or industry, or
45 a trade or branch thereof, but it shall not include
46 (((agriculture or))) domestic service;

47 6. The singular of any term herein described includes
48 the plural, and the plural includes the singular
49 (((.)));

50 7. "Employ" includes to suffer or permit to work;

- 51 8. "Employee" includes any individual employed by
 51a an
 52 employer;
- 53 9. "Employer" includes any individual, partnership,
 54 association, corporation, business trust, legal
 55 representative or any organized group of persons
 56 employing an employee or acting directly or in-
 57 directly in the interest of an employer in relation
 58 to an employee, but shall not include the United
 59 States, the state, or any political subdivision
 59a thereof;
 60 and
- 61 10. "Wages" shall include money received for services
 62 performed, including the market value of board,
 63 lodging, fuel, and other advantages which can be
 64 estimated in money which the employee receives
 64a from
 65 the employer as a part of his remuneration.
- 66 SECTION 4. AMENDMENT.) Subsection 1 of sec-
 66a tion 34-0602
 67 of the North Dakota Revised Code of 1943 is hereby
 67a amended
 68 and reenacted to read as follows:
 69 1. Investigate and ascertain the (((wages and the)))
 70 hours and conditions of labor of women and minors
 71 in the different occupations in which they are
 72 employed within this state;
- 73 SECTION 5. AMENDMENT.) Section 34-0607
 74 of the North Dakota Revised Code of 1943 is hereby
 75 amended and reenacted to read as follows:
 76 34-0607. EMPLOYER TO KEEP REGISTER
 77 OF (((WOMEN AND MINORS))) PERSONS EM-
 78 PLOYED: INSPECTION AND EXAMINATION
 79 OF REGISTER.) Every employer shall
 80 keep a register of the names of all (((women and
 80a minors)))
 81 persons employed by him, except minors and on request
 82 shall permit the commissioner or any of his authorized
 83 representatives to inspect and examine such register.
- 84 SECTION 6. AMENDMENT.) Section 34-0609
 85 of the North Dakota Revised Code of 1943 is hereby
 86 amended and reenacted to read as follows:
 87 34-0609. CONFERENCE TO CONSIDER
 88 INVESTIGATION BY COMMISSIONER: CALLING
 89 OF; MEMBER; QUORUM; REPORT.) If, after
 90 he has investigated the matter, the commissioner is of
 91 the opinion that any substantial number of women
 92 (((workers))) employees in any occupation are work-
 92a ing
 93 for unreasonably long hours, or are working under
 93a surround-
 94 ings or conditions detrimental to their health or morals,
 95 (((or are receiving wages inadequate to supply them
 95a with
 96 the necessary cost of living and to maintain them in
 96a good
 97 health,))) he may call a conference for the purpose of
 98 considering and reporting on such subjects as may be
 99 submitted to it. The conference shall be composed of
 99a not

100 more than three representatives of the employers in
 100a said
 101 occupation, of an equal number of the representatives
 101a of
 102 the employees in said occupation, of not more than
 102a three
 103 disinterested persons representing the public, and of
 103a the
 104 commissioner or his representative. The commis-
 104a sioner
 105 shall name and appoint all the members of such con-
 106 ference and shall designate the chairman thereof.
 106a Two-
 107 thirds of the members of any such conference shall
 107a constitute
 108 a quorum. The commissioner shall present to such con-
 109 ference all information and evidence in his possession
 110 or under the control of his department which relates
 111 to the subject of the inquiry and shall cause to be
 112 brought before such conference any witness whose
 112a testi-
 113 mony he deems material thereto. After completing its
 114 consideration of any inquiry submitted to it by the
 114a com-
 115 missioner, such conference shall make and transmit
 115a to the
 116 commissioner a report containing its findings and re-
 117 commendations on the subject.
 118 SECTION 7. AMENDMENT.) Section 34-0610
 119 of the North Dakota Revised Code of 1943 is hereby
 120 amended and reenacted to read as follows:
 121 34-0610. RECOMMENDATIONS CONTAINED
 122 IN REPORT OF CONFERENCE.) In the report
 123 required under the provisions of section 34-0609, the
 124 conference shall make recommendations on any or all
 124a of
 125 the following questions concerning the particular
 125a occupation
 126 under inquiry:
 127 1. Standards of hours of employment for women
 127a workers
 128 and what are unreasonably long hours of em-
 128a ployment
 129 for women workers;
 130 2. Standards of conditions of labor for women
 130a workers
 131 and what surroundings or conditions, sanitary or
 132 otherwise, are detrimental to the health or
 133 morals of women workers (((; and))).
 134 (((3. Standards of minimum wages for women work-
 134a ers and
 135 what wages are inadequate to supply the neces-
 135a sary
 136 cost of living to women workers and maintain
 136a them
 137 in health.
 138 In its recommendations on a question of wages, where
 138a it
 139 appears that any substantial number of women work-
 139a ers in the

140 occupation under inquiry are being paid by piece
 140a rates as
 141 distinguished from time rates, the conference shall re-
 142 commend minimum piece rates as well as minimum
 142a time rates
 143 and shall recommend such minimum piece rates as
 143a in its
 144 judgment will be adequate to supply the necessary
 144a cost of
 145 living to, and to maintain the health of, women
 145a workers
 146 of average ordinary ability.)))
 147 SECTION 8. AMENDMENT.) Section 34-0612
 148 of the North Dakota Revised Code of 1943 is hereby
 149 amended and reenacted to read as follows:
 150 34-0612. ORDER ISSUED BY COMMISSIONER;
 151 EFFECTIVE DATE; POSTING.) After the hearing
 152 provided for in section 34-0611 has been held, the
 152a commis-
 153 sioner may make and render such order as may be
 153a necessary
 154 and proper to adopt such recommendations and to
 154a carry the
 155 same into effect and to require all employers in the
 156 occupation affected thereby to observe and comply
 156a with
 157 such recommendations and order. The order made by
 157a the
 158 commissioner shall become effective on the sixtieth
 158a day
 159 following its rendition. After the order has become
 160 effective, no employer shall violate or disregard the
 161 terms or provisions thereof or employ any woman
 161a worker
 162 in any occupation covered thereby for longer hours or
 163 under different conditions (((or at a lower wage
 163a scale)))
 164 than are authorized therein. A copy of such order
 164a shall
 165 be mailed by the commissioner to every employer
 165a affected
 166 thereby, and each such employer shall keep a copy
 166a of the
 167 order posted in a conspicuous place in each room in his
 168 establishment in which women work. No order of the
 169 commissioner shall permit the employment of any
 169a women
 170 for more hours per day or week than the maximum
 170a fixed
 171 by this chapter.
 172 SECTION 9. AMENDMENT.) Section 34-0613
 173 of the North Dakota Revised Code of 1943 is hereby
 174 amended and reenacted to read as follows:
 175 34-0613. MINORS: COMMISSIONER INVESTI-
 176 GATING; RECOMMENDATIONS; REGULATIONS
 177 GOVERNING.) The commissioner, at any
 178 time, may inquire into the (((wages,))) hours (((,)))
 179 or conditions of labor of minors employed in any
 180 occupation in this state and may determine what are
 181 suitable (((wages,))) hours (((,))) and conditions of

182 labor for such minors. When the commissioner has
 183 made such determination, he may issue an obligatory
 183a order
 184 in the manner provided in this chapter, and after such
 185 order is effective, no employer in that occupation shall
 186 violate or disregard the terms or provisions thereof or
 187 employ any minor ((at less wages or)) for more
 187a hours
 188 or under different conditions than are specified
 188a therein.
 189 No order of the commissioner shall permit the employ-
 190 ment of any minor for more hours per day or per week
 191 than the maximum specified in chapter 7 of this title
 191a nor
 192 at any times nor under any conditions prohibited by
 192a such
 193 chapter.
 194 SECTION 10. AMENDMENT.) Section 34-0616
 195 of the North Dakota Revised Code of 1943 is hereby
 196 amended and reenacted to read as follows:
 197 34-0616. RECOVERY BY UNDERPAID
 198 EMPLOYEE.) If any ((woman or any minor work-
 198a er))
 199 employee shall be paid by ((her or)) his employer
 199a less
 200 than the minimum wage to which ((she or)) he is
 200a entitled
 201 under section 34-06011 ((or by virtue of an order of
 201a the
 202 commissioner,)) such ((worker)) employee may
 202a recover
 203 in a civil action the full amount of the ((minimum
 203a wage
 204 less any amount actually paid to her or him by the em-
 205 ployer)) unpaid wages and an additional equal
 205a amount as
 206 liquidated damages, together with such attorney's
 206a fees as
 207 may be allowed by the court. An agreement providing
 208 for employment at less than the minimum wage
 208a ((specified
 209 in the order)) shall be no defense in such action.
 210 SECTION 11. REPEAL.) Subsection 3 of section
 210a 34-0602,
 211 subsections 3 and 4 of section 34-0603, subsections 3
 211a and 4
 212 of section 34-0605 and section 34-0615 of the North
 212a Dakota
 213 Revised Code of 1943 are hereby repealed.

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 57 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 80 has had the same under consideration and recommend that the same be amended as follows:

In line 4 of the title, after the word "laws" delete the "period" and insert in lieu thereof a "comma" and the words "and providing for concurrent jurisdiction in certain cases."

Delete lines 6, 7, 8 and 9, and insert in lieu thereof "Excepting however that there shall be concurrent jurisdiction with the district court, county court with increased jurisdiction, and justice or police magistrate court of any violation or city or village ordinances or laws of this state pertaining to the use and operation of motor vehicles or to general rules of the road as set forth in Chapter 39-10 of the North Dakota Revised Code of 1943 as amended, and where the punishment prescribed does not exceed \$100.00 fine or 90 days imprisonment or both such fine and imprisonment."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 94 has had the same under consideration and recommend that the same be amended as follows:

At the end of the bill add the following language:

"SECTION 2. EFFECT OF ACT.) No person employed as a brakeman on any railroad in this state on the effective date of this Act shall be discharged or lose his employment by reason of the provisions of this Act. However, whenever a brakeman retires, terminates or leaves his employment the railroad company need not replace the position so vacated, unless it is to fill a mandatory position under section 1 of this Act.

SECTION 3. EFFECT OF INVALIDITY OF PART OF THIS ACT.) If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section or part of this Act, such judgment or decree shall not affect, impair, invalidate or nullify the remainder of this Act, but the effect thereof shall be confined to the clause, sentence, paragraph, section or part of this Act so adjudged to be invalid or unconstitutional."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 109 has had the same under consideration and recommend that the same be amended as follows:

In line 9 after the word "are" delete the word "compounded" and insert in lieu thereof the word "compounded".

-In line 30 after the word "official" delete the word "Remedies" and insert in lieu thereof the word "Drugs".

Delete lines 32 through 37 inclusive.

In line 38, after the word "Device" add the following words: ", as applied to section 13, herein,".

In line 46 after the word "drugs" delete the word "or".

In line 47 delete the following words: "any substance or combination of substances,".

In line 79 delete the triple parenthesis before the numeral "4" and after the word "medicines".

In line 80 delete the triple parenthesis before the numeral "5".

In line 82 delete the triple parenthesis after the word "pharmacists".

After line 82 add the following subsection: "6. Vitamins or food supplements sold or prescribed by licensed practitioners."

In line 142 after the word "duties," add the following words: "which shall be exercised in conformity with the Administrative Agencies Uniform Practice Act, Chapter 28-32 North Dakota Revised Code of 1943, and amendments thereto,".

In line 195 after the numeral "8" insert the following words: "Only for good cause".

In line 199 after the word "prescribe" insert the following words: "reasonable and non-discriminatory".

In line 203 after the word "distributor" insert the following subsection: "10. Action by the board cancelling, revoking, suspending or refusing to renew a permit to establish or operate a pharmacy shall not be enforced for thirty days after notice has been given aggrieved party by the board, nor during the time that an appeal by such aggrieved party is pending and until such appeal is finally determined."

In line 209 and 210 delete the underscored material.

In line 225 delete the following words: "The board shall approve for".

Delete all of lines 226 through 232 inclusive.

In line 296 delete the triple parenthesis around the word "shall" and following the word "shall" delete the word "may".

In line 314 through 326 delete the entire section.

In line 327 after the word "SECTION" delete the numeral "13" and insert in lieu thereof the numeral "12".

In line 340 after the word "SECTION" delete the numeral "14" and insert in lieu thereof the numeral "13".

In line 350 after the word "SECTION" delete the numeral "15" and insert in lieu thereof the numeral "14", and after the numeral "12" insert the word "and" and after the numeral "13" delete the following: "and 14".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 161 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 174 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 214 has had the same under consideration and recommend that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 215 has had the same under consideration and recommend that the same be amended as follows:

In line 6 after the word "and" delete the following words: "it shall be unlawful for any person to engage".

Delete lines 7 through 14 inclusive, and insert in lieu thereof the following words: "any person who has registered a trade name hereunder may institute a civil suit prohibiting any other person from using such name. The provisions of this Act shall not prohibit any person engaged in business under a trade name prior to July 1, 1959, from continuing business under such name."

In line 29 after the word "within" delete the word "thirty" and insert in lieu thereof the word "ninety".

In line 32 after the bracket, delete the word "Any" and insert in lieu thereof the word "No".

In line 33 after the word "be" delete the following words: "of such a nature as to distinguish it" and insert in lieu thereof the following words: "the same as, or deceptively similar to the name".

In line 34 delete the words: "from that".

Delete lines 55 through 59 inclusive.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 234 has had the same under consideration and recommend that the same be amended as follows:

In line 15 after the word "of" delete the word "July" and insert in lieu thereof the word "August".

In line 17 after the word "of" delete the word "July" and insert in lieu thereof the word "August".

In line 28 after the word "(((March)))" delete the word "July" and insert in lieu thereof the word "August".

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 7, 1959

Mr. President: I have to honor to transmit:

House Bill No. 543

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 7, 1959

Mr. President: I have the honor to transmit:

House Bill No. 508

House Bill No. 528

House Bill No. 533

House Bill No. 534

House Bill No. 539

House Bill No. 548

House Bill No. 550

House Bill No. 567

House Bill No. 586

House Bill No. 606

House Bill No. 607

House Bill No. 608

House Bill No. 626

House Bill No. 633

House Bill No. 635

House Bill No. 648

House Bill No. 671

House Bill No. 684

House Bill No. 689

House Bill No. 694

House Bill No. 702

House Bill No. 705

House Bill No. 741

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Saumur moved that the amendments to Senate Bill No. 13 be adopted, which motion prevailed.

Senator Luick moved that the amendments to Senate Bill No. 38 be adopted, which motion prevailed.

Senator Saumur moved that the amendments to Senate Bill No. 59 be adopted, which motion prevailed.

Senator Luick moved that the amendments to Senate Bill No. 95 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 110 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 163 be adopted, which motion prevailed.

Senator Miller moved that the amendments to Senate Bill No. 180 be adopted, which motion prevailed.

Senator Gefreh moved that the amendments to Senate Bill No. 201 be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 212 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 7, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 32

Senate Bill No. 116

Senate Bill No. 141

Senate Bill No. 146

Senate Bill No. 150

Senate Bill No. 152

Senate Bill No. 159

Senate Bill No. 169

Senate Bill No. 175

Senate Bill No. 176

Senate Bill No. 189

Senate Bill No. 202

Senate Bill No. 207

Senate Bill No. 211

Senate Bill No. 221

Senate Bill No. 223

Senate Concurrent Resolution "A"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 7, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

MOTIONS

Senator Longmire moved that Senate Bill No. 36 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Longmire moved that Senate Bill No. 36 be referred to the Committee on State and Federal Government, which motion prevailed.

FIRST READING OF SENATE RESOLUTIONS

Senators Roen, Saumur, Larson and Erickson introduced:

Senate Concurrent Resolution "V". A concurrent resolution directing the legislative research committee to study the feasibility of consolidating the licensing and regulation of trades and occupations in one central agency.

Was read the first time and referred to the Committee on Legislative Research Resolutions.

Senators Hernet and Meidinger introduced:

Senate Concurrent Resolution "W". A concurrent resolution directing the legislative research committee to study the investment of state funds.

Was read the first time and referred to the Committee on Legislative Research Resolutions.

FIRST READING OF HOUSE BILLS

House Bill No. 577. A Bill for an Act creating a board of examiners in watchmaking, prescribing the power and duties of the board, providing for the regulation, supervision and licensing of watchmakers as defined in the Act, prescribing penalties for violation of provisions of this Act.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 596. A Bill for an Act relating to the changing of tariffs, joint rates, fares, tolls, or classifications of common and contract carriers of persons and property.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 630. A Bill for an Act to amend and reenact Section 43-0424 of the North Dakota Revised Code of 1943 relating to minimum standard of schools of barbering.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 631. A Bill for an Act to amend and reenact section 11-1015 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to mileage paid to county officials, and declaring an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 643. A Bill for an Act to amend and reenact sections 16-1710, 16-1712, and 16-1715 of the North Dakota Revised Code of 1943, relating to the meetings of the county committees and the state central committees.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 659. A Bill for an Act to amend and reenact sub-sections (5) and (7) of Section 57-5203, Section 57-5204 and Section 57-5217 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the special fuel tax and exempting special fuel sold for heating, agricultural or railroad purposes and providing for the administration thereof.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 662. A Bill for an Act to amend and reenact section 57-15064 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the levy authorized for the payment of the salary and traveling expenses of the county veterans' service officer.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 688. A Bill for an Act to create and enact subsection H of section 52-0915 of the 1957 Supplement to

the North Dakota Revised Code of 1943, and to amend and reenact subparagraph 3 of subsection D, and amend and reenact subsection G of section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to deductions from and additions to benefits received under the old age and survivor insurance system.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 692. A Bill for an Act to amend and reenact section 46-0603 of the North Dakota Revised Code of 1943 relating to the time when a newspaper can make application to place its name on ballot at a primary election for nomination as the official county newspaper.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 693. A Bill for an Act to amend and reenact section 16-20171 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the disclosure of name of sponsor in political advertisements.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 700. A Bill for an Act authorizing municipalities in certain cases to levy special assessments for water and sewer improvements upon benefited properties which were not assessed at the time of construction thereof, prescribing the procedure for and the limitations upon the levy of such assessments, and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

House Concurrent Resolution "H". A concurrent resolution endorsing and approving the Bureau of Reclamation project plan report on the Garrison Diversion Unit and supporting and urging early enactment of desirable and needed modifying and confirming legislation authorizing the construction thereof.

Was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution "D1". A concurrent resolution memorializing Congress to provide full one hundred percent parity for products produced on family-type farms.

Was read the first time and referred to the Committee on Agriculture.

House Concurrent Resolution "E1". A concurrent resolution memorializing Congress to make an adequate appropriation for school lunch programs.

Was read the first time and referred to the Committee on Education.

House Concurrent Resolution "I1". A concurrent resolution commending the North Dakota State Capitol Commission for the outstanding work and foresight in planning the state capitol building.

Was read the first time and referred to the Committee on State and Federal Government.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 54
Senate Concurrent Resolution "D"
Senate Concurrent Resolution "E"
Senate Resolution No. 4
House Bill No. 543

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 2, 5, 31, 33, 48, 53, 133, 167, 213, 251, 252, 253, and 256, that the Senate recess until 1:00 p.m., February 9, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

**THIRTY-THIRD DAY AFTER RECESS
AND THIRTY-FIFTH DAY**

Bismarck, February 9, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

**SECOND READING OF A SENATE
CONCURRENT RESOLUTION**

Senate Concurrent Resolution "L". A concurrent resolution providing for the amendment of section 121 of the Constitution of the state of North Dakota as amended by Article 69 of the Amendments to the Constitution of the state of North Dakota relating to the elective franchise.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Murphy
Baeverstad	Holand	Nesvig
Becker	Hystad	Schrock
Brooks	Johnson	Thompson
Erickstad	Larson	Trenbeath
Fiedler	Lautenschlager	Van Horn
Garaas	Livingston	Vendsel
Gefreh	Longmire	Wadeson
Gilbertson	Morgan	Wenstrom
Gronvold		

Those voting in the negative were:

Berube	Klefstad	Paulson
Erickson	Krause	Redlin
Foss	Luick	Ringsak
Freed	Meidinger	Roen
George	Miller	Saumur
Kee	Mutch	Yunker
Kisse	O'Brien	

Absent and not voting:

Wartner

So the resolution was declared adopted.

MOTIONS

Senator Baeverstad moved that Senate Bill No. 79 be returned to the Senate from the Committee on Agriculture, which motion prevailed.

Senator Baeverstad: I ask that the bill be returned to the Senate in order that its sponsors may withdraw the bill from further consideration.

Members of the Senate: This is what is known as the "Bread" bill. We the sponsors believe we have this bill corrected and in proper order that it perhaps would meet with your approval and votes for passage.

However, a short time ago the Agriculture Committee recommended it out for passage, and we did not discover until it was on the calendar for passage that it did have some objectionable provisions which the lobbyist for the bakeries used to blast the proposed legislation by seeing to it that most all of you received telephone calls and telegrams to kill the bill. We regret that their legislative representative did not work with us, and we as sponsors would have been better informed wherein our bill as we had it written did cause a problem for the bakers.

The amended bill you have on your desk requires that the printed material "THE FARMERS GROSS RETURN FOR A 1 lb. LOAF OF BREAD IS LESS THAN 3½¢" covers an area of only 2 square inches. It is written in a manner that should cause no problem of compliance, and its expense to the bakers very nominal, practically nothing, as it is only the 2 square inches in size. It is impossible to judge just how much good we as farmers may receive from its usage, but we do know we must try to do something that will promote better relations between urban and farming people, and are only asking that city people using "bread" will have available on the bread wrapper this information.

The majority of the sponsors of this bill know from their term of office as State Senators that they will be back for the 1961 sessions, and have agreed to introduce this legislation at that time. We prefer to do this, rather than urge its passage at this time, in view of the adverse publicity and misunderstanding now existing.

Senator Nesvig moved that the remarks of Senator Baeverstad be printed in the journal, which motion prevailed.

Senator Nesvig requested the unanimous consent of the Senate to withdraw Senate Bill No. 79, which request was granted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 9, 1959

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 54
Senate Concurrent Resolution "D"
Senate Concurrent Resolution "E"
Which the President has signed and your signature is requested.

VIC GILBREATH, Secretary.
Senate Chamber
Bismarck, February 9, 1959

Mr. Speaker: I have the honor to return:
House Bill No. 543
Which the President has signed.

VIC GILBREATH, Secretary.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-FIFTH DAY

Bismarck, February 9, 1959

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain Gordon Sandau, Mandan Baptist Church:

Our heavenly Father we do thank Thee for another day of our life. Help us to put our mind upon Christ and for a few moments take our eyes off of men and away from committees, bills and taxes and look to Christ, "whence cometh our strength". In this age of space may we be more interested in inner space than outer space knowing the answer to our problems are individual as well as state-wide. Give us this minute vacation to rejoice in Thy word and love and blessing, in Jesus name. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-third day and recommends that the same be corrected as follows:

On page 313, line 14, delete the figure "542" and insert in lieu thereof the figure "543".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 13
Senate Bill No. 38
Senate Bill No. 59
Senate Bill No. 95
Senate Bill No. 110
Senate Bill No. 163
Senate Bill No. 180
Senate Bill No. 201
Senate Bill No. 212

And find the same correctly Engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 4

Was delivered to the Secretary of State for his approval at the hour of 11:30 o'clock a.m., February 9, 1959.

SENATOR ERICKSON, Chairman.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 9, 1959

Mr. President: I have the honor to transmit:

House Bill No. 503
House Bill No. 505
House Bill No. 506
House Bill No. 522
House Bill No. 523
House Bill No. 535
House Bill No. 571
House Bill No. 583
House Bill No. 622
House Bill No. 624
House Bill No. 644
House Bill No. 678
House Bill No. 680
House Bill No. 706
House Bill No. 707
House Bill No. 719
House Bill No. 721
House Bill No. 728
House Bill No. 818

House Concurrent Resolution "O"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 9, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "Y"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

COMMUNICATIONS

Resolutions were presented from the City of Donnybrook, Strasburg, Park River, Hannah, Barton, Belfield, Surrey, Overly, Fairmount, urging support of Senate Bill No. 86, which resolutions were referred to the Committee on State and Federal Government.

Communications were presented from the Grafton Chamber of Commerce, the Ellendale Advertising Association, the Carrington Kiwanis Club, and L. H. Mickelsen, Great Northern Brakeman, relative to Senate Bill No. 94, which communications were referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 127 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 136 has had the same

under consideration and recommends that the same be amended as follows:

In line 16, delete the first word "eight" and in lieu thereof insert the word "five".

And when so amended recommends the same be placed on the calendar without recommendation.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 170 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 195 has had the same under consideration and recommends that the same be amended as follows:

After line 214, insert the following: "H. The above deductions shall not apply to individuals who are seventy-two years of age or over".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 203 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 210 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 225 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 228 has had the same under consideration and recommends that the same be amended as follows:

In line 6, after the words "than the" delete the word "fifteenth" and insert in lieu thereof the words "twenty-fifth"

And when so amended recommend the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 241 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidnger moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "N" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the rules be suspended and that the reading of the amendments to Senate Bills No. 49, 80, 94, 109, 215 and 234 be dispensed with, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 49 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 80 be adopted, which motion prevailed.

Senator Luick moved that the amendments to Senate Bill No. 94 be adopted, which motion was declared carried.

Senator Vendsel requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Luick to adopt the amendments to Senate Bill No. 94, the roll was called and there were ayes, 27; nays, 22; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hernett	Luick
Becker	Holand	Meidinger
Brooks	Johnson	Miller
Erickson	Kee	Morgan
Erickstad	Kisse	Mutch
Foss	Klefstad	Roen
Freed	Krause	Saumur
Gefreh	Larson	Trenbeath
George	Livingston	Wadeson

Those voting in the negative were:

Andre	Longmire	Schrock
Berube	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Gilbertson	Paulson	Wartner
Gronvold	Redlin	Wenstrom
Hystad	Ringsak	Yunker
Lautenschlager		

So the motion was declared carried.

Senator Hernettt moved that Senate Bill No. 109 be referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senator Gefreh moved that the amendments to Senate Bill No. 215 be adopted, which motion prevailed.

Senator Gefreh moved that the amendments to Senate Bill No. 234 be adopted, which motion prevailed.

Senator Holand moved that after the reading of Senate Bills No. 13, 38, 43, 59, 95, 110, 113, 161, 163, 174, 180, 194, 201, 212 and 214, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "X". A concurrent resolution recognizing the North Dakota Academy of Science as the official Academy of Science of this state.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF HOUSE BILLS

House Bill No. 508. A Bill for an Act making an appropriation to pay the expenses of the State Board of Veterinary Medical Examiners as authorized under Chapter 36-02 of the North Dakota Revised Code of 1943, as amended by Sections 36-0203 and 36-0205 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 528. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 533. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 534. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Public Safety Division.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 539. A Bill for an Act to provide for the regulation of revolving charge account agreements.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 548. A Bill for an Act to create and enact section 15-4733 of the North Dakota Revised Code of 1943, and to amend and reenact section 15-4106 of the North Dakota Revised Code of 1943, and to amend and reenact section 15-2509 and sub-section 1 of section 15-2908 of the

1957 Supplement to the North Dakota Revised Code of 1943, relating to the length of elementary and secondary school terms.

Was read the first time and referred to the Committee on Education.

House Bill No. 550. A Bill for an Act providing for teacher qualification and the minimum curriculum that must be offered by each high school in this state by 1961 to be accredited by the department of public instruction, and for waivers of the conditions imposed.

Was read the first time and referred to the Committee on Education.

House Bill No. 567. A Bill for an Act to amend and reenact Section 15-2220 of the North Dakota Revised Code of 1943, relating to the county superintendent's contingent fund: budget request to contain items for; use of.

Was read the first time and referred to the Committee on Education.

House Bill No. 586. A Bill for an Act to amend and reenact section 57-0220 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the exemption of farm machinery from personal property tax, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 606. A Bill for an Act to amend and reenact subsection 8 of section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to sales tax exemptions.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 607. A Bill for an Act to create and enact section 57-4135 of the North Dakota Revised Code of 1943 providing that a credit of a percentage of the motor vehicle fuel tax be given to retail dealers purchasing from bulk dealers, and allowing a deduction of such credits from the amount of tax due the state.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 608. A Bill for an Act authorizing the State Board of Higher Education of the State of North Dakota to negotiate for and enter into a contract for the purchase of additional land for the use of the North Dakota Agricultural College at Fargo, North Dakota, and declaring an emergency.

Was read the first time and referred to the Committee on Education.

House Bill No. 626. A Bill for an Act to provide for the clearing of title record of ownership of state highway system right of way held in name of political subdivisions, departments or agencies.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 633. A Bill for an Act relating to bids on school district contracts and to amend and reenact section 15-4715 of the 1957 Supplement.

Was read the first time and referred to the Committee on Education.

House Bill No. 635. A Bill for an Act to create and enact subsection C. of section 52-0921 relating to refunds.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 648. A Bill for an Act to amend and re-enact section 39-1132 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provisions governing equipment of vehicles and providing a penalty for violation.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 671. A Bill for an Act to require county treasurer to give notice of real property taxes due.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 684. A Bill for an Act to amend and re-enact section 20-0407 of the North Dakota Revised Code of 1943 relating to the use of blinds in hunting.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 689. A Bill for an Act to create and enact section 57-38153 of the North Dakota Revised Code of 1943 to provide capital gains income tax treatment for certain dividends received from regulated investment companies, and providing an effective date.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 694. A Bill for an Act to amend and re-enact section 24-1201 and subsections 1 and 2 of section 39-0309 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to injuries to highways and authority of highway patrol.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 702. A Bill for an Act to amend and re-enact section 57-2024 of the North Dakota Revised Code of 1943 relating to the method of payment of due tax redemption certificates, and the disposition of payments that are overdue and have not been claimed.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 705. A Bill for an Act to amend and re-enact section 40-4201 of the North Dakota Revised Code of 1943 relating to time for filing a claim against a municipality for damages arising from defective streets, sidewalks, or bridges.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 741. A Bill for an Act prohibiting the location on public-controlled land of commercial facilities for serving motor vehicle users of controlled-access facilities.

Was read the first time and referred to the Committee on Transportation.

SECOND READING OF SENATE BILLS

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, improvements and

repairs, equipment, and miscellaneous items of the School for the Blind at Bathgate, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Schrock
Freed	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Vendsel
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Andre Larson Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 5. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 31. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State of North Dakota doing business as the North Dakota Mill and Elevator Association.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker

Those voting in the negative were:

Meidinger	Roen	Trenbeath
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Absent and not voting:

Larson

So the bill passed and the title was agreed to.

Senate Bill No. 33. A Bill for an Act to provide for payment of expenses to certain state officers, making an appropriation and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 11; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Johnson	Mutch
Baeverstad	Kee	O'Brien
Becker	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Foss	Livingston	Schrock
Freed	Longmire	Trenbeath
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gronvold	Miller	Wenstrom
Hernett	Morgan	Yunker
Holand	Murphy	

Those voting in the negative were:

Berube	Hystad	Thompson
Fiedler	Krause	Van Horn

Garaas
Gilbertson

Nesvig
Paulson

Vendsel

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 48. A Bill for an Act to amend and reenact sections 19-0108, 25-0810, 25-0813, 25-0814, 25-0816, 25-0817, 25-0819, 25-0820, and 25-0821 of the North Dakota Revised Code of 1943, and sections 15-2102, 25-0811, 25-0815, and 54-0609 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of a part of the functions of the state auditor to the department of accounts and purchases, and to repeal chapter 54-13 of the North Dakota Revised Code of 1943 and chapter 54-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state board of auditors.

Which has been read.

Senator Longmire moved that Senate Bill No. 48 be placed down below Senate Bill No. 43, which motion prevailed.

Senate Bill No. 53. A Bill for an Act to amend and reenact subsection 1 of section 10-0403, subsection 3 of section 10-0405, and sections 10-0406, 10-0408, 10-0409, 10-0410, 10-0411, 10-0413, 10-0415 and 10-0418 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to create and enact sections 10-04081, 10-04082, and 10-04121 as a part of chapter 10-04 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the administration of the securities laws; the registration of securities for sale to the public and of dealers, salesmen, and investment counsels; fraudulent practices; and the penalty for violation of the securities laws, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

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 reenact section 39-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 60 of such section relating to a definition of an authorized emergency vehicle and to amend and reenact sections 39-1003 and 39-1026 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to operation of authorized emergency vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 167. A Bill for an Act requiring police vehicles used to stop motor vehicles at night to be equipped with flashing red lights and proper police markings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Kisse	O'Brien
Becker	Krause	Paulson
Fiedler	Lautenschlager	Thompson
Garaas	Livingston	Van Horn
Gilbertson	Morgan	Vendsel
Hystad	Murphy	Yunker
Kee	Nesvig	

Those voting in the negative were:

Berube	Holand	Redlin
Brooks	Johnson	Ringsak
Erickson	Klefstad	Roen
Erickstad	Larson	Saumur
Foss	Longmire	Schrock
Freed	Luick	Trenbeath
Gefreh	Meidinger	Wadeson

George
Gronvold
Hernett

Miller
Mutch

Wartner
Wenstrom

Absent and not voting:
Baeverstad

So the bill was declared lost.

Senate Bill No. 213. A Bill for an Act to amend and re-enact section 4-0815 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the one mill levy for county agent work, providing that all counties may levy such one mill regardless of taxable valuation and providing that the excess proceeds from the one mill levy be deposited in the county general fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 5; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Kee	O'Brien
Berube	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Ringsak
Fiedler	Larson	Roen
Foss	Lautenschlager	Saumur
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Those voting in the negative were:

Andre	Brooks	Schrock
Becker	Johnson	

So the bill passed and the title was agreed to.

Senate Bill No. 251. A Bill for an Act to amend and re-enact sections 11-0412 and 11-0413 of the North Dakota Revised Code of 1943 to provide for emergency relocation of county government and its return to its normal site.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur

Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senate Bill No. 252. A Bill for an Act to amend and reenact section 39-1125 of the North Dakota Revised Code of 1943, relating to the use of warning devices on vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senate Bill No. 253. A Bill for an Act to amend and reenact subdivision h of subsection 7 of section 54-0119 of the North Dakota Revised Code of 1943, relating to the rights of the state over persons enumerated.

Which has been read.

Senator Erickstad moved that Senate Bill No. 253 be referred to the Committee on Political Subdivisions, which motion prevailed.

Senate Bill No. 256. A Bill for an Act authorizing the establishment of homes for the aged by the counties of the state.

Which has been read.

Senator Holand moved that Senate Bill No. 256 be placed at the foot of the calendar, which motion prevailed.

MONDAY, FEBRUARY 9, 1959

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Senate Bill No. 13. A Bill for an Act making an appropriation for the enforcement and administration of the Attorney General Licensing Department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 38. A Bill for an Act providing for the construction of access routes necessitated by the construction of the inter-state highway; to amend and re-enact section 24-0236 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the expenditure of state highway funds; and to amend and re-enact section 24-A0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of interstate highway system; and to declare legislative intent.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner

Gronvold
Hernett
Holand

Murphy
Mutch

Wenstrom
Yunker

So the bill passed and the title was agreed to.

Senate Bill No. 43. A Bill for an Act to create and enact chapter 54-44 and section 54-23411 of the North Dakota Revised Code of 1943 relating to the establishment of a department of comptroller and the setting forth of the powers and duties of such a department and to the examination and payment of monthly purchases by this department of comptroller; to amend and reenact sections 4-0114, 6-0917, 12-4906, 15-1015, 15-3916, 15-3932, 15-4006, 15-4402, 15-4403, 18-0303, 18-0304, 18-0305, 18-0306, 18-0307, 18-0512, 19-0509, 19-0510, 26-2209, 32-1203, 32-1204, 37-0603, 37-0606, 37-1513, 46-0101, 46-0102, 46-0201, 46-0203, 46-0210, 46-0211, 46-0212, 46-0214, 47-2108, 49-0109, 49-0111, 50-0614, 54-0606, 54-0608, 54-1001, 54-1002, 54-1003, 54-1004, 54-1101, 54-1102, 54-1103, 54-2306, 54-2330, 54-2331, 54-2333, 54-2334, 54-2335, 54-2336, 54-2337, 54-2338, 54-2340, 54-2614, 54-2703, 54-2704, 54-2705, 54-2706, 54-2707, 54-2709, 54-2711, 54-2801, 54-3016, 55-0104, 55-0107, 57-0102, 57-3205, 57-3206, 57-4508, and 61-0213 of the North Dakota Revised Code of 1943 and sections 6-01214, and 12-4730, 15-12061, 15-3921, 15-4020, 15-4021, 18-0308, 18-0402, 18-0403, 18-0405, 18-0406, 18-0513, 19-0508, 20-1307, 20-1408, 24-0212, 24-0237, 36-2209, 37-1515, 39-0308, 46-0204, 46-0205, 46-0206, 46-0207, 46-0209, 46-0213, 54-1814, 54-2341, 54-2708, 54-27151, 54-27152, 54-27154, 54-4204, 54-4205, and 57-3724 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the reorganization of certain departments and agencies of the State government, abolishing and consolidating certain departments; reorganizing fiscal, administrative, and purchasing procedures; transferring certain duties of the state auditor to a department of comptroller; vesting the state auditor with the responsibility of conducting a true post-audit; transferring authority to purchase for the various state departments and agencies from the board of administration to a department of comptroller; and transferring certain tax collecting functions from the state treasurer to the state tax commissioner; and to repeal sections 12-4907, 46-0103, 54-1005, 54-1006, 54-1007, 54-1008, 54-1009, 54-1011, 54-2115, 54-2116, 54-2332, and 65-0210 and chapters 54-14, 54-15, and 54-22 of the North Dakota Revised Code of 1943 and sections 6-0121 and 54-1010 and chapters 54-14 and 54-15 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to state fiscal, administrative, and purchasing procedures, the state budget board, the auditing board, board of auditors, state purchasing agent, state printer, and printing commission, and to provide for an effective date of July 1, 1960.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre
Baeverstad
Becker

Hystad
Johnson
Kee

Nesvig
O'Brien
Paulson

Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 48. A Bill for an Act to amend and re-enact sections 19-0108, 25-0810, 25-0813, 25-0814, 25-0816, 25-0817, 25-0819, 25-0820, and 25-0821 of the North Dakota Revised Code of 1943, and sections 15-2102, 25-0811, 25-0815, and 54-0609 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of a part of the functions of the state auditor to the department of accounts and purchases, and to repeal chapter 54-13 of the North Dakota Revised Code of 1943 and chapter 54-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state board of auditors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Longmire	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Thompson
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Yunker
Holand	Mutch	

Absent and not voting:

Hernett	Wenstrom
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So the bill passed and the title was agreed to.

Senate Bill No. 59. A Bill for an Act relating to payments to school districts operating junior colleges, creating and enacting sections 15-1807, 15-1808, and 15-1809 of the North Dakota Revised Code of 1943, and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Brooks Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 95. A Bill for an Act to amend and re-enact sections 39-03A13, 39-03A14, 39-03A17, and 39-03A18 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the highway patrol retirement system, and providing for a retroactive date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 110. A Bill for an Act to amend and re-enact the initiated measure approved June 29, 1948 en-

titled "making it unlawful for the state of North Dakota, its political subdivisions, counties, cities, villages, and the State Highway Department, to establish and maintain any mechanical device or devices known as 'parking meters', or by whatever name designated, requiring the deposit therein of coins or tokens for the privilege of parking cars or vehicles upon the streets and highways in the state of North Dakota," constituting Chapter 357 of the 1949 Session Laws and Section 39-0109 of the 1957 Supplement to the North Dakota Revised Code of 1943; by providing for the use of parking meters by cities and villages having a population of 3,000 or more, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Becker	Kee	O'Brien
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Larson	Schrock
Foss	Livingston	Trenbeath
Freed	Longmire	Vendsel
Gefreh	Luick	Wartner
George	Miller	Wenstrom
Hernett		

Those voting in the negative were:

Andre	Johnson	Redlin
Berube	Krause	Ringsak
Fiedler	Lautenschlager	Thompson
Garaas	Morgan	Van Horn
Gilbertson	Murphy	Wadeson
Gronvold	Nesvig	Yunker
Hystad	Paulson	

Absent and not voting:

Meidinger

So the bill was declared lost for lack of a two-thirds majority.

MOTIONS

Senator Holand moved that the Senate recess until 1:15 p.m., February 10, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-FIFTH DAY AFTER RECESS
AND THIRTY-SIXTH DAY

Bismarck, February 10, 1959

The Senate convened at 1:15 p.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE GOVERNOR

February 6, 1959

Members of the Senate
Senate Chambers
Bismarck, North Dakota
Greetings:

Today I signed Senate Bill No. 39.

This bill has been filed with the Secretary of State.

Sincerely yours,
JOHN E. DAVIS
Governor

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "Y"

And the President signed the same in the presence of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 49

Senate Bill No. 80

Senate Bill No. 94

Senate Bill No. 215

Senate Bill No. 234

And find the same correctly Engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 3 has had the same under consideration and recommends that the same be amended as follows:

In line 10 strike out the figure "\$339,187.00" and insert in lieu thereof the figure "\$349,187.00".

In line 11 strike out the figure "\$8,995.00" and insert in lieu thereof the figure "\$9,245.00".

In line 13 strike out the figure "\$5,964.00" and insert in lieu thereof the figure "\$6,314.00".

In line 14 strike out the figure "\$110,100.00" and insert in lieu thereof the figure "\$118,100.00".

In line 16 strike out the figure "\$22,550.00" and insert in lieu thereof the figure "\$18,550.00".

In line 17 strike out the figure "\$507,096.00" and insert in lieu thereof the figure "\$521,696.00".

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 4 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 19 has had the same under consideration and recommends that the same be amended as follows:

In line 2 strike out the words "State Equalization" and insert in lieu thereof the words "Public Welfare".

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 281 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Meidinger moved that the Senate reconsider its action by which Senate Bill No. 110 was lost, which motion prevailed.

Senator Brooks moved that Senate Bill No. 110 be amended as follows:

In the engrossed bill delete lines 68 through 73, inclusive. Renumber the lines accordingly.

Which motion prevailed.

Senator Brooks moved that the rules be suspended and that Senate Bill No. 110 be deemed properly re-engrossed and placed on second reading and final action, as amended from the floor.

Senator Holand made the substitute motion that Senate Bill No. 110 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Redlin moved that Senate Bill No. 287 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Ringsak requested the unanimous consent of the Senate to withdraw Senate Bill No. 287, which request was granted.

Senator Garaas moved that Senate Bill No. 256 be referred to the Committee on State and Federal Government, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 214 be referred to the Committee on Industry, Business and Labor, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 113. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

Which has been read.

Senator Meidinger moved that Senate Bill No. 113 be amended as follows:

After the word "Student" in line 13 of the bill delete the following language: "or Institutional Employees" on lines 13 and 14

After the word "Student" in line 20 of the bill delete the following language: "or Institutional Employees"

Delete all of the language in line 29 of the bill

In line 30 of the bill change the letter "b." to the letter "a." and after the word "Student" delete the following language: "or Institutional Employees"

In line 32 of the bill change the letter "c." to the letter "b."

In line 40 of the bill delete the following language: "Faculty and"

In line 43 of the bill after the word "Student" delete the following language: "or Institutional Employees"

Renumber the lines accordingly.

Senator Vendsel moved that the amendment to Senate Bill No. 113 be amended as follows: "Delete all of line 6 of the amendment".

Which motion was declared lost.

Senator Vendsel requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Vendsel to amend the amendment to Senate Bill No. 113, the roll was called and there were ayes, 23; nays, 26; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Berube	Johnson	Redlin
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Van Horn
Foss	Miller	Thompson

Garaas	Murphy	Vendsel
Gilbertson	Nesvig	Wartner
Gronvold	O'Brien	

Those voting in the negative were:

Baeverstad	Kee	Mutch
Becker	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Freed	Larson	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wenstrom
Hernett	Meidinger	Yunker
Holand	Morgan	

So the motion was declared lost.

The question was on the motion of Senator Meidinger to amend Senate Bill No. 113.

Which motion prevailed.

Senator Meidinger moved that the rules be suspended and that Senate Bill No. 113 be deemed properly re-engrossed and placed on second reading and final action, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 113, as amended on the floor, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 161. A Bill for an Act to amend and reenact section 6-0305 of the North Dakota Revised Code of 1943, relating to limitation of real estate loans by state banking associations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien

Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

THIRTY-SIXTH DAY

Bismarck, February 10, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Neil Hadley, Seventh Day Adventist, Bismarck:

Almighty God, Thou who dost rule in the heavens and who dost guide the worlds in their orbits according to Thy infallible laws of nature:

I thank Thee for this great Land of freedom where democracy rules. We would remember that Thou has left the governing of the affairs of state into the hands of humanity. We would seek Divine guidance that the laws of this body may be in harmony with Thy plan.

We look for the time when all people everywhere will live according to Thy will, through Jesus Christ — Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-third day after recess and thirty-fifth day and find the same correct.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

Bismarck, February 10, 1959

House Chamber

Mr. President: I have the honor to transmit:

House Bill No. 524
 House Bill No. 532
 House Bill No. 537
 House Bill No. 561
 House Bill No. 564
 House Bill No. 573
 House Bill No. 574
 House Bill No. 683
 House Bill No. 685
 House Bill No. 696

House Bill No. 708
 House Bill No. 751
 House Bill No. 771
 House Concurrent Resolution "J"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 10, 1959

Mr. President: I have the honor to return:

Senate Bill No. 54
 Senate Concurrent Resolution "D"
 Senate Concurrent Resolution "E"
 Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 173 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 186 has had the same under consideration and recommends that the same be amended as follows:

In line 174 after the word "income" delete the "comma" and insert in lieu thereof the words "taxes, but not"

In line 186 after the word "income" delete the "comma" and insert in lieu thereof the words "taxes, but not"

Re-number the lines accordingly.

And when so amended recommend the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 257 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 258 has had the same under consideration and a majority recommends that the same be indefinitely postponed.

H. B. Baeverstad
 Fred Krause, Jr.
 Duane Mutch
 Lloyd M. Erickson
 Dan Kisse
 Bronald Thompson
 Edwin C. Becker, Jr.

H. W. George
Clark Van Horn
O. S. Johnson

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same do pass.

Raymond Andre
Isak Hystad

Senator Andre moved that the report of the minority be substituted for that of the majority.

The question was on the motion of Senator Andre that the report of the minority be substituted for that of the majority, which motion was lost.

The question was on the motion of Senator Baeverstad that the report of the majority on Senate Bill No. 258 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2
Senate Bill No. 5
Senate Bill No. 13
Senate Bill No. 31
Senate Bill No. 33
Senate Bill No. 38
Senate Bill No. 43
Senate Bill No. 48
Senate Bill No. 53
Senate Bill No. 59
Senate Bill No. 95
Senate Bill No. 133
Senate Bill No. 213
Senate Bill No. 251
Senate Bill No. 252

Senate Concurrent Resolution "L"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 10, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Y"

Which the President has signed.

VIC GILBREATH, Secretary.

CONSIDERATION OF AMENDMENTS

Senator Hernettt moved that the amendment to Senate Bill No. 136 be amended as follows:

Delete the word "five" and insert in lieu thereof the word "six".

Which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 136, as amended from the floor, be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 195 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 228 be adopted, which motion prevailed.

**FIRST READING OF A SENATE
CONCURRENT RESOLUTION**

Senator Ringsak introduced:

Senate Concurrent Resolution "Y". A concurrent resolution providing for the amendment of sections 28 and 34 of the Constitution of the state of North Dakota relating to the qualifications for the office of state senator and state representative and relating to the qualifications and age of electors.

Was read the first time and referred to the Committee on Political Subdivisions.

FIRST READING OF HOUSE BILLS

House Bill No. 503. A Bill for an Act making an appropriation to the Livestock Sanitary Board for its operating and maintenance expense, and for indemnifying owners of animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 505. A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 506. A Bill for an Act making an appropriation for the purpose of paying salary, clerkhire and general expenses of the Department of Coal Mine Inspector and coal mine safety work.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 522. A Bill for an Act making an appropriation for the disbursement by the Public Welfare Board in providing public assistance to dependent children and to needy blind and providing child welfare services and services to crippled children, also providing assistance to the needy aged and general assistance for relief to destitute and necessitous persons, aid to permanently and totally disabled, and for the necessary costs of administration of all of the programs above mentioned.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 523. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-36 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 535. A Bill for an Act making an appropriation to pay veterinary inspectors and expenses in connection with livestock sales rings as provided by law and by regulations promulgated by the Livestock Sanitary Board; and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 571. A Bill for an Act to amend Section 57-3822 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 14 of this section relating to deductions for income tax purposes of expenses paid for child care by a female head of the family and to amend and reenact section 57-3823 of the North Dakota Revised Code of 1943 relating to items not deductible from net income for income tax purposes.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 583. A Bill for an Act relating to teachers employment and contracts, and amending and reenacting section 15-4727 of the 1957 Supplement.

Was read the first time and referred to the Committee on Education.

House Bill No. 622. A Bill for an Act authorizing the establishment of temporary roadblocks on the highways of this state, defining a temporary roadblock, providing minimum requirements in establishing temporary roadblocks, and other matters properly related thereto, providing a penalty, and declaring an emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 624. A Bill for an Act to amend and reenact section 39-0801 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the punishment for conviction of drunken driving.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 644. A Bill for an Act making an appropriation to the office of the adjutant general to cover expenses incurred for the inauguration of elected state officials.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 678. A Bill for an Act to amend and reenact sections 36-0507, 36-0508, and 36-0511 of the North Dakota Revised Code of 1943, and sections 36-0501, 36-0503, 36-0504, 36-0505, 36-0506, 36-0509, 36-0510, 36-0512, and 36-0513 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to changing the name of "livestock sales rings" to "livestock auction markets", and to repeal section 36-0503 of the 1957 Supplement to the North Dakota Revised Code of 1943, as amended by section 20 of chapter 231 of the 1957 Session Laws of North Dakota.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 680. A Bill for an Act relating to absence of teachers due to sickness.

Was read the first time and referred to the Committee on Education.

House Bill No. 706. A Bill for an Act to authorize the state game and fish department to lease land which is under its jurisdiction to nonprofit corporations for development and improvement.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 707. A Bill for an Act to amend and reenact section 54-0320 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to living expense allowances for members of the legislative assembly.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 719. A Bill for an Act to amend and reenact section 37-1503 of the North Dakota Revised Code of 1943, and to amend and reenact subsection 3 of section 37-1510 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the qualifications of the members of the board of trustees of the soldiers' home, and admittance to the soldiers' home.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 721. A Bill for an Act providing for a board of review to reexamine all disallowed claims for adjusted compensation under the provisions of chapter 37-23 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 728. A Bill for an Act to amend and reenact sections 6-0608 of the 1957 Supplement to the North Dakota Revised Code of 1943, and 6-0611 of the North Dakota Revised Code of 1943, relating to the examination of credit unions and to the annual election of the supervisory committee.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 818. A Bill for an Act to amend and reenact section 54-0202 of the North Dakota Revised Code of 1943 relating to the State Flag.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Concurrent Resolution "O". A concurrent resolution urging Congress to retain the present two percent interest rate applying to loans made to rural electrical cooperative associations or corporations.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SECOND READING OF SENATE BILLS

Senate Bill No. 163. A Bill for an Act relating to and regulating the practice of dentistry, providing for exceptions, establishing state board of dental examiners, prescribing qualifications of membership, providing for meetings, appointment of officers, and payment of compensation, prescribing the powers and duties of board, requiring examinations, prescribing qualifications of applicants, authorizing the issuance of licenses and certificates of registration, prescribing grounds for suspension or revocation and imposing conditions for renewal thereof, prescribing procedure for hearings, issuance of orders and appeals, authorizing revocation and reinstatement of licenses, and certificates of registration upon payment of fees, declaring

certain acts as misdemeanors and prescribing punishment therefor and to repeal Chapter 43-08, as amended, of the North Dakota Revised Code of 1943 and all acts in conflict herewith.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	O'Brien
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Klefstad	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker

Those voting in the negative were:

Krause	Mutch	Thompson
--------	-------	----------

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

Senate Bill No. 174. A Bill for an Act to create and enact Section 57-38154 of the North Dakota Revised Code of 1943 relating to income tax to provide for postponement of gain arising from the sale of a residence and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner

Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:
Longmire

So the bill passed and the title was agreed to.

Senate Bill No. 180. A Bill for an Act to amend and re-enact section 26-2602 of the North Dakota Revised Code of 1943, relating to authorized contract provisions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:
George

So the bill passed and the title was agreed to.

Senate Bill No. 194. A Bill for an Act to amend and re-enact section 20-0328 and subsection 1 of section 20-0329 of the North Dakota Revised Code of 1943 relating to the transportation of game or fish by nonresidents and to provide for a limitation on the total number of certain game birds which may be taken during the year by nonresidents.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson

Garaas	Longmire	Trenbeath
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Absent and not voting:

Freed Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 201. A Bill for an Act to amend and reenact section 39-0614 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the issuance and types of motor vehicle operators licenses.

Which has been read.

Senator Trenbeath moved that Senate Bill No. 201 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senate Bill No. 212. A Bill for an Act relating to publication of county official proceedings and notices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Those voting in the negative were:

Brooks Roen

So the bill passed and the title was agreed to.

Senator O'Brien stated she had a personal interest in Senate Bill No. 212 and asked to be excused from voting thereon.

Senator Fiedler moved that Senator O'Brien be allowed to vote on Senate Bill No. 212, which motion prevailed.

REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "D"
Senate Concurrent Resolution "E"

Were delivered to the Secretary of State for his approval at the hour of 2:55 o'clock p.m., February 10, 1959.

SENATOR ERICKSON, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 54

Was delivered to the Governor for his approval at the hour of 2:50 o'clock p.m., February 10, 1959.

SENATOR ERICKSON, Chairman.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 49, 80, 94, 127, 210; 215, 225, 234, and 241, that the Senate recess until 1:00 p.m., February 11, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

**THIRTY-SIXTH DAY AFTER RECESS
AND THIRTY-SEVENTH DAY**

Bismarck, February 11, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

**FIRST READING OF A SENATE
MEMORIAL RESOLUTION**

Senators Holand and Vendsel introduced:

Senate Memorial Resolution No. 1. A resolution of condolence to R. E. Meidinger in the loss of his wife.

Was read the first time.

MOTIONS

Senator Holand moved that the rules be suspended and that Senate Memorial Resolution No. 1 be printed in the journal and not as a bill, and that the same be adopted by a rising vote, and said resolution was adopted by a rising vote of all Senators present.

SENATE MEMORIAL RESOLUTION NO. 1

Introduced by Senators Holand and Vendsel

**A RESOLUTION OF CONDOLENCE TO R. E. MEIDINGER
IN THE LOSS OF HIS WIFE.**

1 WHEREAS, Almighty God in his infinite wisdom has
2 called from our midst the wife of Senator R. E. Mei-
2a dinger,
3 and
4 WHEREAS, She was a devoted wife and mother and
5 respected and loved by all who knew her, and her
5a untimely
6 passing is not only a great personal loss to her family,
7 but to all her friends and acquaintances,
8 NOW, THEREFORE, BE IT RESOLVED BY THE
8a SENATE OF THE
9 THIRTY-SIXTH LEGISLATIVE ASSEMBLY OF THE
9a STATE OF NORTH
10 DAKOTA, assembled this 11th day of February, 1959,
10a that
11 we do hereby express and extend to the family of
11a Senator
12 R. E. Meidinger our deep sympathy and condolence in
12a this
13 hour of sorrow, and

- 14 BE IT FURTHER RESOLVED, That the Secretary of
 14a the
 15 Senate be instructed to prepare an enrolled copy of this
 16 resolution to be forwarded to Senator R. E. Meidinger
 16a and
 17 his family, at Jamestown, North Dakota, immediately
 17a by
 18 special delivery mail.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 6 has had the same under consideration and recommends that the same be amended as follows:

In the heading strike out the words "FOR THE INSANE".

In the 4th line of the title after the word "Hospital" strike out the words "for the Insane".

In line 1 after the word "HOSPITAL" strike out the word "FOR" and in line 2 at the beginning of the line strike out the words "THE INSANE".

In line 9 after the word "Hospital" strike out the words "for the Insane".

In line 34 strike out the figure "\$250,000.00" and insert in lieu thereof the figure "\$150,000.00".

In line 37 strike out the figure "\$5,692,918.00" and insert in lieu thereof the figure "\$5,592,918.00".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 25 has had the same under consideration and recommends that the same be amended as follows:

In the third line of the title of the bill, strike out the "period" and add the following language: "and providing for a deficiency appropriation and making it an emergency."

In line 3 strike out the figure "\$73,500.00" and insert in lieu thereof the figure "\$120,700.00".

In line 17 strike out the figure "\$35,000.00" and insert in lieu thereof the figure "\$80,000.00".

In line 19 strike out the figure "\$1,800.00" and insert in lieu thereof the figure "\$4,000.00".

In line 20 strike out the figure "\$73,500.00" and insert in lieu thereof the figure "\$120,700.00".

Add Section 2 to read as follows:

"SECTION 2. There is hereby appropriated out of any moneys in the State Treasury in the Poultry Improvement Fund not otherwise appropriated the sum of \$27,200.00, or so much thereof as is necessary to take care of the deficiency incurred in the 1957-1959 biennium for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board and providing that the said sum be made available immediately upon passage."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 55 has had the same under consideration and recommends that the same be amended as follows:

Strike everything after "A Bill", and insert in lieu thereof the following:

"For an Act relating to purchase of a building for highway maintenance offices, providing for its maintenance and management, for transfer of certain land incident thereto, and making an appropriation, and amending section 54-2118 of the 1957 Supplement.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. APPROPRIATIONS.) There is hereby
 2 appropriated out of any moneys in the state highway
 2a con-
 3 struction fund the sum of \$220,000, and out of the per-
 4 manent state capitol building fund the additional sum
 4a of
 5 \$310,000, for an aggregate appropriated amount of
 5a \$530,000,
 6 for the purchase of the Bismarck Junior College
 6a Building
 7 adjacent to the capitol grounds, from Bismarck Special
 8 School District No. 1, to be used to house the state
 8a high-
 9 way department or parts thereof, the state highway
 9a patrol,
 10 and the office of the motor vehicle registrar, or such
 11 offices as the governor may determine. There is here-
 11a by
 12 also appropriated the additional sum of \$30,000, out of
 13 any moneys in the state highway construction fund for
 13a the
 14 purpose of remodeling said building for highway de-
 14a partment
 15 use.
- 16 SECTION 2. TRANSFER OF LAND.) The state
 16a board of
 17 administration shall purchase the land which was
 17a hereto-
 18 fore conveyed to the Bismarck Special School District
 19 No. 1 pursuant to chapter 307 of the North Dakota
 19a Session
 20 Laws of 1951, to-wit:
 21 The south fifteen acres on the west side of Highway
 22 No. 83 of that fractional part of the northeast quarter
 23 of section 33, township 139 north, range 80 west
 23a bounded
 24 by and lying within the following described traverse:
 25 Beginning at a point on the north section line of
 26 said section 33, a distance of 596.7 feet from the

27 northeast corner thereof; thence south zero degrees 34
 28 minutes east, a distance of 2150.66 feet; thence south
 29 89 degrees 31 minutes west, a distance of 300.0 feet;
 30 thence south zero degrees 34 minutes east, a distance
 31 of 352.7 feet; thence north 89 degrees 26 minutes 30
 32 seconds west, a distance of 600.38 feet; thence north
 33 zero degrees 34 minutes west, a distance of 2490.56
 34 feet; thence north 89 degrees 24 minutes east, a dis-
 35 tance of 900.3 feet to the place of beginning, excepting
 36 all that portion lying within the right-of-way of U. S.
 37 Highway No. 83, and within 33 feet of the section line;
 38 in consideration for the transfer from the state board
 39 of administration to the Bismarck Special School Dis-
 39a trict

40 No. 1 of the following described property, to-wit:

41 That portion of the northwest quarter of section 2,
 42 township 138 north, range 80 west, comprising 34 acres
 43 more or less, lying within and bounded by the follow-
 43a ing

44 generally described area: commencing at a point
 44a which

45 is 544.2 feet south and 33 feet east of the northwest
 46 corner of said section 2 which is the point of begin-
 46a ning;

47 thence due east at an angle of 90 degrees to the north-
 48 south section line, a distance of 364 feet to a point;
 49 thence due south at an angle of 90 degrees, a distance
 50 of 723.5 feet to the north right-of-way boundary of the
 51 city of Bismarck's open drainage ditch; thence in an
 52 easterly direction along the north right-of-way boun-
 52a dary

53 of said ditch a distance of 1020 feet to a point; thence
 54 north approximately 1400 feet to a point 33 feet south
 55 of the north line of section 2; thence west approxi-
 55a mately

56 1360 feet to a point 33 feet south and 33 feet east of
 57 the northwest corner of said section 2; thence south
 58 544.2 feet to the point of beginning.

59 The necessary deed to the Bismarck School District
 60 shall be executed by the governor and attested by the
 61 secretary of state, provided that the deed shall specify
 62 that if at any time the land conveyed is not used for
 63 school purposes, the title thereto shall revert to the
 64 state; provided further that the consideration appro-
 64a priated

65 in section 1 as well as the transfer of land herein shall
 66 be executed and delivered on or before July 10, 1959,
 66a but

67 the Bismarck School District shall remain in occu-
 67a pancy and

68 possession of the Junior College building until Janu-
 68a ary 31,

69 1961 without further consideration therefor, and the
 69a state

70 board of administration shall be permitted to lease
 70a that

71 portion of the land herein transferred which is not
 71a cur-

72 rently used for school purposes, annually, without cost
 73 to the state, for grazing or pasture purposes.

74 SECTION 3. CUSTODY OF LAND TO STATE

74a BOARD OF ARMORY

75 SUPERVISORS.) The custody and control of the fol-
75a lowing

76 property is hereby transferred from the state board of
77 administration to the state board of armory super-
77a visors:

78 A plot of land lying in the northwest quarter of
79 section 2, township 138, range 80, west, Burleigh
79a County,

80 North Dakota, described as follows:

81 Commencing at a point which is 544.2 feet south and
82 33 feet east of the northwest corner of said section 2
83 which is the point of beginning; thence due east at an
84 angle of 90 degrees to the north-south section line, a
85 distance of 364 feet to a point; thence due south at an
86 angle of 90 degrees, a distance of 723.5 feet to the
87 north right-of-way boundary of the city of Bismarck's
88 open drainage ditch; thence west along the 1 degree
89 24 minute curve of the north right-of-way boundary of
90 said ditch a distance of 127 feet to the point of
91 curvature of said right-of-way boundary; thence due
92 west along the north right-of-way boundary of said
92a ditch,
93 a distance of 237 feet to a point, which is 33 feet east
94 of the west section line of said section 2; thence north,
95 parallel and 33 feet east of the west line of said section
96 2, a distance of 721.9 feet to the point of beginning.
97 Said tract contains 6.03 acres more or less.

98 SECTION 4. CUSTODY OF OFFICE BUILDING:
98a CONSIDERED

99 PART OF CAPITOL BUILDING.) The state board of
99a administration

100 shall control, manage and maintain the aforesaid state
101 highway office building. The building shall be con-
102 sidered a part of the state capitol building within the
103 meaning of statutes relating to the custody, mainten-
103a ance

104 and control of the state capitol building and grounds,
105 and within the meaning of statutes requiring state de-
106 partments or agencies to maintain their offices in the
107 state capitol building."

108 - SECTION 5. AMENDMENT.) Section 54-2118 of the
109 1957 Supplement to the North Dakota Revised Code
109a of 1943

110 is hereby amended and reenacted to read as follows:

111 54-2118. BOARD HAS CONTROL OF PUBLIC

112 PROPERTY.) The board shall have charge and con-
112a trol of

113 the executive mansion and the capitol and the park
113a and

114 public grounds connected therewith ((except as here-
114a inafter

115 otherwise provided. The state board of armory super-
115a visors

116 shall have charge and control of the south 600 feet of a
117 tract of land lying in Capitol Park Addition to the city
118 of Bismarck, North Dakota, described as follows:

119 Commencing at a point 485.7 feet north and 35.0 feet
119a east

120 of the northwest corner of block 96 of McKenzie and
120a Coffin's

121 Addition to the city of Bismarck, said point being
 121a 75 feet
 122 east of the center line of U. S. Highway No. 83 as
 122a now
 123 located; thence running east a distance of 258 feet,
 123a more
 124 or less, to the east line of Capitol Park Addition;
 124a thence
 125 running north along the east line of Capitol Park
 125a Addition
 126 a distance of 1403 feet, more or less to a point 75
 126a feet
 127 southeasterly of and measured at right angles from
 127a the center
 128 line of said U. S. Highway 83; thence running south-
 128a erly
 129 along a line 75 feet easterly from the center line of
 129a said
 130 Highway No. 83 to the point of beginning, upon
 130a which said
 131 tract of land the state board of armory supervisors
 131a are
 132 herewith authorized to provide for the construction
 132a of an
 133 armory, such armory to be exclusively under the
 133a charge,
 134 control and management of the state board of
 134a armory
 135 supervisors)))

And further recommend that the same be re-referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 89 has had the same under consideration and recommends that the same be amended as follows:

In the last line of the title of the bill after the word "therefor" insert the following language: "and providing for the transfer of funds in the attorney general licensing fund to the general fund of this state"

After line 10 insert the following language:

"SECTION 2. TRANSFER OF ATTORNEY GENERAL LICENSING FUND.) All unencumbered balances in the attorney general licensing fund on the effective date of this Act are hereby transferred to the general fund of this state."

Re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 109 has had the same under consideration and recommends that the same be amended as follows:

In line 9 after the word "are" delete the word "compounded" and insert in lieu thereof the word "compounded."

In line 30 after the word "official" delete the word "Remedies" and insert in lieu thereof the word "Drugs."

Delete lines 32 through 37 inclusive.

In line 38, after the word "Device" add the following words: ", as applied to section 12 herein,".

In line 46 after the word "drugs" delete the word "or".

In line 47 delete the following words: "any substance or combination of substances,".

In line 49 delete the figure "8" and delete all of lines 49 through 58 inclusive.

In line 79 delete the triple parenthesis before the numeral "4" and after the word "medicines".

In line 80 delete the triple parenthesis before the numeral "5".

In line 82 delete the triple parenthesis after the word "pharmacists".

In line 142 after the word "duties," add the following words: "which shall be exercised in conformity with the Administrative Agencies Uniform Practice Act, Chapter 28-32 North Dakota Revised Code of 1943, and amendments thereto,".

In line 193 after the word "pharmacies" add a semi-colon and delete the words "or for" and delete all of line 194.

In line 195 after the numeral "8" insert the following words: "Only for good cause".

In line 197 after the word "pharmacies" add a semi-colon and delete the words "or for doing business as a" and delete all of line 198.

In line 199 after the word "prescribe" insert the following words: "reasonable and non-discriminatory".

In line 202 after the word "pharmacies" add a semi-colon and delete the words "or for doing business as a" and delete line 203. After the word "pharmacies." insert the following sub-section:

10. Action by the board cancelling, revoking, suspending or refusing to renew a permit to establish or operate a pharmacy shall not be enforced for thirty days after notice has been given aggrieved party by the board, nor during the time that an appeal by such aggrieved party is pending and until such appeal is finally determined.

In line 209 and 210 delete the underscored material.

In line 225 delete the following words: "The board shall approve for".

Delete all of lines 226 through 232 inclusive.

In line 296 delete the triple parenthesis around the word "shall" and following the word "shall" delete the word "may".

In line 314 through 326 delete the entire section.

In line 327 through 339 delete the entire section.

In line 340 after the word "SECTION" delete the numeral "14" and insert in lieu thereof the numeral "12".

In line 350 after the word "SECTION" delete the numeral "15" and insert in lieu thereof the numeral "13", and after the numeral "12" delete the following: "13, and 14".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 164 has had the same under consideration and recommends that the same be amended as follows:

Delete all of lines 4 through 7 and insert the following words in lieu thereof:

"6. The processing, refining, or milling of uranium bearing lignite in plants or mills owned by, but not operated by, the municipality."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 178 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 196 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 198 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 227 has had the same under consideration and recommends that the same be amended as follows:

In line 10, delete everything after the "," and insert in lieu thereof the words "may with the written consent of the occupant"

In line 11, delete the words "and the right, without hindrance"

In line 12, delete the word "and"

In line 13, after the word "bed" delete the word "or" and after the word "channel" insert the words "or banks"

In line 15, delete the word "therein" and the "," and insert in lieu thereof the words "or passage of ice therein."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 244 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 265 has had the same under consideration and recommend that the same be amended as follows:

Delete lines 28 through 47.

And when so amended recommend the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 269 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 283 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 288 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "X" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 49. A Bill for an Act to create and enact sections 34-06011 and 34-06012 of the North Dakota Revised Code of 1943, providing minimum wages for all employees except persons covered under federal minimum wage Acts, and domestic employment, and persons who are under sixteen years of age; providing for exceptions to the minimum wage in regard to employees who are incapacitated or who have limited ability due to age, physical or mental

condition, or experience and training, providing penalties; to amend and re-enact subsection 1 of section 34-0602, sections 34-0601, 34-0607, 34-0609, 34-0610, 34-0612, 34-0613, and 34-0616 of the North Dakota Revised Code of 1943, relating to minimum wage and hours for women and minors in order to include all employees except minors under regulations affecting minimum wages; and to repeal subsection 3 of section 34-0602, subsections 3 and 4 of section 34-0603, subsections 3 and 4 of section 34-0605 and section 34-0615 of the North Dakota Revised Code of 1943, relating to powers and procedures in the establishment of minimum wages of women.

Which has been read.

Senator Wadson moved that Senate Bill No. 49 be amended as follows:

In line 4 of the title of the amended bill following the comma after the word "Acts," insert the words "and farm labor,"

In line 8 of the amended bill after the word "in" insert the words "farm labor or"

In line 46 of the amended bill delete the brackets

And renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that Senate Bill No. 49 be placed on the calendar, which motion prevailed.

Senate Bill No. 80. A Bill for an Act to amend and re-enact subdivision a of subsection 1 of Section 27-1608 of the North Dakota Revised Code of 1943, relating to original jurisdiction of juvenile court over children violating ordinances and laws, and providing for concurrent jurisdiction in certain cases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 22; nays, 24; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Gilbertson	Livingston
Berube	Hernett	Morgan
Brooks	Holand	Nesvig
Erickstad	Hystad	Schrock
Fiedler	Johnson	Thompson
Foss	Kisse	Van Horn
Garaas	Larson	Wadson
George		

Those voting in the negative were:

Baeverstad	Krause	Redlin
Becker	Longmire	Ringsak
Erickson	Luick	Roen
Freed	Miller	Saumur
Gefreh	Murphy	Vendsel
Gronvold	Mutch	Wartner
Kee	O'Brien	Wenstrom
Klefstad	Paulson	Yunker

Absent and not voting:

Lautenschlager	Meidinger	Trenbeath
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So the bill was declared lost due to the lack of a constitutional majority.

FIRST READING OF SENATE BILLS

Senators Foss and Erickstad introduced:

Senate Concurrent Resolution "Z". A concurrent resolution directing the legislative research committee to study the feasibility of consolidating state activities relating to public health in one state agency.

Was read the first time and referred to the Legislative Research Resolutions Committee.

FIRST READING OF HOUSE BILLS

House Bill No. 524. A Bill for an Act to provide for the payment of the expenses of auditing and examining the affairs of the State Industrial institutions, and the special departments and its subdivisions, of the State of North Dakota, designating and appropriating the funds from which paid; providing for the payment of said collection into the Special Fund in the State Treasury; providing for repeal of acts.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 532. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota who express an intent to prepare for nursing, as provided for in Chapter 43-12 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 537. A Bill for an Act to define, license, and regulate the business of lending in amounts of one thousand dollars or less; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of the Act by the state examiner, and to prescribe penalties.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 561. A Bill for an Act to amend and reenact section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943, section 2 of chapter 163 of the North Dakota Session Laws of 1953, relating to eligibility to apply for a license to hunt big game.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 564. A Bill for an Act to amend and reenact section 20-0505 of the North Dakota Revised Code of 1943 relating to the displaying of red, yellow, or orange on clothing worn by all persons hunting big game.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 573. A Bill for an Act to amend and reenact Section 7-0416 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to loans made by building and loan associations and removing the limitation of one hundred thousand dollars on loans made upon any one piece of property.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 574. A Bill for an Act to permit building and loan associations to lend funds or purchase land for residential development purposes.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 683. A Bill for an Act providing for the regulating of the taking of turtles within this state.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 685. A Bill for an Act to amend and reenact sections 20-0332 and 20-0404 of the North Dakota Revised Code of 1943 and sections 20-0502 and 20-0603 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to possession of game lawfully taken outside the state.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 696. A Bill for an Act to amend and reenact sections 43-1104 and 43-1121 of the North Dakota Revised Code of 1943, and sections 43-1106 and 43-1117 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the profession of hairdressing and cosmetology.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 708. A Bill for an Act to create and enact section 20-1114 of the North Dakota Revised Code of 1943, prohibiting littering and deposit of refuse in and upon game refuges, lakes, rivers, parks, recreation areas, and in the immediate vicinity thereof, and providing a penalty for violations.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 751. A Bill for an Act to require hunters to display identification of all members of the party in automobile while hunting on property of another, and providing a penalty.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 771. A Bill for an Act to provide authorization for the issuance to non-residents of a short term fishing license; to provide for a resident family fishing license; and to amend and reenact section 20-0312 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the schedule of fees for hunting and fishing licenses.

Was read the first time and referred to the Committee on Natural Resources.

House Concurrent Resolution "J". A Concurrent Resolution for amendment of section 155 of the Constitution of the state of North Dakota relating to sale of original grant

Was read the first time and referred to the Committee on Natural Resources.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Memorial Resolution No. 1

And find the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 94. A Bill for an Act to amend and reenact section 49-1309 of the North Dakota Revised Code of 1943 relating to the number of brakemen required on trains.

Which has been read.

Senator Holand moved that Senate Bill No. 94 be laid over one legislative day, which motion was lost.

Senator Holand: My statement has been prepared and I ask that it be inserted in the record.

Mr. President, I am from Lisbon in Ransom County. The other city of some size in Ransom County is Enderlin, a division point for the Soo Line. Senate Bill 94 has been watched by me with a great deal of interest because I am personally acquainted with a good many of the people who would be affected by it. During my 10 years in Lisbon I have served as loan closer for the Veterans Administration and have closed perhaps thirty loans in Enderlin alone on homes purchased by veterans, many of whom have contacted me in regard to this bill. As you know, there is a certain kinship among veterans who feel that they can rely on each other for some understanding.

The first question in my mind in regard to this third brakeman is the question of whether he is actually necessary from a work or safety standpoint. In answer to that question I must be perfectly honest in saying that I am not convinced of this need. I further believe that railroads should not be required, as a matter of law, to hire a third brakeman even where he is not needed. We have no more right to require this of them than we have a right to require newspapers to hire standby linotype men, stores to hire unneeded clerks, or taxis to carry extra drivers.

The conclusion that this third brakeman is not needed as a matter of law is my own. It is based on attendance at some hearings, conversations with people involved and upon the contents of approximately 100 personal letters from people on both sides. As stated, it is my conclusion, and I certainly respect the rights of others to disagree.

From the beginning of this study I have been disturbed not only about the questions of need and safety, but also about the employment problems that might result from the passage of this bill. I was frankly concerned about these veterans and others in Enderlin and other towns throughout North Dakota who might lose jobs. These people have worked with the railroads, are rearing families, and have built some seniority. They have become dependent upon the railroad companies. I told representa-

tives of the railroads of my concern, and I think they understood quite clearly that I was among those who probably would vote against the bill in its original form.

The report of the Senate Transportation Committee and the letters from the presidents of the railroads serving North Dakota have, in my opinion, provided a solution to this latter problem. By this report and these letters the railroad companies are committed to retain present employees in their present employment until job vacancies develop by death, retirement or other natural processes of attrition. To me this means there will be no material effect upon the jobs or income of those currently employed as brakemen with the railroads. That, as I understand it, is the spirit with which the compromise has been offered, and that frankly is the interpretation I have placed upon the amendment and the letters in deciding to vote for this bill as amended.

Now, some question has been raised as to the constitutionality of the amendment. So far as I am concerned the constitutionality is not material. The amendment is an attempt by the committee to put into words what the railroads have promised to do. Their obligation will not be lifted on a question of constitutionality. They are not in a position to break faith with the legislature.

Senator Schrock moved that Senate Bill No. 94 be amended as follows:

Delete Section 3 of the amended bill.

Which motion was declared lost.

Senator Kee: Mr. President, I request that my remarks be printed in the journal.

There were two main points brought out in committee hearings on Senate Bill 94: (1) safety; (2) possibility of some brakemen losing jobs.

First, safety. Ten of my family have worked or are working for the Northern Pacific in North Dakota. Among the ten were four brakemen. Naturally, I, like all the rest of you, am vitally interested in safety.

Mr. J. T. Andrew, who started as a brakeman and is now General Safety Supervisor for the Great Northern, stated that the term "safety" had been handled rather loosely during the hearing. He presented interesting statistics from the safety files of the Great Northern showing a total of four deaths in North Dakota on the Great Northern during the past five years. Of these four, three were killed walking in the railroad yards. In these three cases, investigation proved the cause of death was just plain negligence on the parts of the three deceased. The fourth death resulted when a brakeman, without picking up his gloves and lantern, opened the door of a speeding passenger coach (on a passenger train) and stepped out. No one will ever know the reason for this tragic case. Incidentally, during the same five-year period twelve Great Northern employees in North Dakota were killed in off-the-job accidents; proving that a railroad man is three times as safe while on his safety-supervised job as he is at home or driving.

When asked if accident rates were higher in neighboring states, opponents of Senate Bill 94 were unable to

present any evidence to that effect. Remember, not one of these neighboring states or provinces has three brakemen.

Obviously, safety has no real bearing on this issue.

Point No. 2, loss of jobs. The amendment to Senate Bill 94 was based on letters from heads of four leading North Dakota railroads. It states: "SECTION 2. EFFECT OF ACT.) No person employed as a brakeman on any railroad in this state on the effective date of this Act shall be discharged or lose his employment by reason of the provisions of this Act. However, whenever a brakeman retires, terminates or leaves his employment the railroad company need not replace the position so vacated, unless it is to fill a mandatory position under section 1 of this Act."

Isn't it obvious that no presently employed brakeman will lose his job because of Senate Bill 94? It will be years before the last man is working as third brakeman in North Dakota.

Just one more very important point: If all of us are really interested in maximum employment in North Dakota, let's pass the amended Senate Bill 94, and create hundreds of new jobs—how? By proving to outside industries that this legislature won't insist on three men for every two-man job industry can give us.

Senator Erickstad: Mr. President. In an attempt on the part of Senator Holand and myself, at that time acting as leader and assistant floor leader of the majority party, to investigate the allegations of Senator Berube, Senator Holand moved that this matter be laid over one legislative day, and I seconded the motion.

That motion was denied, by a large or loud vocal dissent from the Democratic minority, and I think that should be made a matter of record so that it indicates that we of the Republican party were willing to investigate the allegations and were not permitted to do so. Thank you.

Senator Vendsel: Mr. President. I request that my remarks be printed in the journal. I wish to state in reply to the remarks of Senator Erickstad that undoubtedly if the reason for the delaying of the passage of this bill were known to the so-called Democratic minority that we would have conceded. The reason for the motion was not explained and I certainly don't wish to have the general impression created that the Democratic party minority, as such in this body, did not go along with fair methods of parliamentarianism and fair and sound reasoning. Further I want to state, in view of what has been stated and printed in the journal previous to my statement, that my only consideration in attempting to secure the defeat of this bill, Senate Bill No. 94, strictly pertains to the safety and welfare of the people of this state. I have always believed that the welfare and safety of any people is paramount in any issue dealing with legislation of this type. The full crew law as it now stands on the statutes of the State of North Dakota is in the same general interest as the regulations that have been laid down by the Federal Government regarding cross country truck transportation, and which the law states two men shall ride in the truck or that one man shall drive a given number of hours. That is

also in the general interest of the general public and it is a very fine law and to me the two are absolutely comparable.

The President announced that the purpose of Senator Holand's motion to lay this bill over one day was for the purpose of investigating new evidence that had come to light.

Senator Wartner moved the previous question, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 94. A Bill for an Act to amend and reenact section 49-1309 of the North Dakota Revised Code of 1943 relating to the number of brakemen required on trains.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 22; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Holand	Luick
Becker	Johnson	Miller
Brooks	Kee	Morgan
Erickson	Kisse	Mutch
Erickstad	Klefstad	Ringsak
Foss	Krause	Roen
Gefreh	Larson	Saumur
George	Livingston	Wadeson
Hernett		

Those voting in the negative were:

Andre	Lautenschlager	Schrock
Berube	Longmire	Thompson
Fiedler	Murphy	Van Horn
Freed	Nesvig	Vendsel
Garaas	O'Brien	Wartner
Gilbertson	Paulson	Wenstrom
Gronvold	Redlin	Yunker
Hystad		

Absent and not voting:

Meidinger	Trepbeath
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So the bill passed and the title was agreed to.

Senator Luick 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.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Memorial Resolution No. 1

And the President signed the same in the presence of the Senate.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-SEVENTH DAY

Bismarck, February 11, 1959

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Harold F. Hofstad, Lutheran Church of the Cross, Bismarck:

"Lord, before whom nothing is hidden, and in whom all secret counsels are known; We come on this the first day of Lent to seek thy mercy upon us.

"We enter this Season with the prayer in all that we may do that we follow the way of the Cross realizing that Thou hast called us to deny ourselves, take up our cross and follow.

"Yet, we know that his way is the way of self-denial and of humble acknowledgement that without Thee we can do nothing . . . that we must find our direction, our strength, and our goal in Thee and in Thy will only . . . that without Thee we will only fall into error and distress, and there will be neither righteousness, peace nor joy among us.

"We pray particularly for this assembly that each man who occupies a position of sacred trust under Thee may discharge his duties not as a manpleaser but as a servant of Truth. Make these men (who are but men) more than men. Make the servants of all, who are content, if need be, to suffer for doing right rather than to gain prestige by doing wrong.

"Lift our drooping hands and strengthen our weak knees, lest our hands should destroy the work of Thy hands, and our weak knees should stoop to compromise rather than to be in obedience.

"We pray for our people of this state, that they may not expect us to do what is unlawful in Thy sight, nor to make laws that favor the strong and penalize the weak. Nor that they seek to bribe us by threats or promises to take easy ways when the ways of justice may be hard.

"Give us, during this Season of Lent, the help which Thou hast promised to all that seek Thee in truth—and the assurance that does not fail, 'If God be for us, who can be against us?'

"We ask this in the Name of Truth, Whose Name is 'servant of all' and 'Prince of Peace'. Amen."

Roll Call: All Senators present except Senators Meidinger and Trenbeath.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-fifth day after recess and thirty-sixth day and find the same correct.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 136

Senate Bill No. 195

Senate Bill No. 228

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 136

And find the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 113

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 11, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "G"

Which the speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 11, 1959

Mr. President: I have the honor to transmit:

House Bill No. 547

House Bill No. 582

House Bill No. 620

House Bill No. 652

House Bill No. 743

House Bill No. 744

House Bill No. 778

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 11, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 113

Senate Bill No. 161

Senate Bill No. 163

Senate Bill No. 174

Senate Bill No. 180

Senate Bill No. 194

Senate Bill No. 212

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

COMMUNICATIONS

Resolutions were presented from the cities of Grano, Ross and New England, relative to Senate Bill No. 86, which resolutions were referred to the Committee on State and Federal Government.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 4, 136, 173, 195, 228, 257, and 281, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 3 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 19 be adopted, which motion prevailed.

Senator Krause moved that the amendments to Senate Bill No. 186 be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 49

And find the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 127. A Bill for an Act to amend and re-enact section 15-3936 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to military service in war counted as teaching service.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Berube	Gronvold	Trenbeath
Gefreh	Meidinger	

So the bill passed and the title was agreed to.

Senate Bill No. 210. A Bill for an Act authorizing the filing of notices of liens for taxes payable to the United States of America and certificates discharging such liens and to make uniform the law relating thereto.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Van Horn
George	Luick	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Berube	Meidinger	Trenbeath
Gefreh		

So the bill passed and the title was agreed to.

Senate Bill No. 215. A Bill for an Act to provide for the registration of trade names with the secretary of state for business which is transacted in this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Larson	Roen
Freed	Lautenschlager	Thompson
Garaas	Livingston	Van Horn
Gefreh	Longmire	Vendsel
George	Luick	Wadeson
Gilbertson	Miller	Wartner

Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Absent and not voting:		
Berube	Ringsak	Trenbeath
Meidinger		

So the bill passed and the title was agreed to.

Senate Bill No. 225. A Bill for an Act authorizing an easement over certain property now owned by the state of North Dakota to the United States of America, for park purposes and the reversion thereof in case of nonuse, declaring it an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Berube	Meidinger	Trenbeath
Klefstad	O'Brien	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 234. A Bill for an Act to amend and reenact section 10-2302 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the filing of annual reports of domestic and foreign corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock

Freed	Livingston	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Berube	Meidinger	Trenbeath
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So the bill passed and the title was agreed to.

Senate Bill No. 241. A Bill for an Act authorizing the state board of higher education to negotiate a lease with the Valley City Development Corporation, a domestic corporation located at 236 Second Avenue Northeast, Valley City, North Dakota, for certain state land located on the State Teachers College campus at Valley City.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Berube	Meidinger	Trenbeath
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So the bill passed and the title was agreed to.

MOTION

Senator Holand moved that the Senate recess until 1:00 p.m., February 12, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-SEVENTH DAY AFTER RECESS
AND THIRTY-EIGHTH DAY

Bismarck, February 12, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "G"

And the President signed the same in the presence of the Senate.

SECOND READING OF SENATE BILLS

Senate Bill No. 4. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, and special projects for the Grafton State School at Grafton, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett		

Absent and not voting:

Meidinger Ringsak Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 136. A Bill for an Act to amend and reenact Subsection 1 of Section 57-1512 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to tax levy limitations in park districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Kee	O'Brien
Berube	Klefstad	Paulson
Brooks	Krause	Redlin
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Van Horn
Freed	Luick	Vendsel
Garaas	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker

Those voting in the negative were:

Baeverstad	Gilbertson	Miller
Becker	Hystad	Ringsak
Gefreh	Johnson	Thompson
George	Kisse	

Absent and not voting:

Meidinger Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 173. A Bill for an Act to create and enact section 57-38153 of the North Dakota Revised Code of 1943, relating to gains and losses on breeding, draft, and dairy livestock.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson

—Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Fiedler	Meidinger	Trenbeath
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So the bill passed and the title was agreed to.

Senate Bill No. 195. A Bill for an Act to amend and reenact section 52-0907 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to purposes for which fund may be used; section 52-0908 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to default in taxes; interest; action to collect; levy of tax by political subdivisions; section 52-0909 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to rate of contribution; section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943; relating to deductions from and additions to benefits; subsection A. of section 52-0920 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to definitions; to enact subsection d. of section 52-1004 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to contributions by employees of the state and of political subdivisions; to amend and reenact subsection d. of section 52-1005 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to plans for coverage of employees of political subdivisions and to amend and reenact section 52-1009 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to studies and reports, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Meidinger	Trenbeath
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 228. A Bill for an Act to amend and re-enact section 57-4305 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to payment of tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Livingston	Van Horn
Gefreh	Longmire	Vendsel
George	Miller	Wadson
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker

Absent and not voting:

Luick	Trenbeath	Wartner
Meidinger		

So the bill passed and the title was agreed to.

Senate Bill No. 257. A Bill for an Act to amend Chapter 57-38 of the North Dakota Revised Code of 1943 relating to income taxation by adding thereto section 57-38291 to provide, with respect to taxpayers and dependents, a credit to be deducted from the income tax imposed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 11; nays, 35; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	Van Horn
Berube	Murphy	Vendsel
Garaas	Nesvig	Wadson
Hystad	Paulson	

Those voting in the negative were:

Baeverstad	Hernett	Mutch
Becker	Holand	O'Brien
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Gefreh	Livingston	Wartner
George	Longmire	Wenstrom
Gilbertson	Miller	Yunker
Gronvold	Morgan	

Absent and not voting:

Luick Meidinger Trenbeath
So the bill was declared lost.

MOTIONS

Senator Holand moved that the President appoint a committee of two to represent the Senate at the funeral of Mrs. R. E. Meidinger, at Jamestown, tomorrow afternoon, which motion prevailed.

The President appointed as such committee Senators O'Brien and Saumur.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-EIGHTH DAY

Bismarck, February 12, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Lt. Ralph Spicer, Salvation Army, Mandan:

Our Heavenly Father, we come to Thee today thanking Thee first of all for the privilege that we have of coming to Thee in prayer. We thank Thee that we in this country have freedom of worship. What a privileged people we are.

Dear Lord, may you be with everything that is discussed today. May you bless each Senate member today and give them wisdom that the things that are discussed and decisions made might be in accordance with Thy will. Where the wrong decision might be made, may you overrule. We would want that our own lives as well as our State be governed by Thee. May we be willing to be led by Thee. Help us, our Father, to "seek first the kingdom of God," and then we know that "all these things shall be added unto us."

Again we pray that Thy will might be done in all things so that our State may be completely led by Thy Almighty hand.

In His name we pray and ask this. Amen.

Roll Call: All Senators present except Senators Meidinger and Trenbeath.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-sixth day after recess and thirty-seventh day and recommends that the same be corrected as follows:

On page 367, line 34, delete the word "majority" and insert in lieu thereof the word "minority".

On page 368, after line 41 insert the following: "Senator Luick 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."

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 3
Senate Bill No. 186

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 19

And find the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Memorial Resolution No. 1

Was delivered to the Secretary of State for his approval at the hour of 3:30 o'clock p.m., February 11, 1959.

SENATOR ERICKSON, Chairman.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 12, 1959

Mr. President: I have the honor to transmit:

House Bill No. 526
House Bill No. 531
House Bill No. 712
House Bill No. 733
House Bill No. 753
House Bill No. 770
House Bill No. 783
House Bill No. 801

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

COMMUNICATIONS

A resolution was presented from the City of Drake relative to Senate Bill No. 86, which resolution was referred to the Committee on State and Federal Government.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 98 has had the same under consideration and recommends that the same be amended as follows:

In line 26 after the word "appropriated" insert the following words: "out of any moneys in the Public Welfare Fund in the State Treasury, not otherwise appropriated,"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 134 has had the same under consideration and recommends that the same be amended as follows:

In line 14 delete "such three words" and insert in lieu thereof "the word cooperative".

And when so amended recommend the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 143 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 148 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 156 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 182 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted.

Senator Van Horn made a substitute motion that Senate Bill No. 182 be placed on the calendar, which motion was lost.

The question was now on the motion of Senator Wartner that the committee report on Senate Bill No. 182 be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 187 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 190 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 192 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 205 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 216 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 222 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 226 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 230 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 236 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 239 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 240 has had the same under

consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted.

Senator Schrock made the substitute motion that Senate Bill No. 240 be placed on the calendar, which motion was lost.

The question was on the motion of Senator Wartner that the committee report on Senate Bill No. 240 be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 262 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after "A BILL" and insert in lieu thereof the following language:

"For an act to require public livestock markets or commission firms, to give a duplicate scale ticket to all persons consigning livestock to or purchasing livestock from public livestock markets, and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. PUBLIC LIVESTOCK

2 MARKETS OR COMMISSION FIRMS; DUPLICATE

3 SCALE TICKETS.)

4 All public livestock markets or commission firms doing

5 business in this state shall deliver to each person consigning

6 livestock to such market or purchasing livestock from

7 such market, a duplicate scale ticket showing the net weight

8 of such livestock. Any person violating any of the provisions of

9 this Act shall be guilty of a misdemeanor and shall be

10 punished by a fine of not more than one hundred

11 dollars.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 270 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 282 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 289 has

had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "F" has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "D 1" has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the rules be suspended and that the reading of the amendments to Senate Bills No. 6, 25, 55, 89, 109, 164, 227 and 265 be dispensed with, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 6 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 25 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 55 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 89 be adopted, which motion prevailed.

Senator Hernettt moved that the amendment to Senate Bill No. 109 be adopted, which motion prevailed.

Senator Holand moved that Senate Bill No. 109 be further amended as follows:

In line 350 delete the word "Sections" and insert in lieu thereof the word "Section".

Which motion prevailed.

Senator Longmire moved that the amendment to Senate Bill No. 164 be amended as follows:

Underscore all the material beginning with the numeral "6." through the word "municipality".

Which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 164 be adopted, as amended from the floor, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Bill No. 227 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 265 be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

A committee from the House was announced and said committee informed the Senate that the House was ready to receive the Senate in joint session.

MOTION

Senator Holand moved that after the reading of Senate Bills No. 3, 19, 49, 178, 186, 196, 198, 288, and Senate Concurrent Resolution "X" that the Senate recess until immediately following the joint session, which motion prevailed.

The Senate reconvened, pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 281. A Bill for an Act to amend and reenact section 15-5901 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of exceptional children.

Which has been read.

Senator Murphy moved that Senate Bill No. 281 be referred to the Committee on Education, which motion prevailed.

Senator Holand moved that Senate Bills No. 49 and 178 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 196. A Bill for an Act to amend and reenact Chapter 19-06 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to imitation ice cream, and fixing the effective date thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Becker	Johnson	Ringsak
Berube	Kee	Roen
Erickson	Klefstad	Saumur
Erickstad	Larson	Schrock
Foss	Livingston	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	O'Brien	Yunker

Absent and not voting:

Brooks	Krause	Mutch
Fiedler	Lautenschlager	Nesvig
Freed	Meidinger	Trenbeath
Kisse		

So the bill passed and the title was agreed to.

Senate Bill No. 198. A Bill for an Act to amend and reenact section 19-0805 of the North Dakota Revised Code of 1943, relating to license fees for beverages.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Becker	Johnson	Ringsak
Berube	Kee	Saumur
Erickson	Klefstad	Schrock
Erickstad	Larson	Thompson
Foss	Longmire	Vendsel
Garaas	Luick	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Wenstrom
Gilbertson	Murphy	Yunker
Gronvold	O'Brien	

Absent and not voting:

Brooks	Krause	Nesvig
Fiedler	Lautenschlager	Roen
Freed	Livingston	Trenbeath
Hernett	Meidinger	Van Horn
Kisse	Mutch	

So the bill passed and the title was agreed to.

Senate Bill No. 288. A Bill for an Act to amend and reenact sections 16-1716 and 16-1717 of the North Dakota Revised Code of 1943 relating to dates for meeting of state party conventions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Nesvig	Yunker

Absent and not voting:

Brooks	Livingston	Mutch
Freed	Meidinger	Trenbeath
Kisse		

So the bill passed and the title was agreed to.

Senate Concurrent Resolution "X". A concurrent resolution recognizing the North Dakota Academy of Science as the official Academy of Science of this state.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution "X" be adopted, which motion prevailed.

Senate Bill No. 3. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the School for the Deaf at Devils Lake, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Garaas	Livingston	Thompson
Gefreh	Longmire	Van Horn
George	Luick	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Brooks	Meidinger	Trenbeath
Freed		

So the bill passed and the title was agreed to.

Senate Bill No. 19. A Bill for an Act making appropriations for the Division of Vocational Rehabilitation and for the Governor's Committee on Employment of the physical-ly handicapped, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Garaas	Livingston	Thompson
Gefreh	Longmire	Van Horn
George	Luick	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Brooks	Meidinger	Trenbeath
Freed		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills (by request of Senator Larson) introduced:

Senate Bill No. 290. A Bill for an Act establishing a revolving fund for the purpose of making loans to counties and nonprofit corporations for the construction of nursing homes and homes for the aged, providing for the administration of such loan program, and authorizing the establishment and operation of county nursing homes and homes for the aged and the levying of a tax therefor, and making an appropriation.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Holand introduced:

Senate Concurrent Resolution "AA". A concurrent resolution authorizing and directing the legislative research committee to study the feasibility of placing the administration of certain agricultural activities that are now administered by separate state boards, commissions and institutions under the jurisdiction of the state department of agriculture and labor.

Was read the first time and referred to the Committee on Legislative Research Resolutions.

Senator Krause introduced:

Senate Concurrent Resolution "BB". A concurrent resolution to the Congress urging the passage of a point four program to raise the standards of well-being of Indian citizens.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

FIRST READING OF HOUSE BILLS

House Bill No. 547. A Bill for an Act authorizing the state board of higher education to enter into reciprocal agreements with other states' institutions of higher learning for higher education of North Dakota students and making an appropriation.

Was read the first time and referred to the Committee on Education.

House Bill No. 582. A Bill for an Act to authorize a uniform complaint and summons for use in connection with violations of laws relating to the operation of motor vehicles, and to repeal section 27-0226 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the authority of the North Dakota supreme court to establish such a uniform complaint and summons form.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 620. A Bill for an Act promoting the sale of North Dakota dairy products; creating a North Dakota dairy products promotion commission and providing for its objectives, powers and duties, its collection and disburse-

ment of funds, the assessment of butterfat produced and sold in the state of North Dakota, the administration of this Act, and prescribing penalties.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 652. A Bill for an Act authorizing affixing or including a written statement to the standard policy excluding loss or damage caused by nuclear reaction; provided, however, that insurers may assume coverage for loss or damage caused by nuclear reaction by endorsement.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 743. A Bill for an Act permitting the commissioner of insurance to approve forms of insurance policies other than the standard policy as provided in Section 26-0340 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 744. A Bill for an Act to amend and reenact Section 18-0105 of the 1857 Supplement to the North Dakota Revised Code of 1943, providing for the reporting of fire losses to the state fire marshal by insurers authorized to transact fire insurance business in the State of North Dakota.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 778. A Bill for an Act to amend and reenact section 65-0527 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to payment without probate proceedings of sums due the estate of a deceased workmen's compensation claimant.

Was read the first time and referred to the Committee on Industry, Business and Labor.

MESSAGE FROM THE GOVERNOR

February 11, 1959

Members of the Senate
Thirty-Sixth Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Greetings:

On February 10 I signed Senate Bill No. 54.
This bill has been filed with the Secretary of State.

Sincerely yours,
JOHN E. DAVIS
Governor

Senator Holand moved that the Senate recess until 1:00 p.m., February 13, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

**THIRTY-EIGHTH DAY AFTER RECESS
AND THIRTY-NINTH DAY**

Bismarck, February 13, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 186. A Bill for an Act to amend and reenact sections 57-3807, 57-3821 and 57-3827 of the North Dakota Revised Code of 1943, and sections 57-3801, 57-3827 and 57-3831 of the 1957 Supplement to the North Dakota Revised Code of 1943, all relating to taxation of incomes of individuals and fiduciaries; to provide deductions from net income in computing taxable income of individuals and fiduciaries, and to simplify preparation of their income tax returns for income years commencing after December 31, 1958, and to repeal subsection 3 of section 57-3817 and subsection 9 of section 57-3822 of the North Dakota Revised Code of 1943, and subsection 5 of section 57-3817 and subsection 13 of section 57-3822 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Murphy
Baeverstad	Holand	Mutch
Becker	Hystad	Nesvig
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Roen
Erickstad	Klefstad	Schrock
Fiedler	Krause	Thompson
Foss	Larson	Trenbeath
Freed	Lautenschlager	Van Horn
Garaas	Livingston	Vendsel
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker

Absent and not voting:

Meidinger	Ringsak	Saumur
O'Brien		

So the bill passed and the title was agreed to.

Senate Bill No. 49. A Bill for an Act to create and enact sections 34-06011 and 34-06012 of the North Dakota Revised Code of 1943, providing minimum wages for all employees except persons covered under federal minimum wage Acts, and farm labor, and domestic employment, and persons who are under sixteen years of age; providing for exceptions to the minimum wage in regard to employees who are incapacitated or who have limited ability due to age, physical or mental condition, or experience and training, providing penalties; to amend and re-enact subsection 1 of section 34-0602, sections 34-0601, 34-0607, 34-0609, 34-0610, 34-0612, 34-0613, and 34-0616 of the North Dakota Revised Code of 1943, relating to minimum wage and hours for women and minors in order to include all employees except minors under regulations affecting minimum wages; and to repeal subsection 3 of section 34-0602, subsections 3 and 4 of section 34-0603, subsections 3 and 4 of section 34-0605 and section 34-0615 of the North Dakota Revised Code of 1943, relating to powers and procedures in the establishment of minimum wages of women.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Mutch
Baeverstad	Johnson	Nesvig
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Roen
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
George	Luick	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand		

Those voting in the negative were:

Becker	Gefreh
--------	--------

Absent and not voting:

Meidinger	Ringsak	Saumur
O'Brien		

So the bill passed and the title was agreed to.

Senate Bill No. 178. A Bill for an Act making an appropriation to the state board of administration for the purpose of lighting the exterior of the state capitol building and the capitol grounds.

Which has been read.

Senator Foss moved that Senate Bill No. 178 be referred to the Committee on Appropriations, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 204 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 217 has had the same under consideration and recommends that the same be amended as follows:

In line 1, after the word "SECTION" insert the numeral "1"

Strike out everything from and including line 4 through 24, and insert in lieu thereof the following:

1 39-0639. (((RIGHT OF APPEAL TO))) REVIEW BY
 2 COURT.) Any person denied a license or whose license
 3 has been canceled, suspended, or revoked by the com-
 4 missioner under the provisions of this chapter, except
 5 where such cancellation or revocation is mandatory
 6 (((under the provisions of this Act, shall have the right
 7 to))), may within thirty days after the determination
 7a by
 8 the commissioner, file a petition (((within thirty days
 9 thereafter))) for a hearing (((in))) of the matter in
 9a the
 10 district court in the county (((wherein))) in which
 10a such
 11 person shall reside or in the county in which the admin-
 12 istrative hearing was held (((; and such court is hereby
 13 vested with jurisdiction and it))). It shall be (((its)))
 14 the duty of the court to set the matter for hearing
 15 (((upon thirty days))), and the petitioner shall give
 16 thirty days written notice thereof to the commissioner
 17 (((and thereupon to))). Thereupon the court shall
 17a take
 18 testimony and examine into the facts of the case and
 19 (((to determine whether the petitioner is entitled to a
 20 license or is subject to suspension, cancellation, or
 21 revocation of license under the provisions of this
 21a Act.)))
 22 shall affirm the decision of the commissioner unless it
 23 finds the evidence insufficient to warrant the con-
 23a clusion
 24 reached. The decision of the district court (((shall be
 25 subject to appeal))) may be appealed to the supreme
 25a court
 26 by either the petitioner or the commissioner, in which
 27 event the supreme court shall hear and determine the
 28 matter de novo upon the record of the proceedings had
 29 in the district court.
 30 The foregoing provisions of this section shall be
 31 legibly printed or stamped upon the notice given to the
 32 applicant or licensee informing him of the action taken
 33 by the commissioner.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 218 has had the same under consideration and recommends that the same be amended as follows:

In line 3, after the word "operator" insert the words "of any aircraft".

In line 7, after the word "negligence" insert a comma and the word "intoxication".

In line 9, after the word "negligence" insert a comma and the word "intoxication".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 231 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title of the bill, after the numerals "1943" delete the period and insert in lieu thereof a comma and the following: "relating to employers paying surviving spouse wages due."

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 238 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 242 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 271 has had the same under consideration and recommends that the same be amended as follows:

In line 12 after triple parenthesis, delete the word "law" and insert in lieu thereof "any statute"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to

whom was referred Senate Bill No. 276 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 279 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 280 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 286 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 546 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 640 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 675 has had the same under consideration and recommends that the same be amended as follows:

In line 10, after the word "administration" delete "semicolon".

And when so amended recommends the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Concurrent Resolution "E" has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 6
 Senate Bill No. 25
 Senate Bill No. 55
 Senate Bill No. 89
 Senate Bill No. 109
 Senate Bill No. 164
 Senate Bill No. 227
 Senate Bill No. 265

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 109

And find the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Erickson and Gronvold introduced:

Senate Concurrent Resolution "CC". A concurrent resolution providing for the amendment of Article 56 of the Amendments to the Constitution of the state of North Dakota.

Was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF HOUSE BILLS

House Bill No. 526. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 531. A Bill for an Act making an appropriation to continue the operation of North Dakota civil defense as provided for by Chapter 37-17 of the North Dakota Revised Code of 1943, as amended.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 712. A Bill for an Act to permit election officials in a common school district election to be paid, and declaring an emergency.

Was read the first time and referred to the Committee on Education.

House Bill No. 733. A Bill for an Act to amend and re-enact Section 15-29082 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary nonresident pupils, tuition, and deterring costs.

Was read the first time and referred to the Committee on Education.

House Bill No. 753. A Bill for an Act to amend section 11-2805 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 11 thereto in order to include among the powers and duties of the board of county park commissioners the right to exercise the power of eminent domain.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 770. A Bill for an Act to amend and reenact section 40-0408 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the changing from a commission system of city government.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 783. A Bill for an Act to amend and reenact subsection 1 of section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the sale of property exempt from sales tax, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 801. A Bill for an Act relating to income taxation to create and enact section 57-38155 of the North Dakota Revised Code of 1943 to provide for retroactive and prospective nonrecognition of gain or loss on certain exchanges of property of a like kind, on certain exchanges by a corporation of its stock for property, on certain exchanges of property for the stock of a corporation, and on exchanges of the same kind of stock in the same corporation; and to create and enact subsection 7 of section 57-3818 of the North Dakota Revised Code of 1943 to provide that gross income shall not include certain stock dividends or stock rights already declared or to be declared.

Was read the first time and referred to the Committee on Finance and Taxation.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 12, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G"

Which the President has signed.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 13, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4
 Senate Bill No. 94
 Senate Bill No. 127
 Senate Bill No. 136
 Senate Bill No. 173
 Senate Bill No. 195
 Senate Bill No. 210
 Senate Bill No. 215

Senate Bill No. 225
 Senate Bill No. 228
 Senate Bill No. 234
 Senate Bill No. 241

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

MOTIONS

Senator Longmire moved that the Senate reconsider the action by which Senate Bill No. 190 was indefinitely postponed, which motion prevailed.

Senator Longmire moved that Senate Bill No. 190 be referred to the Committee on Appropriations, which motion prevailed.

Senator Livingston moved that Senate Bill No. 281 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Livingston requested the unanimous consent of the Senate to withdraw Senate Bill No. 281, which request was granted.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-NINTH DAY

Bismarck, February 13, 1959

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Clifford Nuss, First Baptist, Bismarck:

Our Father in Heaven, instill our hearts during these moments of Divine meditation. Grant to each person assembled in this legislative hall an awareness of Thy Divine Presence and Grace.

We acknowledge Thee as our God from whom proceedeth all power and dominion in Heaven and on earth.

We thank Thee for the history and heritage of this state and nation: that through Thy providence it was established in freedom and preserved in union.

We rejoice that Thou hast put us in trust with imperishable treasures for all mankind. Lord of Grace, make us faithful and help us to fulfill our stewardship as unto Thee.

We bear up in our intercession before Thee Thy servants whom Thou hast counted worthy to be called to positions of trust. We pray for this legislative body now in session. Imbue the members of this Senate with Thy spirit of wisdom, goodness and truth. So guide them by Thy Counsel and bless their endeavors, that the safety, honor and welfare of all the people of this state may be advanced. Grant these a knowledge of Thy Will for today's agenda and give them courageous hearts to do it.

May the peace which passeth all understanding keep our hearts and minds through Christ Jesus, our Lord, in Whose Name we pray. Amen.

Roll Call: All Senators present except Senators Meidinger, O'Brien and Saumur.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-seventh day after recess and thirty-eighth day and find the same correct.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Resolutions were presented from the cities of Watford City, Portland, and Reynolds, relative to Senate Bill No. 86, which resolutions were referred to the Committee on State and Federal Government.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 13, 1959

Mr. President: I have the honor to transmit:

House Bill No. 517

House Bill No. 799

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 78 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 104 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 124 has had the same under consideration and recommends that the same be amended as follows:

In line 12, subdivision "a", after the parentheses delete the word "Four" and insert in lieu thereof the word "Three".

In line 13, delete the word "two" and insert in lieu thereof the word "seven", and after the word "hundred" delete the word "fifty" and insert in lieu thereof the word "sixty".

In line 15, subdivision "b", after the parentheses delete the word "Four" and insert in lieu thereof the word "Three".

In line 16, delete the word "three" and insert in lieu thereof the word "eight" and after the word "hundred" delete the word "seventy" and insert in lieu thereof the word "sixty".

In line 19, after subdivision "c" delete the word "Four" and insert in lieu thereof the word "Three".

In line 20, delete the word "five" and insert in lieu there-

of the word "nine" and after the word "hundred" insert the word "sixty".

In line 23, delete the word "eighty-seven" and insert in lieu thereof the word "seventy-five" and after the word "dollars" delete the words "fifty cents".

In line 26, after the word "of" delete the word "five" and insert in lieu thereof the word "four".

In line 27, delete the word "seven" and insert in lieu thereof the word "nine" and after the word "hundred" delete the word "fifty" and insert in lieu thereof the word "sixty".

In line 29, delete the word "thirty" and insert in lieu thereof the word "twenty-five".

In line 30, delete the word "six" and insert in lieu thereof the word "five" and after the word "thousand" delete the word "two" and insert in lieu thereof the word "three" and after the word "hundred" delete the word "fifty" and insert in lieu thereof the word "sixty".

Delete lines 31 through 51 inclusive.

In line 52, delete the following words "to the general fund of the county".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 151 has had the same under consideration and recommends that the same be amended as follows:

In line 7, after the word "than" delete the words "twelve months" and insert in lieu thereof the words "four years".

And when so amended recommends the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 232 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 243 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 250 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 253 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 254 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 277 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution "Y" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 98 be adopted, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 134 be adopted, which motion prevailed.

Senator Wadson moved that the amendments to Senate Bill No. 262 be adopted, which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senator Berube introduced:

Senate Concurrent Resolution "DD". A concurrent resolution relating to compensation of parking lot attendants.

Was read the first time and referred to the Committee on Appropriations.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 6, 25, 89, 109, 156, 164, 192, 216, 222, 227, 230, 236, 239, 265, 270, 282, House Concurrent Resolutions "F" and "D 1", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 6. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings

and special projects for the State Hospital at Jamestown, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Becker	Holand	Murphy
Brooks	Hystad	Mutch
Erickson	Johnson	Nesvig
Erickstad	Kee	Paulson
Fiedler	Kisse	Redlin
Foss	Klefstad	Ringsak
Freed	Krause	Schrock
Garaas	Larson	Thompson
Gefreh	Lautenschlager	Wadeson
George	Longmire	Wartner
Gilbertson	Luick	Wenstrom
Gronvold	Miller	Yunker

Absent and not voting:

Baeverstad	O'Brien	Trenbeath
Berube	Roen	Van Horn
Livingston	Saumur	Vendsel
Meidinger		

So the bill passed and the title was agreed to.

Senator Holand moved that Senate Bill No. 25 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 89. A Bill for an Act relating to the Bank of North Dakota and providing for the transfer of certain funds from the collection and land department to the general fund and from the general fund to the state highway construction fund and making appropriations therefor and providing for the transfer of funds in the attorney general licensing fund to the general fund of this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Holand	Murphy
Becker	Hystad	Mutch
Berube	Johnson	Nesvig
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Schrock
Foss	Larson	Thompson
Freed	Lautenschlager	Trenbeath
Garaas	Livingston	Vendsel
Gefreh	Longmire	Wadeson
George	Luick	Wartner

Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:

Baeverstad	O'Brien	Saumur
Meidinger	Roen	Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 109. A Bill for an Act relating to sale, regulation, and control of drugs, medicines, chemicals, compounds, and pharmacists and amending and reenacting sections 43-1501, 43-1502, 43-1505, 43-1506, 43-1509, 43-1510, 43-1514, 43-1515, 43-1518, 43-1525 and 43-1530 of the North Dakota Revised Code of 1943, as amended.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Holand	Murphy
Becker	Hernett	Mutch
Berube	Johnson	Nesvig
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Schrock
Foss	Larson	Thompson
Freed	Lautenschlager	Trenbeath
Garaas	Livingston	Vendsel
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:

Baeverstad	Roen	Saumur
Meidinger	O'Brien	Van Horn

So the bill passed and the title was agreed to.

Senate Bill No. 156. A Bill for an Act to repeal sections 47-0304 and 47-0305 of the North Dakota Revised Code of 1943 relating to the accumulation of income.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Mutch
Becker	Hystad	Nesvig
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Roen
Fiedler	Krause	Schrock
Foss	Larson	Thompson

Freed	Lautenschlager	Trenbeath
Garaas	Livingston	Vendsel
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Murphy	
Absent and not voting:		
Baeverstad	O'Brien	Van Horn
Meidinger	Saumur	

So the bill passed and the title was agreed to.

MOTIONS

Senator Gefreh moved that Senate Bill No. 164 be placed at the foot of the calendar, which motion prevailed.

Senator Holand moved that the Senate recess until 1:00 p.m., February 14, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

THIRTY-NINTH DAY AFTER RECESS
AND FORTIETH DAY

Bismarck, February 14, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 192. A Bill for an Act to create and enact section 10-13081 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the sale, lease and dissolution of electrical cooperatives.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Krause	Saumur
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Brooks	Gilbertson	Roen
Erickstad	Larson	Schrock
Gefreh	Meidinger	

So the bill passed and the title was agreed to.

Senate Bill No. 216. A Bill for an Act making an appropriation for the construction of buildings by the state highway department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Fiedler	Krause	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Those voting in the negative were:

Andre Murphy

Absent and not voting:

Brooks	Larson	Roen
Erickstad	Meidinger	Schrock
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 222. A Bill for an Act to amend and reenact subsection 9 of section 39-1601; paragraph 2 of section 39-1605; subsections 2, 3 and 4 of section 39-1614; subsection 2 b. of section 39-1620; and section 39-1624 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to financial responsibility of drivers and owners of motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Saumur
Fiedler	Krause	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Those voting in the negative were:

Ringsak

Absent and not voting:

Brooks	Larson	Roen
Erickstad	Meidinger	Schrock
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 227. A Bill for an Act relating to the clearance of nonnavigable streams and to repeal section 61-0115 of the North Dakota Revised Code of 1943 relating to responsibility of riparian owners to clear beds of streams.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Brooks	Larson	Roen
Gilbertson	Meidinger	Schrock

So the bill passed and the title was agreed to.

Senate Bill No. 230. A Bill for an Act governing the organization and operation of corporations organized for the purpose of insuring titles to real property.

Which has been read.

Senator Garaas stated that he had a personal interest in Senate Bill No. 230, and asked to be excused from voting thereon.

Senator Van Horn moved that Senator Garaas be allowed to vote on Senate Bill No. 230, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 230, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur

Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Brooks	Larson	Roen
Gilbertson	Meidinger	Schrock

So the bill passed and the title was agreed to.

Senate Bill No. 236. A Bill for an Act to amend and re-enact section 35-1205 of the North Dakota Revised Code of 1943 relating to notice to owners before a lien can attach for materials furnished to contractors or subcontractors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand		Yunker

Those voting in the negative were:

Murphy

Absent and not voting:

Baeverstad	Larson	Roen
Brooks	Meidinger	Schrock
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 239. A Bill for an Act to provide for a court administrator for the improvement of the judicial system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	O'Brien

Berube	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Baeverstad	Larson	Roen
Brooks	Meidinger	Schrock
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 265. A Bill for an Act to amend and reenact sections 16-1710 and 16-1715 of the North Dakota Revised Code of 1943 relating to meetings of county committee and the state central committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Brooks	Larson	Roen
Gilbertson	Meidinger	Schrock

So the bill passed and the title was agreed to.

Senate Bill No. 270. A Bill for an Act to amend and reenact section 30-1101 of the North Dakota Revised Code of 1943 relating to persons not competent to serve as executor, administrator, or guardian.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Brooks	Larson	Roen
Gilbertson	Meidinger	Schrock

So the bill passed and the title was agreed to.

Senate Bill No. 282. A Bill for an Act to amend and reenact subsection 2 of section 5-0503 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the qualifications for a license to sell alcohol or alcoholic beverages.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 16; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Krause	Roen
Berube	Larson	Saumur
Freed	Lautenschlager	Thompson
Garaas	Livingston	Trenbeath
Gefreh	Morgan	Van Horn
George	Murphy	Vendsel
Gronvold	Nesvig	Wadeson
Hernett	O'Brien	Wartner
Hystad	Ringsak	Yunker
Johnson		

Those voting in the negative were:

Andre	Holand	Miller
Baeverstad	Kee	Mutch
Erickson	Kisse	Paulson
Erickstad	Klefstad	Redlin
Fiedler	Longmire	Wenstrom
Foss		

Absent and not voting:

Brooks	Luick	Schrock
Gilbertson	Meidinger	

So the bill passed and the title was agreed to.

House Concurrent Resolution "F". A concurrent resolution memorializing the Secretary of Agriculture to re-establish a local testing program for grains that are subject to an application for a federal loan.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Brooks	Meidinger	Schrock
Gilbertson		

So the resolution was declared adopted.

SECOND READING OF A HOUSE
CONCURRENT RESOLUTION

House Concurrent Resolution "D1". A concurrent resolution memorializing Congress to provide full one hundred percent parity for products produced on family-type farms.

Which has been read.

Senator Ringsak moved that House Concurrent Resolution "D 1" be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 25. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board and providing for a deficiency appropriation and making it an emergency.

Which has been read.

Senator Holand moved that Senate Bill No. 25 be amended as follows:

In line 4 of the title delete the words "making it" and insert in lieu thereof the word "declaring".

In line 27, after the word "Board" insert a "period" and delete the rest of the line.

Delete all of line 28.

At the end of the bill add the following Section:

"SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 25 be deemed properly re-engrossed and placed upon the calendar for final action, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 25, as amended from the floor, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Brooks	Meidinger	Schrock.
Gilbertson		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 164. A Bill for an Act to create and enact subsection 6 of section 40-3502 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of the word "undertaking" in the municipal revenue bond law, and declaring an emergency.

Which has been read.

Senator Longmire moved that Senate Bill No. 164 be laid over one legislative day, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 14, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3
Senate Bill No. 19
Senate Bill No. 49
Senate Bill No. 186
Senate Bill No. 196
Senate Bill No. 198
Senate Bill No. 288
Senate Concurrent Resolution "X"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 36 has had the same under consideration and recommends that the same be amended as follows:

In line 7 of the title of the bill, delete the period and insert in lieu thereof the words ", and declaring an emergency."

Following line 30 of the bill insert the following Sections:

31 "SECTION 3. RECORDS MANAGEMENT AND
31a PROCEDURE STUDY;

32 APPROPRIATION.) There is hereby appropriated out
32a of

33 any moneys in the general fund in the state treasury,
34 not otherwise appropriated, the sum of seventy-five
35 thousand dollars or so much thereof as may be neces-
35a sary

36 for the purpose of conducting a records management
36a study

37 of state government including records creation, main-
37a ten-

38 ance and disposal, simplification of office records and
39 procedures and methods of improving the efficiency
39a thereof,

40 the utilization of office and storage space, and such
41 other matters in relation to these subjects as will

42 improve the efficiency of state government. Such
43 study shall be conducted and supervised by a special
43a study

44 committee consisting of the presiding officers of the
45 senate and house of representatives, the respective
46 majority and minority floor leaders of the senate and
47 the house of representatives, the chairman of the legis-
48 lative research committee or a member designated by
49 him, and one member of the senate appointed by the
50 president of the senate and one member of the house of
51 representatives appointed by the speaker. The special
52 committee shall select its own chairman.

53 The special study committee shall be authorized to
54 negotiate a contract with such person, firm or corpora-
55 tion as it may deem necessary to provide professional
56 assistance in carrying out the provisions of this Act
57 and to call upon any state agency, department or
58 institution for such aid, information or assistance as
59 it may deem necessary. Prior to the execution of any
60 contract with any person, firm or corporation for pro-
61 fessional assistance, the special committee shall
62 consult with the governor for the purpose of co-
62a ordinating

63 the study provided for in this section with the study
64 provided for in section 2 of this Act relating to the
65 department of accounts and purchases.

66 The special committee shall be authorized in its
67 discretion to call upon the staff of the legislative
68 research committee to act as secretary of the special
69 committee and to keep its records and accounts, and to
70 reimburse the legislative research committee for its
71 costs in such regard. Members of the special committee
72 shall receive per diem and expense allowances from the
73 appropriation provided herein in the same amount and
74 same manner provided by law for members of the legis-
75 lative research committee.

76 The special committee shall be empowered to direct
77 the various departments, agencies and institutions of
78 this state to take immediate action to implement
79 recommendations forthcoming from such study in all
80 cases where such recommendations are not contrary to

81 present law, or impossible of execution under existing
82 laws.

83 The special committee shall complete its study not
84 later than November 1, 1960, and shall make its report
85 to the Thirty-seventh Legislative Assembly, which
86 report shall be accompanied by suitable legislation
87 to carry out the recommendations made by the special
88 committee which would require special legislation for
89 their implementation.

90 SECTION 4. EMERGENCY.) This Act is hereby
90a declared
91 to be an emergency measure and shall be in full force
92 and effect from and after its passage and approval."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted,
which motion prevailed.

Mr. President: Your Committee on State and Federal
Government to whom was referred Senate Bill No. 86 has
had the same under consideration and recommends that
the same be amended as follows:

In line 28, after word "million", delete the word "eight"
and insert in lieu thereof the word "two".

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted,
which motion prevailed.

Mr. President: Your Committee on Agriculture to whom
was referred Senate Bill No. 166 has had the same under
consideration and recommends that the same be amended
as follows:

In line 124, after the word "filled" delete all of the
language through line 133 and insert in lieu thereof the
following language:

"by the county representatives who shall elect one of
their number as the district member of the commission for
the remainder of the unexpired term. If the vacancy is
from the state at large, either occurring by the expiration of
the term or by other than the expiration of the term such
vacancy shall be filled by appointment by the state wheat
commission. If such appointment is for other than the
expiration of the term such appointment shall be for the
remainder of the term."

In line 268, after the period insert the following language:

"This act shall expire June 30, 1965, unless reenacted
by the legislature."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted,
which motion prevailed.

Mr. President: Your Committee on Political Subdivisions
to whom was referred Senate Bill No. 201 has had the same

under consideration and recommends that the same be amended as follows:

Strike all of lines 30 through 47 and insert in lieu thereof the following language:

- “2. Persons fourteen through seventeen years of age inclusive shall be issued a red license, and such license shall entitle the holder thereof to operate a motor vehicle between the hours of seven o'clock a.m. and twelve o'clock midnight, or at any other time, if such operator is accompanied by his parent or legal guardian:
3. Persons eighteen through twenty years of age inclusive shall be issued a yellow license, which license shall entitle the holder thereof to operate a motor vehicle at any time;
4. Persons twenty-one years of age or older shall be issued a white license, which license shall entitle the holder thereof to operate a motor vehicle at any time.”

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 255 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 266 has had the same under consideration and recommends that the same be amended as follows:

Strike everything after the words “A Bill” and insert the following in lieu thereof:

For an Act to create the North Dakota Seed Potato Act, defining terms and providing for the formation, regulations and administration of the Act, and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. TITLE.) This chapter shall be known as
- 2 the Seed Potato Control Act of North Dakota.
- 3 SECTION 2. DEFINITIONS.) As used in this Act,
- 3a unless
- 4 the context and subject matter otherwise clearly
- 4a requires:
 - 5 1. “Committee” means the seed-control committee
 - 5a of a
 - 6 seed potato control area provided for under this
 - 7 Act.
 - 8 2. “Owner” means any person who is:
 - 9 a. registered as the owner of land in the books
 - 10 of the register of deeds office;
 - 11 b. a purchaser of land under an agreement for

12 purchase registered in the books of the re-
 13 gister of deeds, and who is by the terms of the
 14 agreement liable to pay the taxes on the land;
 15 or

16 c. a homesteader, purchaser, or lessee of land.

17 3. "Seed" means Irish potato-tuber for reproduction
 18 purposes.

19 4. "Seed potato control area" means any seed-potato
 20 control area established in this Act.

21 SECTION 3. SEED POTATO CONTROL AREA:
 22 FORMATION.) Any five owners of land within an
 22a area that

23 propose to have constituted a seed potato control area
 24 under this Act may by public notice call a meeting of
 24a the

25 owners of lands within that area at a time and place
 25a named

26 in the notice. The notice shall contain a description of
 27 the area proposed to be constituted a seed potato
 27a control

28 area. The notice shall be published in the official
 29 newspaper or newspapers of the county or counties in
 29a which

30 the proposed seed potato control area is located not
 30a less

31 than one each week for two successive weeks prior to
 31a the

32 date set for such meeting. Every owner of land with-
 32a in the

33 area may attend and take part in the discussion at
 33a the

34 meeting. A majority of the owners present at the
 34a meeting

35 may decide to circulate a petition for the formation
 35a of a

36 seed potato control area under this Act.

37 SECTION 4. PETITION FOR FORMATION OF AN
 38 AREA.) The petition provided for in section 3 of this
 38a Act

39 shall be addressed to the seed commissioner, in a form
 40 prescribed by the seed commissioner, and shall:

41 1. contain a description of the proposed seed potato
 42 control area;

43 2. state the quality of seed which may be planted in
 44 that area;

45 3. show proof that the members of the proposed
 45a potato

46 control area intend to comply with any rules or
 47 regulations prescribed by the seed commissioner;

47a and

48 4. state the names of at least five persons whom the
 49 petitioners desire to be appointed as members of

50 the seed potato control committee of the seed
 50a control

51 area, and who express in writing their willing-
 51a ness

52 to act.
 53 SECTION 5. POWER OF SEED COMMISSIONER

53a IN
 54 FORMATION OF AREA.) On the presentation of the

54a petition,

55 accompanied by proof of compliance with section 3 of
55a this
56 Act, and showing that the petition is signed by not less
57 than eighty percent of the number of the owners of
57a lands
58 in the proposed seed control area, the seed commis-
58a sioner
59 may by order establish the lands described in the
59a petition
60 as a seed potato control area under such name as may
60a be
61 considered advisable. In establishing the seed control
62 area the seed commissioner may restrict the boun-
62a daries of
63 the seed potato control area to a smaller area than set
64 out in the petition. The seed commissioner may, by
64a the
65 order establishing the seed potato control area or by a
66 subsequent order from time to time, prescribe the
66a quality
67 of seeds that may be planted within the seed potato
68 control area which quality may differ from those
68a stated
69 in the petition.

70 SECTION 6. FORMATION OF A COMMITTEE.)

71 A seed potato control area committee shall consist of
71a three
72 persons who are members of the control area and shall
72a be
73 appointed by the seed commissioner from the list of
73a five
74 names submitted to him under the provisions of sec-
74a tion 4
75 of this Act. The term of office of the members of the
76 committee and the constitution of a quorum shall be
76a governed
77 by bylaws approved by not less than eighty percent
77a of the
78 owners or lessees of land in the seed control area.

79 SECTION 7. POWERS AND DUTIES OF THE
80 COMMITTEE.) The committee shall have the follow-
80a ing
81 powers and duties:

- 82 1. The employment, direction, and supervision of
83 such employees as may be considered necessary
83a to
84 enable the committee effectively to carry out its
85 work.
- 86 2. The keeping of accurate records of the work done
87 and of the cost and expenses incurred by the
88 committee.
- 89 3. The submission from time to time of such reports
90 as the seed commissioner may require.
- 91 4. The manner of charging and collecting of a sum
92 not exceeding two and one-half cents per hun-
92a dred
93 weight for potatoes produced in the seed potato
94 control area.
- 95 5. The appointment from among their members of a
96 chairman and a secretary-treasurer.
- 97 6. The enforcement of this Act and any rules and

- 98 regulations promulgated under the provisions of
 99 this Act.
- 100 7. The committee shall not undertake any expendi-
 100a ture
 101 or incur any liability in excess of the moneys
 102 received under the provisions of this Act.
- 103 SECTION 8. REGULATIONS.) For the purpose of
 103a carry-
 104 ing into effect the provisions of this Act, the seed
 105 commissioner may make such regulations as he con-
 105a siders
 106 necessary or advisable. The power of the seed com-
 106a missioner
 107 to make regulations under this section shall extend to:
- 108 1. Defining, redefining, reducing, or extending the
 109 limits of a seed potato control area;
 - 110 2. Prescribing additional powers and duties of com-
 110a mit-
 111 tees under this Act;
 - 112 3. Prescribing the minimum requirements which
 112a must be
 113 met in the seed selection, seed treatment, field
 114 isolation, cultural practices and in disease
 115 removal and insect control;
 - 116 4. Prescribing the methods of seed potato control
 117 work to be followed by the committee in respect
 118 to any seed potato control area;
 - 119 5. The prescribing and authorizing of the quality
 120 of seed to be grown within a seed potato control
 121 area;
 - 122 6. The canceling of any or all seed potato control
 123 areas;
 - 124 7. Providing for the inspection, testing, and
 124a approval
 125 of the seed to be planted and grown in the area;
 125a and
 - 126 8. To prescribe such other regulations as may be
 127 expedient or necessary to carry out the purposes
 128 and provisions of this Act.
- 129 SECTION 9. RESTRICTIONS PERTAINING TO
 130 QUALITY OF SEED PLANTED OR GROWN.) No
 130a person
 131 shall plant or permit to be planted on any lands of
 131a which
 132 he is the owner or lessee within a seed potato control
 133 area, or within any part thereof, any seed of a quality
 134 other than that prescribed or authorized under this
 134a Act.
- 135 SECTION 10. SALE OF POTATOES PRODUCED
 135a IN
 136 AREA.) No owner or lessee in a seed potato control
 136a area
 137 shall ship potatoes out of the area without first obtain-
 138 ing a permit from the committee and paying the fee
 138a as
 139 fixed by the provisions of this Act.
- 140 SECTION 11. DISSOLUTION OF CONTROL AREA
 140a AND
 141 OF COMMITTEE.) Upon cause shown, and upon such
 141a conditions
 142 and subject to such provisions as may be considered

143 proper, the seed commissioner may by order revoke
 143a and
 144 cancel any potato seed control area and declare the
 145 committee thereof to be dissolved.
 146 SECTION 12. PENALTY.) Any person violating any
 147 of the provisions of this Act is guilty of a misde-
 147a meanor
 148 and shall be punished by a fine not exceeding one
 148a hundred
 149 dollars or by imprisonment in the county jail for not
 150 more than thirty days or by both such fine and im-
 150a prison-
 151 ment.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Resolution No. 3 has had the same under consideration and recommends that the same be amended as follows:

In line 6, delete the word "banking" and insert in lieu thereof the word "lending".

In line 10, delete the word "banking" and insert in lieu thereof the word "lending".

In line 13, delete the word "all" and insert in lieu thereof the word "some".

In line 14, delete the word "banking" and insert in lieu thereof the word "lending".

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wartner moved that the amendments to Senate Bill No. 217 be adopted, which motion prevailed.

Senator Luick moved that the amendments to Senate Bill No. 218 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 231 be adopted, which motion prevailed.

Senator Livingston moved that the amendments to Senate Bill No. 271 be adopted, which motion prevailed.

Senator Livingston moved that the amendments to House Bill No. 675 be adopted, which motion prevailed.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 291. A Bill for an Act to amend and reenact section 27-0723 of the North Dakota Revised Code of 1943 relating to change of judges in county courts when the original county judge is unable to act.

Was read the first time and referred to the Committee on Judiciary.

FIRST READING OF HOUSE BILLS

House Bill No. 517. A Bill for an Act making an appropriation for the use of the North Dakota Economic Development Commission.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 799. A Bill for an Act to amend and reenact section 40-0112 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the audit and allowance of claims and accounts against municipalities.

Was read the first time and referred to the Committee on Political Subdivisions.

MOTIONS

Senator Morgan moved that Senate Bills No. 259 and 260 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Morgan requested the unanimous consent of the Senate to withdraw Senate Bills No. 259 and 260, which request was granted.

Senator Larson moved that Senate Bill No. 278 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Larson requested the unanimous consent of the Senate to withdraw Senate Bill No. 278, which request was granted.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that after the reading of Senate Bills No. 204, 276, 279, 286, and House Bills No. 546 and 640, that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FORTIETH DAY

Bismarck, February 14, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Melvin DeVries, Reformed, Bismarck:

Our Heavenly Father, we are thy children under thy care. We are conscious of our weaknesses and bad judgments. With confidence we approach Thee, the giver of every good and perfect gift and the giver and all righteous and just laws.

May it please Thee to abide with us as we make into laws that which will most fairly and justly best serve the greatest amount of people living in our fair state of North Dakota.

We pray in the name of Thy precious Son, Jesus Christ. Amen.

Roll Call: All Senators present except Senators Brooks, Gilbertson, Meidinger and Schrock.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-eighth day after recess and thirty-ninth day and find the same correct.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

REPORT OF SELECT COMMITTEE

Senator O'Brien: As a member of the committee appointed to the funeral of Mrs. Meidinger I wish to report that Senator Saumur and I attended the funeral along with several state officials including Governor and Mrs. Davis. It was a large funeral and it was easy to see that the Meidinger family is well respected in their community. We presented the memoriam and talked to Senator Meidinger for a few moments. He said that he would be back to the Senate on Wednesday and I hope that all of you will do all you can to assist him in bearing the burden that he has at this time.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 14, 1959

Mr. President: I have the honor to return:

Senate Bill No. 115

Which the House has amended as follows:

In line 18 delete the word "April" and insert in lieu thereof the word "March"

In line 10 delete the words "thirty-first" and insert in lieu thereof the word "thirtieth"

In line 18 delete the word "August" and insert in lieu thereof the word "September"

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 14, 1959

Mr. President: I have the honor to return:

Senate Bill No. 21

Senate Bill No. 46

Senate Bill No. 74

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 14, 1959

Mr. President: I have the honor to transmit:

House Bill No. 502

House Bill No. 507

House Bill No. 509

House Bill No. 516

House Bill No. 525

House Bill No. 527

House Bill No. 538

House Bill No. 569

House Bill No. 570

House Bill No. 572

House Bill No. 585

House Bill No. 589

House Bill No. 590

House Bill No. 594

House Bill No. 609

House Bill No. 614

House Bill No. 628

House Bill No. 641

House Bill No. 647

House Bill No. 649

House Bill No. 653
 House Bill No. 654
 House Bill No. 655
 House Bill No. 663
 House Bill No. 667
 House Bill No. 677
 House Bill No. 681
 House Bill No. 682
 House Bill No. 691
 House Bill No. 710
 House Bill No. 711
 House Bill No. 716
 House Bill No. 725
 House Bill No. 726
 House Bill No. 731
 House Bill No. 732
 House Bill No. 735
 House Bill No. 737
 House Bill No. 738
 House Bill No. 745
 House Bill No. 749
 House Bill No. 755
 House Bill No. 757
 House Bill No. 766
 House Bill No. 779
 House Bill No. 780
 House Bill No. 790
 House Bill No. 791
 House Bill No. 792
 House Bill No. 794
 House Bill No. 795
 House Bill No. 796
 House Bill No. 797
 House Bill No. 804
 House Bill No. 829
 House Bill No. 832
 House Bill No. 839
 House Bill No. 840
 House Bill No. 843
 House Bill No. 851
 House Bill No. 650
 House Concurrent Resolution "Q"
 House Concurrent Resolution "A 1"
 House Concurrent Resolution "J 1"
 House Concurrent Resolution "P 1"
 House Concurrent Resolution "Q 1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 98
 Senate Bill No. 134
 Senate Bill No. 262

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Klefstad moved that the amendments to Senate Bill No. 124 be adopted, which motion prevailed.

Senator Klefstad moved that the amendments to Senate Bill No. 151 be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 78. A Bill for an Act to amend and reenact Section 16-1710 of the North Dakota Revised Code of 1943 and Section 16-1703 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to salaries and mileage of precinct committeemen, and the petition placing precinct committeemen's names on ballot.

Which has been read.

Senator Holand moved that Senate Bill No. 78 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 104. A Bill for an Act to amend and reenact section 16-1204 of the North Dakota Revised Code of 1943, relating to election ballots.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 16; nays, 28; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Larson	Redlin
Berube	Lautenschlager	Thompson
Fiedler	Livingston	Van Horn
Garaas	Murphy	Wartner
Hystad	Nesvig	Yunker
Johnson		

Those voting in the negative were:

Baeverstad	Holand	Mutch
Becker	Kee	O'Brien
Erickson	Kisse	Paulson
Erickstad	Klefstad	Ringsak
Foss	Krause	Roen
Freed	Longmire	Saumur
Gefreh	Luick	Trenbeath
George	Miller	Wadeson
Gronvold	Morgan	Wenstrom
Hernett		

Absent and not voting:

Brooks	Meidinger	Vendsel
Gilbertson	Schrock	

So the bill was declared lost.

Senator Klefstad moved that the vote by which Senate Bill No. 104 was lost be reconsidered and the motion to reconsider be laid on the table:

Which motion prevailed.

Senate Bill No. 204. A Bill for an Act to amend and reenact section 20-0306 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to nonresident hunting, trapping or fishing licenses.

Which has been read.

Senator Holand moved that Senate Bill No. 204 be placed at the foot of the calendar, which motion prevailed.

MOTION

Senator Holand moved that after the reading of Senate Bills No. 98, 134, 232, 243, 262 and House Concurrent Resolution "E", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 276. A Bill for an Act to amend and reenact section 24-1203 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the depositing of garbage on highways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Becker	Kee	Nesvig
Berube	Kisse	O'Brien
Erickson	Krause	Paulson
Erickstad	Larson	Redlin
Fiedler	Lautenschlager	Ringsak
Foss	Livingston	Roen
Freed	Longmire	Saumur
Garaas	Luick	Thompson
George	Miller	Van Horn
Gronvold	Morgan	Wartner
Holand	Murphy	Wenstrom
Hystad	Mutch	Yunker
Johnson		

Those voting in the negative were:

Gefreh Trenbeath

Absent and not voting:

Andre	Hernett	Schrock
Baeverstad	Klefstad	Vendsel
Brooks	Meidinger	Wadeson
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 279. A Bill for an Act to amend and reenact Section 50-0108 of the 1957 Supplement to the North Dakota Revised Code of 1943 providing for members of county welfare board; term of office; oath; compensation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 10; absent and not voting, 7.

Those voting in the affirmative were:

Becker	Larson	Redlin
Erickson	Lautenschlager	Ringsak
Erickstad	Livingston	Saumur
Fiedler	Longmire	Thompson
Garaas	Miller	Trenbeath

Gefreh	Morgan	Van Horn
George	Murphy	Wadeson
Gronvold	Mutch	Wartner
Hernett	Nesvig	Wenstrom
Holand	O'Brien	Yunker
Kee	Paulson	

Those voting in the negative were:

Andre	Hystad	Krause
Berube	Johnson	Luick
Foss	Kisse	Roen
Freed		

Absent and not voting:

Baeverstad	Klefstad	Schrock
Brooks	Meidinger	Vendsel
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 286. A Bill for an Act to amend and reenact Section 50-0604 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Compensation of Members of the Public Welfare Board of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 9; absent and not voting, 9.

Those voting in the affirmative were:

Becker	Kee	O'Brien
Erickson	Larson	Paulson
Erickstad	Lautenschlager	Redlin
Fiedler	Livingston	Saumur
Foss	Longmire	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Those voting in the negative were:

Andre	Johnson	Luick
Berube	Kisse	Ringsak
George	Krause	Roen

Absent and not voting:

Baeverstad	Gilbertson	Schrock
Brooks	Klefstad	Thompson
Freed	Meidinger	Vendsel

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 546. A Bill for an Act providing for the establishment of a rabies control committee and providing for its members and powers and duties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Roen
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Brooks	Klefstad	Schrock
Freed	Meidinger	Vendsel
Gilbertson		

So the bill passed and the title was agreed to.

House Bill No. 640. A Bill for an Act relating to the purchase of intoxicating liquor by or for a person under twenty-one years of age, the furnishing of false evidence as to age, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Roen
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Baeverstad	Gilbertson	Schrock
Brooks	Klefstad	Vendsel
Freed	Meidinger	

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "D1". A concurrent resolution memorializing Congress to provide full one hundred percent parity for products produced on family-type farms.

Which has been read.

Senator Wadeson moved that House Concurrent Resolution "D1" be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that Senate Bill No. 78 be referred to the Committee on Political Subdivisions, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Baeverstad moved that the Senate do not concur in the House Amendments to Senate Bill No. 115, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 115, Senators Mutch, Kee and Johnson.

FIRST READING OF A SENATE
CONCURRENT RESOLUTION

Senators Gefreh and Holand introduced:

Senate Concurrent Resolution "EE". A concurrent resolution directing the legislative research committee to study the feasibility of establishing a department to act as agent for all state departments in the administration and handling of all state-owned mineral interests.

Was read the first time and referred to the Legislative Research Resolutions Committee.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 125 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 168 has had the same under consideration and recommends that the same be amended as follows:

In line 15, delete the word "expedient" and insert in lieu thereof "the work exceeds twelve thousand dollars"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 219 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution "Q" has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 14, 1959

Mr. Speaker: I have the honor to inform you that the Senate refused to concur in House amendment to Senate Bill No. 115 and the President has appointed as a Conference Committee, Senators Mutch, Kee and Johnson.

VIC GILBREATH, Secretary.

MOTION

Senator Holand moved that after the reading of Senate Bills No. 217, 218, 231, 271 and House Bill No. 675, that the Senate recess until 1:00 p.m., February 16, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FORTIETH DAY AFTER RECESS
AND FORTY-SECOND DAY

Bismarck, February 16, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 16, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 115, Reps. Brown, Halcrow and Magnuson.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 98. A Bill for an Act to provide for the education of deaf-blind children outside the state of North Dakota; providing appropriation for this purpose.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad	O'Brien	

Absent and not voting:

Baeverstad	Hernett	Meidinger
Gefreh	Livingston	

So the bill passed and the title was agreed to.

Senate Bill No. 134. A Bill for an Act to amend and reenact section 10-1202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to mutual aid cooperatives in order to provide that such an organization which was established prior to the effective date of the present Act governing such cooperatives shall not have to mandatorily change its name.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Hernett	Meidinger
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So the bill passed and the title was agreed to.

Senate Bill No. 164. A Bill for an Act to create and enact subsection 6 of section 40-3502 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of the word "undertaking" in the municipal revenue bond law, and declaring an emergency.

Which has been read.

Senator Longmire requested the unanimous consent of the Senate to withdraw Senate Bill No. 164, which request was granted.

Senate Bill No. 232. A Bill for an Act relating to apportionment of benefits, to a county, city, village or to any tract, piece or parcel of land benefited by an established drain and not included in the drainage area, or district, served by such drain when established, providing for the consolidation of established drains, and relating to power of board of drain commissioners to secure adequate outlets for such drains.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Kee	Redlin

Becker	Kisse	Ringsak
Berube	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Holand	O'Brien	

Those voting in the negative were:
Brooks

Absent and not voting:

Hernett	Larson	Meidinger
Johnson		

So the bill passed and the title was agreed to.

The President requested the President Pro Tem to preside.

Senate Bill No. 243. A Bill for an Act to amend and re-enact section 16-1708 of the North Dakota Revised Code of 1943 relating to the filling of vacancies of precinct committeemen.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Kee	Redlin
Becker	Kisse	Ringsak
Berube	Klefstad	Roen
Brooks	Krause	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Livingston	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Holand	O'Brien	

Absent and not voting:

Freed	Johnson	Meidinger
Hernett	Larson	

So the bill passed and the title was agreed to.

The President resumed the chair.

Senate Bill No. 262. A Bill for an Act to require public livestock markets or commission firms, to give a duplicate scale ticket to all persons consigning livestock to or purchasing livestock from public livestock markets, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Kee	Redlin
Becker	Kisse	Ringsak
Berube	Klefstad	Roen
Brooks	Krause	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Livingston	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Holand	O'Brien	

Absent and not voting:

Freed	Johnson	Meidinger
Hernett	Larson	

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 21
Senate Bill No. 46
Senate Bill No. 74

And find the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 21
Senate Bill No. 46
Senate Bill No. 74

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 16, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6
Senate Bill No. 25
Senate Bill No. 89
Senate Bill No. 109
Senate Bill No. 156
Senate Bill No. 192
Senate Bill No. 216

Senate Bill No. 222
 Senate Bill No. 227
 Senate Bill No. 230
 Senate Bill No. 236
 Senate Bill No. 239
 Senate Bill No. 265
 Senate Bill No. 270
 Senate Bill No. 282

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 16, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "F"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-SECOND DAY

Bismarck, February 16, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain F. Brien, First Lutheran, Mandan:

Lord Jesus, we acknowledge Thy Kingship and the ever-ready power and love out of eternity. We pray that Thou wilt help us each day to have open eyes to that grace, in order that we may be suitable instruments for the carrying out of Thy will and the extension of Thy Kingdom in all ways. Grant that our zeal may be extended to others in the same manner that it applies to ourselves. Help us so to love that we may properly reflect the riches of Thy love out of eternity—the love that has established Calvary and the resurrection to the end that, through faith in Thee, we may know that same life and love through all eternities!

Roll Call: All Senators present except Senators Hernet and Meidinger.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-ninth day after recess and fortieth day and find the same correct.

SENATOR RINGSACK, Vice Chairman.

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 25

And find the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 124
 Senate Bill No. 151
 Senate Bill No. 217
 Senate Bill No. 218
 Senate Bill No. 231
 Senate Bill No. 271

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

COMMUNICATIONS

A communication was presented from Congressman Don L. Short acknowledging receipt of House Concurrent Resolution "C", and stating that he had forwarded the same to the House Committee on Public Works.

A communication was presented from Congressman Don L. Short acknowledging receipt of House Concurrent Resolution "A" and stating that he had forwarded the same to both the Committee on Agriculture and the Committee on Appropriations.

A petition signed by 26 persons, members of the Wright Farmers Union Local in Dickey and LaMoure Counties relative to Senate Bill No. 166, (The Wheat Commission Bill) was presented and referred to the Committee on Agriculture.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 16, 1959

Mr. President: I have the honor to transmit:

Senate Bill No. 21
 Senate Bill No. 46
 Senate Bill No. 74

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 45 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 92 has had the same under consideration and a majority recommends that the same be placed on the calendar without recommendation.

Raymond Andre
 Walter R. Fiedler
 John O. Garaas
 Charles L. Murphy

John E. Yunker
Lee F. Brooks

Senator Garaas moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same be indefinitely postponed.

Aloys Wartner, Jr.
Adam Gefreh
Ralph J. Erickstad
A. F. Gronvold
George Longmire

SENATOR WARTNER, Chairman.

Senator Erickstad moved that the report of the minority be substituted for that of the majority.

The question was on the motion of Senator Erickstad that the report of the minority be substituted for that of the majority.

Senator Foss requested a call of the Senate, which request was granted.

Senator Foss moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Vendsel requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Erickstad, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Mutch
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Foss	Klefstad	Trenbeath
Freed	Krause	Wadeson
Gefreh	Larson	Wartner
George	Longmire	Wenstrom
Gronvold		

Those voting in the negative were:

Andre	Lautenschlager	Paulson
Baeverstad	Livingston	Redlin
Berube	Luick	Ringsak
Brooks	Miller	Schrock
Fiedler	Morgan	Thompson
Garaas	Murphy	Van Horn
Gilbertson	Nesvig	Vendsel
Hystad	O'Brien	Yunker
Johnson		

Absent and not voting:

Hernett Meidinger

So the motion was declared lost.

The question was on the motion of Senator Garaas that the report of the majority on Senate Bill No. 92 be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 107 has had the same under consideration and recommends that the same be amended as follows:

In line 9, delete “, either” and insert in lieu thereof the following: “may suspend by motion such rate, classification, contract, practice, rule or regulation, but the period of suspension thereof shall not extend more than eleven months beyond the time when it otherwise would go into effect”

In line 10 after the words “without complaint,” insert the words “the commission”

In line 14, delete the “,” after the word “thereon” and insert in lieu thereof a “.”

In line 20 after the triple parenthesis delete the rest of the line.

Delete lines 21 through 23 inclusive

In line 24, delete the word “effect”

Delete lines 32 through 36 inclusive

In line 37, delete the words “of this state”

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LARSON, Vice Chairman.

Senator Larson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 110 has had the same under consideration and recommends that the same be amended as follows:

In line 15 of the title of the bill following the word “more”, insert the following words: “upon approval of the electors”

On line 54 of the engrossed bill delete the words “publish a notice” and delete all material on lines 55 through 67, both lines inclusive, and insert the following words in lieu thereof: “submit the question of the use of parking meters in such municipality to the electors of the city or village at a municipal election, and upon approval of the use of such meters by a majority of the electors voting on such question, the governing body shall be authorized to install and operate parking meters.”

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 139 has had the same under consideration and a majority recommends that the same be amended as follows:

In line 27 strike out the words “association or” and insert in lieu thereof the following words “general farm”

Aloys Wartner, Jr.
John E. Yunker
Lee F. Brooks
Ralph J. Erickstad
A. F. Gronvold
George Longmire

Adam Gefreh
Walter R. Fiedler

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same be amended as follows:

In line 21, insert a period after the word "ballot" and delete all of the language thereafter.

Charles Murphy
John O. Garaas
Raymond Andre

Senator Garaas moved the report of the minority be substituted for that of the majority.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 208 has had the same under consideration and recommends 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 reenact section 49-0511 of the North Dakota Revised Code of 1943, relating to orders issued by the public service commission.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. AMENDMENT.) Section 49-0511 of the
- 1a North
- 2 Dakota Revised Code of 1943 is hereby amended and
- 2a reenacted
- 3 to read as follows:
- 4 49-0511. ORDERS ISSUED BY COMMISSION;
- 4a PERIOD REMAIN-
- 5 ING IN FORCE.) Every order entered by the commis-
- 5a sion shall
- 6 continue in force and effect until the expiration of the
- 7 time, if any, named by the commission in such order or
- 8 until revoked or modified by the commission, unless
- 8a the
- 9 same is suspended, modified, or revoked by order or
- 9a decree
- 10 of a court of competent jurisdiction."

And when so amended recommends the same do pass.

SENATOR LARSON, Vice Chairman.

Senator Larson moved that the report be adopted.

Senator Brooks made the substitute motion that Senate Bill No. 208 be indefinitely postponed, which motion prevailed.

Senator Murphy requested a roll call vote, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Brooks that Senate Bill No. 208 be indefinitely postponed, which motion prevailed, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Johnson	Mutch
Becker	Kee	O'Brien

Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Foss	Larson	Trenbeath
Freed	Livingston	Wadeson
Gefreh	Longmire	Wartner
George	Luick	Wenstrom
Gronvold	Miller	Yunker
Holand	Morgan	

Those voting in the negative were:

Andre	Hystad	Redlin
Berube	Lautenschlager	Schrock
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Vendsel

Absent and not voting:

Hernett	Meidinger
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So the motion was declared carried.

Senator Ringsak moved that the vote by which Senate Bill No. 208 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 220 has had the same under consideration and recommends 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 provide that irregularities and defects occurring in proceedings taken under the provisions of chapter 40-22 of the North Dakota Revised Code of 1943, as amended, relating to improvements by the special assessment method will not invalidate such proceedings, if the proceedings are for a lawful purpose and are unaffected by fraud.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. DEFECTS AND IRREGULARITIES IN
2 IMPROVEMENT PROCEEDINGS ARE NOT FATAL.)

2a. From and

3 after July 1, 1959, defects and irregularities in any
4 proceedings had under chapter 40-22 of the North
5 Dakota Revised Code of 1943, as amended, relating to
6 municipal improvements by the special assessment
7 method, where the proceedings are for a lawful
8 purpose and are unaffected by fraud and do not
9 violate any constitutional limitation or restriction,
10 shall not invalidate such proceedings, and no action
11 shall be commenced or maintained and no defense or
12 counterclaim in any action shall be recognized in the
13 courts of this state founded on any such defects or
14 irregularities in such proceedings, unless commenced
15 within forty-five days of the irregular act."

16 SECTION 2. CONSTRUCTION.) This Act shall be
17 construed as part of and in addition to chapter 40-22
18 of the North Dakota Revised Code of 1943, as amended."

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 224 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 233 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 237 has had the same under consideration and recommends that the same be amended as follows: -

In line 160, delete the words "twenty-five".

Re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 245 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 248 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 249 has had the same under consideration and recommends that the same be amended as follows:

In the title, in the first line delete the words "nonresident contractor's" and insert in lieu thereof the word "contractors"

In line 6, delete the word "nonresident"

In line 29, after the word "commissioner" delete the comma and insert a period. Delete the words "and the liability"

Delete all of lines 30, 31 and 32 and insert in lieu thereof the following:

"Six months after the completion of the contract and the acceptance of the improvement by the owner thereof, the

additional obligation imposed upon said surety company shall cease unless written notice, within such period of time, of unpaid use taxes, is given to the surety company by the state tax commissioner."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 261 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 263 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted.

Senator Murphy made the substitute motion that Senate Bill No. 263 be placed on the calendar, which motion lost.

The question was on the motion of Senator Longmire that the committee report on Senate Bill No. 263 be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 264 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 274 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 290 has had the same under consideration and recommends that the same do pass, and further recommends that the same be referred to the Appropriations Committee.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 291 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 596 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LARSON, Vice Chairman.

Senator Larson moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 16, 1959

Mr. President: I have the honor to transmit:

House Bill No. 632
 House Bill No. 638
 House Bill No. 676
 House Bill No. 698
 House Bill No. 729
 House Bill No. 772
 House Bill No. 810
 House Bill No. 811
 House Bill No. 823
 House Bill No. 842
 House Bill No. 844
 House Concurrent Resolution "P"
 House Concurrent Resolution "T"
 House Concurrent Resolution "U"
 House Concurrent Resolution "V 1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills (by request of Senator Larson) introduced:

Senate Bill No. 292. A Bill for an Act to amend and reenact section 54-2122 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the disposition of the executive mansion, providing for the disposition of the real property upon which said mansion is located, authorizing the board of administration to purchase property near the site of the new executive mansion, and providing for an appropriation.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Holand moved that after the reading of Senate Bills No. 124, 125, 151, 219 and Senate Concurrent Resolution "Q" that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

ANNOUNCEMENT FROM THE CHAIR

Mr. President: When we were on the fifth order of business today a divided committee report was received on Senate Bill No. 139, with both the majority and minority amending the bill. This report is not acceptable and I am going to re-refer the bill to the Committee on Judiciary so that they can bring in the proper report.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate Bill No. 36 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 86 be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 166 be not adopted, which motion prevailed.

Senator Vendsel moved that Senate Bill No. 166 be amended as follows:

After the semi-colon in line 6 of the title of the printed bill, insert the following language: "providing for an election;"

Between lines 268 and 269 of the printed bill insert the following language:

"SECTION 9. ELECTION TO BE CALLED BY GOVERNOR.) Not later than sixty days after the effective date of this Act the governor shall call a special election to determine whether or not the North Dakota state wheat commission shall be established and whether or not the wheat tax as provided for in section 7 of this Act shall be levied. At such election the question shall be 'Shall the North Dakota state wheat commission be established and shall the wheat tax be levied?' After the governor has set the date for such special election, the county agents in each county shall cause notice of such election to be printed at least once each week for two successive weeks in a newspaper of general circulation in the county prior to such election. The election shall be held in the county court houses of the respective counties and the polls shall open and close at such time as the governor may direct. At such special election only those persons who are qualified electors of the county and whose name appears as a wheat producer on the list of the County Stabilization Committee may vote. The county agents of each county shall canvass and certify the votes of the special election to the secretary of state. If a majority of those qualified electors voting at the special election favor the establishment of the North Dakota state wheat commission and the wheat tax levy, the provisions of this Act shall forthwith be carried out. However, if the majority of the voters vote against the question, the North Dakota state wheat commission shall not be established, nor shall the wheat tax be levied. The costs of the special election as provided for in this section shall be paid out of the respective counties' general funds."

In line 269 of the printed bill, change the number "9." to the number "10."

In line 275 of the printed bill change the number "10." to the number "11."

Renumber the lines accordingly.

Senator Vendsel requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Vendsel to amend Senate Bill No. 166, the roll was called and there were ayes, 18; nays, 29; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Lautenschlager	Redlin
Berube	Morgan	Schrock

Fiedler -	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	O'Brien	Vendsel
Hystad	Paulson	Yunker

Those voting in the negative were:

Baeverstad -	Holand	Miller
Becker	Johnson	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Klefstad	Saumur
Foss	Krause	Trenbeath
Freed	Larson	Wadeson
Gefreh	Livingston	Wartner
George	Longmire	Wenstrom
Gronvold	Luick	

Absent and not voting:

Hernett	Meidinger
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So the motion was declared lost.

Senator Larson moved that the amendments to Senate Bill No. 168 be adopted, which motion prevailed.

Senator Klefstad moved that the amendments to Senate Bill No. 201 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Bill No. 266 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Resolution No. 3 be adopted, which motion prevailed.

Senator Becker moved that Senate Bill No. 166 be amended as follows:

In line 124, strike out the word "appointment".

In line 125, strike out the entire line.

In line 126, strike out the words "district concerned or," and insert in lieu thereof the following words: "the county representatives who shall elect one of their number as the district member of the commission for the remainder of the unexpired term."

In line 126, capitalize the letter "i" in the word "if".

Which motion prevailed.

Senator Holand moved that Senate Bill No. 166 be placed on the calendar, as amended from the floor, which motion prevailed.

MOTIONS

Senator Fiedler moved that the Senate reconsider the action by which Senate Bill No. 250 was indefinitely postponed, which motion prevailed.

Senator Fiedler moved that the rules be suspended and that Senate Bill No. 250 be placed upon second reading and final action, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 250. A Bill for an Act to amend and reenact section 11-1317 of the North Dakota Revised Code of 1943, relating to destruction of 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Holand		

Absent and not voting:

Hernett	Longmire	Meidinger
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So the bill passed and the title was agreed to.

FIRST READING OF SENATE BILLS

The Senate Memorial Resolutions Committee introduced:

Senate Memorial Resolution No. 2. A memorial resolution for deceased members of the Senate of the state of North Dakota.

Senator George moved that the rules be suspended and that Senate Memorial Resolution No. 2 be adopted, which motion prevailed.

Senator Brooks moved that the Senate reconsider the action by which Senate Memorial Resolution No. 2 was adopted, which motion prevailed.

Senator Brooks moved that Senate Memorial Resolution No. 2 be re-referred to the Senate Memorial Resolutions Committee, which motion prevailed.

FIRST READING OF A
SENATE CONCURRENT RESOLUTION

Senators Roen, Krause, Erickson, Wenstrom, Livingston, Van Horn and Garaas introduced:

Senate Concurrent Resolution "FF". A concurrent resolution commending the North Dakota Theodore Roosevelt Centennial Commission and its executive director for the excellent work done in commemorating the anniversary of the birth of Theodore Roosevelt.

Was read the first time.

Senator Holand moved that Senate Concurrent Resolution "FF" be printed in the journal and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "FF"

Introduced by Senators Roen, Krause, Erickson, Wenstrom, Livingston, Van Horn and Garaas

A concurrent resolution commending the North Dakota Theodore Roosevelt Centennial Commission and its executive director for the excellent work done in commemorating the anniversary of the birth of Theodore Roosevelt.

1 WHEREAS, the North Dakota Theodore Roosevelt
1a Centennial
2 Commission was created by the Thirty-fifth Legislative
3 Assembly to promote the proper observance of the
3a centennial
4 anniversary of the birth of Theodore Roosevelt; and
5 WHEREAS, the commission initiated and promoted
5a a school
6 program to carry out this observance whereby forty
6a thousand
7 students participated in commemoration programs in
7a more than
8 three thousand schools in this state, and whereby the
8a state
9 University and Agricultural College each awarded
9a honorary
10 degrees as a part of the Theodore Roosevelt observance;
10a and
11 WHEREAS, the Dickinson State Teachers College
11a conducted
12 a symposium of lectures during which several na-
12a tionally
13 prominent personalities delivered addresses, thus
14 greatly enhancing the academic reputation of our
15 state; and
16 WHEREAS, the commission made possible the de-
16a velopment
17 and production of "Old Four Eyes", the now famous
17a outdoor
18 drama which exemplified to the state and the nation
18a the
19 heritage of Theodore Roosevelt and focused the at-
19a tion of
20 the people of the state of North Dakota upon the
20a possibili-
21 ties for future development of tourist attractions within
22 the state; and
23 WHEREAS, the commission, with the cooperation
23a of the
24 North Dakota Bar Association, established a speakers
24a bureau
25 which resulted in over four hundred and fifty addresses
25a being
26 given which indoctrinated the public in the high ideals
26a and
27 sense of public responsibility which were typical of
28 Theodore Roosevelt, all of which greatly benefited the
29 citizens of the state; and
30 WHEREAS, the commission engaged in numerous
30a other
31 activities commemorating the memory of Theodore
31a Roosevelt
32 which, at the same time, focused nationwide attention
32a on
33 the state of North Dakota; and

34 WHEREAS, the national director of the Theodore
 35 Roosevelt Centennial Commission has specifically
 35a stated that
 36 no other state in the Union can match the record of the
 37 North Dakota Theodore Roosevelt Centennial Com-
 37a mission in
 38 the work it has done; and
 39 WHEREAS, the commission could not have done
 39a such an
 40 outstanding job without the full and complete coopera-
 40a tion
 41 of the schools and their officials, the members of the
 42 State Bar Association, the news media of the state and
 42a other
 43 interested parties;
 44 NOW, THEREFORE, BE IT RESOLVED BY THE
 44a SENATE
 45 OF THE STATE OF NORTH DAKOTA, THE HOUSE
 45a OF
 46 REPRESENTATIVES CONCURRING THEREIN:
 47 That we, on behalf of all of the people of this state,
 48 commend the North Dakota Roosevelt Centennial
 49 Commission and its director, Mr. Jack R. Smutz, the
 49a Super-
 50 intendent of Public Instruction, and the officials of the
 51 various participating schools, throughout the state, the
 52 Dickinson State Teachers College, the North Dakota
 52a State
 53 Bar Association, the press, radio and television in-
 53a dustries,
 54 and other friends of the Commission for the excellent
 54a and
 55 public-spirited manner in which the task of properly
 55a obser-
 56 ving the centennial anniversary of the birth of Theo-
 56a dore
 57 Roosevelt was accomplished in this state.
 58 BE IT FURTHER RESOLVED, that a copy of this
 58a resolution
 59 be forwarded by the Secretary of the Senate to Mr.
 59a Jack R.
 60 Smutz, executive director of the North Dakota Theo-
 60a dore
 61 Roosevelt Centennial Commission.

MOTIONS

Senator Holand moved that Senate Bills No. 36 and 86 be re-referred to the Committee on Appropriations, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 229 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution

"U" has had the same under consideration and recommends that the same do pass.

And further recommends that the same be re-referred to the Legislative Research Committee.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

**SECOND READING OF A HOUSE
CONCURRENT RESOLUTION**

House Concurrent Resolution "E". A concurrent resolution memorializing Congress to provide additional funds for the construction of nursing homes.

Which has been read.

Senator Livingston moved that House Concurrent Resolution "E" be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 204. A Bill for an Act to amend and reenact section 20-0306 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to nonresident hunting, trapping or fishing licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 16; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	Redlin
Baeverstad	Kee	Ringsak
Becker	Lautenschlager	Saumur
Berube	Livingston	Schrock
Brooks	Luick	Thompson
Fiedler	Murphy	Van Horn
Garaas	Mutch	Vendsel
George	Nesvig	Wartner
Gronvold	O'Brien	Wenstrom
Hystad	Paulson	Yunker

Those voting in the negative were:

Erickson	Holand	Miller
Erickstad	Kisse	Morgan
Foss	Klefstad	Roen
Freed	Krause	Trenbeath
Gefreh	Larson	Wadeson
Gilbertson		

Absent and not voting:

Hernett	Longmire	Meidinger
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So the bill passed and the title was agreed to.

Senator Brooks moved that the vote by which Senate Bill No. 204 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 217. A Bill for an Act to amend and reenact Section 39-0639 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Right of Appeal to Court.

Which has been read.

Senator Larson moved that Senate Bill No. 217 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 218. A Bill for an Act relating to the liability of owners, operators, and others of aircraft, and defining a "guest".

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Kee	Redlin
Becker	Kisse	Ringsak
Berube	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadson
George	Mutch	Wartner
Gronvold	Nesvig	Wenstrom
Holand	O'Brien	Yunker

Those voting in the negative were:

Brooks	Johnson	Murphy
Gilbertson		

Absent and not voting:

Hernett	Longmire	Meidinger
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So the bill passed and the title was agreed to.

Senate Bill No. 231. A Bill for an Act to amend and re-enact 34-0112 of the North Dakota Revised Code of 1943, relating to employers paying surviving spouse wages due.

Which has been read.

Senator Wartner moved that Senate Bill No. 231 be amended as follows:

In line 1 of the title of the Bill after the word "re-enact" insert the word "section".

Which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 231 be deemed properly re-engrossed and placed on the calendar for final action, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak

Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Luick	Trenbeath
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gronvold	Mutch	Wenstrom
Holand		Yunker

Those voting in the negative were:

Gilbertson Van Horn

Absent and not voting:

Hernett Longmire Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 255. A Bill for an Act to provide that corporations, associations and organizations representing itself to be a taxpayers' group to file statement of all contributions received of more than one hundred dollars per calendar year with secretary of state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 19; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Kee	Paulson
Baeverstad	Krause	Redlin
Berube	Larson	Schrock
Brooks	Lautenschlager	Thompson
Fiedler	Miller	Van Horn
Garaas	Morgan	Vendsel
Gilbertson	Murphy	Wartner
Hystad	Nesvig	Wenstrom
Johnson	O'Brien	Yunker

Those voting in the negative were:

Becker	Gronvold	Mutch
Erickson	Holand	Ringsak
Erickstad	Kisse	Roen
Foss	Klefstad	Saumur
Freed	Livingston	Trenbeath
Gefreh	Luick	Wadeson
George		

Absent and not voting:

Hernett Longmire Meidinger

So the bill passed and the title was agreed to.

Senator Garaas moved that the vote by which Senate Bill No. 255 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 271. A Bill for an Act to amend and re-enact section 5-0121 of the North Dakota Revised Code of 1943 relating to the right of action for damages against persons causing the intoxication of persons causing damage.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Holand		

Absent and not voting:

Hernett	Longmire	Meidinger
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So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 675. A Bill for an Act to amend and reenact Section 12-5202 of the North Dakota Revised Code of 1943, relating to paroles from the state training school; and providing for the parole of children into licensed foster homes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Holand		

Absent and not voting:

Hernett	Longmire	Meidinger
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So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

House Bill No. 502. A Bill for an Act relating to an appropriation for the purpose of administering the provisions of Chapter 52-10 of the 1957 Supplement to the North Dakota Revised Code of 1943, pertaining to social security coverage of public employees.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 507. A Bill for an Act making an appropriation to provide a State Contingency Fund to be placed at the disposal of the State Emergency Commission and to be used as provided by Sections 54-1601 of the 1957 Supplement to the North Dakota Revised Code of 1943, and 54-1602 to 54-1604, inclusive, and 54-1606, and also Section 54-1609 of the North Dakota Revised Code of 1943, and for civil defense.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 509. A Bill for an Act making an appropriation for the purpose of refunding money erroneously paid into or credited to the General Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 516. A Bill for an Act making an appropriation for salaries, operation, maintenance, general and miscellaneous expenses for the State Laboratories Department.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 525. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 527. A Bill for an Act making an appropriation out of the State Treasury for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the Highway Patrol.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 538. A Bill for an Act to amend and reenact chapter 51-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to installment and conditional sales contracts.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No 569. A Bill for an Act relating to the insurers liability under hail insurance policies.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 570. A Bill for an Act to amend and reenact Section 15-2802 of the North Dakota Revised Code of 1943, relating to the number of rural members of school boards.

Was read the first time and referred to the Committee on Education.

House Bill No. 572. A Bill for an Act creating a factor's lien upon merchandise, and the proceeds of the sale thereof, and providing procedures with respect thereto.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 585. A Bill for an Act relating to school attendance and to amend section 15-4701 of the 1957 Supplement.

Was read the first time and referred to the Committee on Education.

House Bill No. 589. A Bill for an Act to amend and re-enact section 52-0413 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the lien of a judgment obtained in an action brought for the recovery of delinquent or defaulted unemployment compensation contributions and restricting the priority of such judgment lien to the same priority held by other judgments.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 590. A Bill for an Act to amend and re-enact section 65-0426 of the North Dakota Revised Code of 1943, relating to the lien of a judgment obtained in an action brought for recovery of delinquent or defaulted workmen's compensation premiums and restricting the priority of such judgment lien to the same priority held by other judgments.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 594. A Bill for an Act to exempt from civil or criminal liability any peace officer, merchant or merchant's employee who takes into custody or detains any person who he has probable cause to believe has committed larceny of goods held for sale.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 609. A Bill for an Act to amend and re-enact subsection 59 of section 40-0501 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the powers of municipalities to accept aid from and cooperate with the federal or any state government or any agency or municipality thereof in the establishment, construction and maintenance of public works projects, to give authority to municipalities having a population of more than thirty thousand according to the last federal census, to agree to hold such governments, agencies and municipalities harmless from liability arising from such projects and to pay the cost of lands, rights-of-way and easements required in connection therewith, and declaring an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 614. A Bill for an Act to amend and re-enact section 23-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to compensation of members of the health council.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 628. A Bill for an Act relating to liquefied petroleum gas, establishing standards of weights and measures therefor, providing for the testing of weighing and measuring devices used in the retail sale thereof, and the condemnation of inaccurate devices, prescribing duties and the authority of the department of weights and measures as to liquefied petroleum gas, and providing penalties.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 641. A Bill for an Act to amend and reenact Section 28-1301 of the 1957 Supplement to the North Dakota Revised Code of 1943, and Section 28-1305 of the North Dakota Revised Code of 1943, relating to affidavits of prejudice in district court, and duties of the judge designated to hear the cause and declaring an emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 647. A Bill for an Act to amend and reenact section 39-0712 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provisions governing repair of vehicles involved in reportable accidents, and providing a penalty for violation.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 649. A Bill for an Act to create and reenact subsection 21 of section 57-0208 of the North Dakota Revised Code of 1943, relating to an exemption to disabled veterans or their unremarried widows from real property assessments.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 650. A Bill for an Act to protect the health, safety, and welfare of the people of the state of North Dakota; defining terms used in this Act; prescribing regulation for the practice of massage and the conduct of massage establishments; providing for the creation of a board of masseurs and defining the powers and duties of such board; providing for the inspection of all massage establishments and requiring the registration of all who practice massage; registration fee, appropriating the proceeds thereof to accomplish the purposes of this Act, and providing penalties for the violation of any provisions of this Act.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 653. A Bill for an Act to amend and reenact section 27-0905 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the fees paid to jurors.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 654. A Bill for an Act to repeal subdivisions a. and b. of subsection 1 of section 18-1011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to territory to be annexed, and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 655. A Bill for an Act to amend and reenact section 18-1001 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to territory to be annexed and petition, and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 663. A Bill for an Act to amend and reenact Section 23-1501 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of fireworks; and to amend and reenact Section 23-1506 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the penalty for violations of Chapter 23-15 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 667. A Bill for an Act prohibiting the sale, distribution and possession of fire extinguishers containing toxic or poisonous vaporizing liquids, and providing a penalty.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 677. A Bill for an Act to amend and reenact section 4-0901 of the 1957 Supplement to the North Dakota Revised Code of 1943 by amending subsection 6 and creating and enacting subsection 23, and to amend and reenact sections 4-0908, 4-0910, and 4-0911 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state seed department.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 681. A Bill for an Act to amend and reenact Section 40-4807 of the North Dakota Revised Code of 1943 relating to the limitations on expenditures to be made by planning commissions of municipalities and authorizing tax levies therefor.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 682. A Bill for an Act to amend and reenact subsection 2 of section 5-0503 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to qualifications required for license.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 691. A Bill for an Act creating a department of civil air patrol, providing for its organization, defining its duties, and making an appropriation.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 710. A Bill for an Act to amend and reenact subsections 3 and 4 of Section 15-3502 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the construction of school buildings, and declaring an emergency.

Was read the first time and referred to the Committee on Education.

House Bill No. 711. A Bill for an Act to amend and reenact Section 15-2511 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary nonresident pupils and determining costs.

Was read the first time and referred to the Committee on Education.

House Bill No. 716. A Bill for an Act to amend and reenact section 30-1604 of the North Dakota Revised Code of 1943 relating to the descent and distribution of real property subject to homestead estate, and declaring an emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 725. A Bill for an Act to amend and reenact section 52-0307 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to administrative use; regulations governing; and section 52-0308 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to advances from the federal unemployment account; regulations governing.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 726. A Bill for an Act to create and enact a subsection to section 52-0921 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to and providing for a refund of contributions made to the old age and survivor insurance system and federal social security program in excess of maximum payments, which excess payments resulted by the transfer from old age and survivor insurance system to the federal social security program, and setting a time limitation when application for refund must be submitted to administrator of old age and survivor insurance system fund.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 731. A Bill for an Act to amend and reenact section 53-0508 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to minors in certain places and providing a penalty.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 732. A Bill for an Act to amend and reenact subsection 8 of section 57-0208 of the North Dakota Revised Code of 1943 relating to tax exempt property of certain charitable and religious institutions.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 735. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-3804 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to allocation of income of residents and providing a credit for income taxes paid to another state or foreign country; providing an effective date; providing for refunds; and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 737. A Bill for an Act to amend and re-enact section 57-0208 of the North Dakota Revised Code of 1943 by creating and enacting a subsection relating to the exemption of certain personal property from ad valorem taxes for blind persons.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 738. A Bill for an Act to amend and re-enact section 57-3849 and subsection 3 of section 57-3842 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to filing and recording income tax liens and relating to time for filing of returns of information at the source.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 745. A Bill for an Act to amend and re-enact section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943, by creating and enacting subsection 9 relating to the exemption from sales tax of gross receipts from the sale of oxygen used for medicinal purposes.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 749. A Bill for an Act to amend and re-enact section 26-2519 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to expense fund assessments of benevolent societies.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 755. A Bill for an Act to amend and re-enact subsection 8 of section 26-0335 of the North Dakota Revised Code of 1943, as amended, relating to provisions required in life insurance policies issued on other than standard forms; and repealing all acts or parts of acts in conflict herewith.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 757. A Bill for an Act to amend and re-enact subdivision d of subsection 1 of section 47-19A11 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to marketable record title and providing for a limitation upon the non-application of said chapter to conditions subsequent; and providing for an effective date.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 766. A Bill for an Act to amend and re-enact sections 57-1522 and 57-15221 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to tax levy limitations in unorganized townships and provide for transfer of funds for special roads and bridges; and to repeal section 57-15191 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to levies for surfacing highways in unorganized townships.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 779. A Bill for an Act to amend and re-enact section 65-0105 of the North Dakota Revised Code

of 1943 and to create and enact section 65-04271 of the North Dakota Revised Code of 1943 relating to workmen's compensation insurance; unlawfully employing uninsured workers; penalty therefor; injunction to restrain unlawful employment of uninsured workers; injunction to restrain employment when premiums are delinquent; injunction to restrain employment for failure to comply with safety rules and regulations; application for injunction; procedure.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 780. A Bill for an Act to amend and reenact section 4-1013 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to grade inspection fees and charges.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 790. A Bill for an Act to regulate the issuance of car warranties, to require a license, bond, approval of car warranty contract form and the filing of rate schedules and to authorize the revocation of license upon breach of warranty contracts, and providing a penalty.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 791. A Bill for an Act to amend and reenact section 57-3902 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the imposing of a sales tax and the effective dates therefor.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 792. A Bill for an Act to repeal Section 24-0235 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the giving of preference to North Dakota residents in bidding on contracts for road and bridge work and materials; and to amend and reenact Section 48-0206 of the 1957 Supplement to the North Dakota Revised Code of 1943, omitting the preference given to North Dakota residents in bidding for contracts for the construction, alteration, or repair of public buildings.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 794. A Bill for an Act to amend and reenact sections 40-4623 and 40-4625 of the North Dakota Revised Code of 1943 relating to employees' pension plan in cities and to repeal section 40-4624 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 795. A Bill for an Act pertaining to police pensions in cities.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 796. A Bill for an Act establishing a tax levy for a city having provided its employees with the federal social security plan.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 797. A Bill for an Act to create and enact subsection 70 of section 40-0501 of the North Dakota Revised Code of 1943, as amended, relating to powers of all municipalities as to employee pension system.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 804. A Bill for an Act to amend and re-enact Section 15-2221 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to dissolution of school districts and attachment of territory.

Was read the first time and referred to the Committee on Education.

House Bill No. 829. A Bill for an Act to amend and re-enact section 64-0210 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to fee schedule for inspection of weighing and measuring devices.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 832. A Bill for an Act to amend and re-enact Section 48-0207 of the North Dakota Revised Code of 1943, relating to allowance and payment of estimates upon public construction; and providing for the repeal of Section 48-0214 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 839. A Bill for an Act to amend and re-enact Section 7-0413 of the North Dakota Revised Code of 1943, relating to loans to members of savings and loan associations or building and loan associations, and providing loan limitation equal to Federally chartered associations.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 840. A Bill for an Act to amend and re-enact section 31-0116 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Compensation and mileage paid to witnesses in civil or criminal cases.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 843. A Bill for an Act authorizing the board of administration to sell, convey, and transfer to the city of Bismarck, North Dakota, as owner and operator of the Bismarck Municipal Airport, a clear zone easement over lands adjacent thereto owned by the State of North Dakota, as the City of Bismarck needs a clear zone easement for extension of its runways over lands owned by the state of North Dakota adjacent to its municipal airport and by it held in trust for the use and benefit of the soil conservation program and districts of the state, and said clear zone easement will not interfere with the use of said land for agricultural purposes.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 851. A Bill for an Act to amend and re-enact section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the authority of

the governor to proclaim lottery seasons for taking of game and to provide for multiple applications.

Was read the first time and referred to the Committee on Natural Resources.

House Concurrent Resolution "Q". A concurrent resolution commending the North Dakota State Highway Department.

Was read the first time and referred to the Committee on Transportation.

House Concurrent Resolution "A1". A concurrent resolution urging state departments, agencies and institutions to employ the printing services of weekly newspaper publishers in the production of state printed matter.

Was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution "J1". A concurrent resolution memorializing Congress to establish and maintain the United States Maritime Service as a uniformed service.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Concurrent Resolution "P1". A concurrent resolution memorializing the Congress of the United States to increase the exemptions on federal income tax.

Was read the first time and referred to the Committee on Finance and Taxation.

House Concurrent Resolution "Q1". A concurrent resolution directing the board of administration to take immediate necessary action to improve the lighting in the legislative chambers.

Was read the first time and referred to the Committee on State and Federal Government.

MOTION

Senator Holand moved that the Senate recess until 1:00 p.m., February 17, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-SECOND DAY AFTER RECESS
AND FORTY-THIRD DAY

Bismarck, February 17, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 86

Senate Bill No. 166

Senate Bill No. 168

Senate Bill No. 266

Senate Resolution No. 3

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 36

Senate Bill No. 201

Senate Bill No. 231

And find the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Wenstrom moved that Senate Bill No. 284 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Wenstrom requested the unanimous consent of the Senate to withdraw Senate Bill No. 284, which request was granted.

SECOND READING OF SENATE BILLS

Senate Bill No. 124. A Bill for an Act to amend and reenact subsection 2 of section 11-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries of County Officers.

Which has been read.

Senator Ringsak moved that Senate Bill No. 124 be indefinitely postponed, which motion prevailed.

Senate Bill No. 125. A Bill for an Act to amend and re-enact section 15-4902 of the North Dakota Revised Code of 1943, and sections 12-1006 and 40-1305 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to personal interests in contracts by public officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Those voting in the negative were:

Brooks Schrock

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 151. A Bill for an Act relating to corrupt practices of candidates for state and national office.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Kisse	Paulson
Baeverstad	Klefstad	Redlin
Becker	Krause	Ringsak
Berube	Larson	Saumur
Brooks	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Freed	Miller	Van Horn
Garaas	Morgan	Vendsel
Hernett	Murphy	Wartner
Hystad	Nesvig	Wenstrom
Johnson	O'Brien	Yunker

Those voting in the negative were:

Erickson	Gilbertson	Luick
Erickstad	Gronvold	Mutch
Foss	Holand	Roen
Gefreh	Kee	Trenbeath
George	Longmire	Wadeson

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 219. A Bill for an Act relating to the organization of small business investment corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Those voting in the negative were:

Gefreh

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "Q". A concurrent resolution requesting the Federal Communications Commission to permit television booster stations in North Dakota.

Which has been read.

Senator Erickson moved that Senate Concurrent Resolution "Q" be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 217. A Bill for an Act to amend and reenact Section 39-0639 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Right of Appeal to Court.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Those voting in the negative were:

Gilbertson	Johnson	Trenbeath
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Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

MOTIONS

Senator Livingston moved that a committee of two be appointed to escort former Senator Franklin Page to the rostrum for a few remarks, which motion prevailed.

The President appointed as such committee Senators Livingston and Longmire and former Senator Franklin Page was escorted to the rostrum and invited to address the Senate.

Mr. Page: Thank you, Mr. President. Members of the Senate. I think most of you in the Senate have heard too much from me in the past. I am just an old has been politician, pretty much out of tune with the present political trend. The words republican and democrat have become almost meaningless in American politics. We have had the fair deal of Roosevelt, the new deal of Truman, and the ordeal of Eisenhower. I don't see many Republicans fighting with Washington and following his advice to keep out of foreign entangling alliances or working with wise old Ben Franklin who said: "This is a republic form of government and we should try to keep it such." We are drifting more and more into socialism everyday. I don't see many Democrats following the philosophy of "Old Hickory", Andrew Jackson, who fought against all concentration of power in Washington.

They tell us a story about Andrew Jackson when he first became a candidate for President of the United States. As most of you know we had a Bank of the United States that had almost a monopoly on the power to expand and contract credit. The manager, Mr. Biddel got ahold of Andy and wanted to know what he was going to do about renewing the charter to the Bank of United States. Andy came back with the remark, "What are you going to do if

I don't?" "I am going to beat you." Andy then asked: "Have you got that much power?" He said: "Yes, I have." As the story goes Andy hit his desk, bit the stem of his corncob pipe and said: "If you have that much power you have got too much power and I am going to beat you." Finances were in pretty tough shape for awhile, but he stuck it out, paid off the debts of the United States and left a cash surplus in the treasury, something no president has done before or since.

If we would follow the philosophy of those old timers we might get along a little bit better today. Thank you.

Senator Trenbeath moved that the remarks of former Senator Page be printed in the journal, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 17, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 98
Senate Bill No. 134
Senate Bill No. 232
Senate Bill No. 243
Senate Bill No. 262
Senate Bill No. 276
Senate Bill No. 279
Senate Bill No. 286

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 17, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 546
House Bill No. 640
House Concurrent Resolution "E"
House Concurrent Resolution "D 1"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 1 has had the same under consideration and recommends that the same be amended as follows:

In line 42 strike out the figure "\$100,000.00" and insert in lieu thereof the figure "\$140,000.00".

In line 44 strike out the figure "\$8,400.00" and insert in lieu thereof the figure "\$8,800.00".

In line 45 strike out the figure "\$37,800.00" and insert in lieu thereof the figure "\$39,000.00".

In line 53 strike out the figure "\$187,265.00" and insert in lieu thereof the figure "\$228,865.00".

In line 57 strike out the figure "\$10,500.00" and insert in lieu thereof the figure "\$11,000.00".

In line 65 strike out the figure "\$24,920.00" and insert in lieu thereof the figure "\$25,420.00".

In line 68 after the word "Salary" and before the word "Judges" strike out the figure "15" and insert in lieu thereof the figure "16".

In line 68 strike out the figure "\$256,000.00" and insert in lieu thereof the figure "\$384,000.00".

In line 73 strike out the figure "\$313,151.00" and insert in lieu thereof the figure "\$441,151.00".

After line 73 insert the following line:
"Subdivision 6".

In line 115 strike out the figure "\$54,175.00" and insert in lieu thereof the figure "\$66,625.00".

In line 117 strike out the figure "\$8,000.00" and insert in lieu thereof the figure "\$9,320.00".

In line 118 strike out the figure "\$2,500.00" and insert in lieu thereof the figure "\$3,380.00".

In line 120 strike out the figure "\$600.00" and insert in lieu thereof the figure "\$2,350.00".

After line 120 insert the following line:

"Liquor Stamps\$18,000.00"

In line 121 strike out the figure "\$2,200.00" and insert in lieu thereof the figure "\$2,585.00".

In line 122 strike out the figure "\$2,380.00" and insert in lieu thereof the figure "\$2,855.00".

In line 123 strike out the figure "\$94,985.00" and insert in lieu thereof the figure "\$130,245.00".

Strike out all of lines 124 through 134.

In line 184 strike out the word "Freight" and insert in lieu thereof the word "Express".

In line 202 strike out the figure "\$40,000.00" and insert in lieu thereof the figure "\$44,500.00".

Strike out all of line 209.

Strike out all of lines 218 through 223.

After line 226 insert the following line:

"Assistant to Commerce Counsel\$12,000.00"

In line 239 strike out the figure "\$5,355.00" and insert in lieu thereof "\$5,610.00".

In line 243 strike out the figure "\$9,000.00" and insert in lieu thereof the figure "\$10,000.00".

In line 248 strike out the figure "\$8,165.00" and insert in lieu thereof the figure "\$8,525.00".

In line 249 strike out the figure "\$387,695.00" and insert in lieu thereof the figure "\$401,310.00".

In line 270 strike out the figure "\$12,000.00" and insert in lieu thereof the figure "\$13,200.00".

In line 271 strike out the figure "\$23,105.00" and insert in lieu thereof the figure "\$25,240.00".

In line 276 strike out the figure "\$825.00" and insert in lieu thereof the figure "\$880.00".

In line 276 strike out the figure "\$1,095.00" and insert in lieu thereof the figure "\$1,170.00".

In line 278 strike out the figure "\$59,525.00" and insert in lieu thereof the figure "\$62,990.00".

In line 349 strike out the figure "\$10,500.00" and insert in lieu thereof the figure "\$11,000.00".

In line 361 strike out the figure "\$152,734.00" and insert in lieu thereof the figure "\$153,234.00".

In line 400 strike out the figure "\$60,000.00" and insert in lieu thereof the figure "\$78,000.00".

In line 406 strike out the figure "\$390,150.00" and insert in lieu thereof the figure "\$408,150.00".

In line 434 strike out the figure "\$11,000.00" and insert in lieu thereof the figure "\$16,000.00".

In line 444 strike out the figure "\$350,950.00" and insert in lieu thereof the figure "\$355,950.00".

In line 447 strike out the figure "\$5,400.00" and insert in lieu thereof the figure "\$22,000.00".

After line 447 insert the following line:

"Deputy \$12,000.00"

In line 448 strike out the figure "\$4,000.00" and insert in lieu thereof the figure "\$9,000.00".

In line 449 strike out the following: "—Postage, Supplies,"

Strike out all of lines 450 and 451.

In line 449 insert the figure "\$4,800.00".

In line 452 strike out the figure "\$5,000.00" and insert in lieu thereof the figure "\$500.00".

In line 453 strike out the figure "\$300.00" and insert in lieu thereof the figure "\$990.00".

After line 453 insert the following line:

"Social Security \$710.00"

In line 454 strike out the figure "\$14,700.00" and insert in lieu thereof the figure "\$50,000.00".

In line 467 strike out the figure "\$6,234,917.00" and insert in lieu thereof the figure "\$6,356,357.00".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 29 has had the same under consideration and recommends that the same be amended as follows:

In line 3 strike out the figure "\$270,580.00" and insert in lieu thereof the figure "\$322,580.00".

In line 8 strike out the period and insert the following: "to-wit:"

After line 8 insert the following lines:

"Salaries and Miscellaneous Expenses....	\$282,580.00
Remodel Francis Hall	40,000.00

Total	\$322,580.00"
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Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 42 has had the same

under consideration and recommends that the same be amended as follows:

In line 11 of the title of the bill after the word "amended," insert the following language: "and to repeal section 39-0513 of the 1957 Supplement to the North Dakota Revised Code of 1943,".

Delete all of the language in lines 28 through 32 of the bill, both lines inclusive, and insert in lieu thereof the following language:

"4. "Dealer" shall mean every person, partnership or corporation engaged in the business of buying, selling or exchanging motor vehicles, or who advertises, or holds himself out to the public as engaged in the buying, selling or exchanging of motor vehicles, or who engages in the buying of motor vehicles for resale. Any person, partnership,"

In line 35 of the bill after the word "dealer" insert the words "in each such location".

In line 138 of the bill, after the semicolon insert the word "or".

In line 163 of the bill following the end bracket at the end of the caption, insert the following: "a."

Delete lines 189 through 224, both lines inclusive, and insert in lieu thereof the following language:

- "4. Twenty miles an hour when the driver's view of the highway ahead is obstructed within a distance of one hundred feet;
5. Twenty-five miles an hour on any highway in a business district or in a residence district or in a public park, unless a different speed limit is designated and posted by local authorities; and
6. Fifty-five miles an hour under other circumstances, unless otherwise permitted, restricted, or required by conditions.

b. The highway commissioner may designate and post special areas of the state highways where the maximum speed limit of sixty-five miles an hour is permitted for passenger vehicles from sunrise to sunset. For the purposes of this section a pick-up truck not exceeding a gross weight of eight thousand pounds shall be regarded as a passenger vehicle. The highway commissioner may also designate and post special areas of state highways where lower speed limits shall be observed as he shall deem warranted by conditions.

c. It shall be unlawful for any person to drive a vehicle upon a highway at a speed that is unsafe or at a speed exceeding sixty-five miles an hour for passenger vehicles or fifty-five miles an hour for trucks. It shall be prima facie unsafe for any person to exceed any highway speed limit prescribed by law or established pursuant to law.

d. In charging a violation of the provisions of this section, the complaint shall specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes shall be prima facie lawful at the time and place of the alleged offense."

In line 276 of the bill after the word "dealer" insert the words "in each such location".

Delete all of lines 269, 270, 271, 272, and through the word "department" in line 273 of the bill and insert in lieu thereof the following language:

- "1. "Dealer" shall mean every person, partnership or corporation engaged in the business of buying, selling or exchanging motor vehicles, or who advertises, or holds himself out to the public as engaged in the buying, selling or exchanging of motor vehicles, or who engages in the buying of motor vehicles for resale."

In line 494 of the bill, after the word "plate" insert the following language: "except trailer plates and dealer's plates".

In line 495 of the bill, delete the word "background".

In line 500 of the bill, delete the word "reflectorized".

Delete lines 783 through 807, both lines inclusive, and insert the following in lieu thereof:

863	24,001-26,000	\$ 159.50	\$ 127.75	\$ 95.75
864	26,001-28,000	187.00	149.75	112.25
865	28,001-30,000	220.00	176.00	132.00
866	30,001-32,000	253.00	202.50	152.00
867	32,001-34,000	286.00	229.00	171.75
868	34,001-36,000	319.00	255.25	191.50
869	36,001-38,000	352.00	281.75	211.25
870	38,001-40,000	385.00	308.00	231.00
871	40,001-42,000	418.00	334.50	251.00
872	42,001-44,000	451.00	361.00	270.75
873	44,001-46,000	484.00	387.25	290.50
874	46,001-48,000	517.00	413.75	310.25
875	48,001-50,000	550.00	440.00	330.00
876	50,001-52,000	583.00	466.50	350.00
877	52,001-54,000	616.00	493.00	369.75
878	54,001-56,000	649.00	519.25	389.50
879	56,001-58,000	682.00	545.75	409.25
880	58,001-60,000	715.00	572.00	429.00
881	60,001-62,000	748.00	598.50	449.00
882	62,001-64,000	781.00	625.00	468.75
883	64,001-66,000	814.00	651.25	488.50
884	66,001-68,000	847.00	677.75	508.25
885	68,001-70,000	880.00	704.00	528.00

Renumber the lines accordingly.

After line 814 of the bill, insert the following language:

- "4. The fee for a trailer identification plate for all privately owned trailers shall be two dollars; for all trailers which are offered for lease or rent to the public, five dollars; and for all commercial trailers, ten dollars."

Delete lines 32a through 34a, both lines inclusive, and insert in lieu thereof the following language:

- "a. It is being demonstrated within a radius of fifteen miles of the licensee's place of business to a prospective buyer, or being tested by a mechanic within a radius of fifteen miles of the licensee's place of business, or"

In line 48a of the bill delete the words "An estab-", and delete lines 49a through 62a, both lines inclusive, and insert in lieu thereof the following language: "An established central place of business, when used in this section, means a permanent and enclosed building or structure either

owned in fee or leased at a stated periodic rental, at which a permanent business of bartering, trading, and selling of motor vehicles, the repair, maintenance, and servicing of motor vehicles and the storage of parts and accessories therefor, will be carried on as such in good faith and not for the purpose of evading this section, and at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business at such place, and shall not mean a residence, tents, temporary stands or other temporary quarters, nor permanent quarters occupied pursuant to any temporary arrangement. Said central place of business may consist of several buildings, or structures, but no building or structure constituting a part of said central place of business shall be located at a distance greater than one thousand feet from any of the other buildings or structures of said central place of business. If the license is granted hereunder the licensee shall be permitted to use unimproved lots and premises for sales, storage and/or display of motor vehicles.

If the licensee desires to remove from the central established place of business occupied when the license is granted, to a new location, he shall first secure from the registrar of motor vehicles permission to do so. He shall be required to furnish proof satisfactory to the registrar that the premises to which he proposes to remove conform to the requirements hereinbefore set forth."

Delete all of lines 119a through 126a of the bill, both lines inclusive, and insert in lieu thereof the following language:

"39-0435. DEALER TO FILE LIST OF USED CARS WITH REGISTRAR; FEES PAID ON USED CARS BY DEALER.) On or before February fifth of each year, a licensed dealer shall file with the registrar a list and a description of all used cars on hand on February first of such year. Such used cars need not be licensed until July first unless they are sold before that date. After July first, each used car on hand must be licensed at the full annual fee but without penalty. Any used car taken in by a dealer after July first of any year, which carries the current year's number plates of another state, if sold within the state, shall be required to pay one-half of the regular fee, and if any such car taken in after October first of any year is sold, one-fourth of the regular fee shall be paid."

In line 307a of the bill after the word "amended," insert the following language: "and section 39-0513 of the 1957 Supplement to the North Dakota Revised Code of 1943".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 135 has had the same under consideration and recommends that the same be amended as follows:

In line 5, delete the triple parenthesis

In line 9, delete the words "three dollars" and insert in lieu thereof "one-half of his weekly benefit amount".

In line 11, delete the triple parenthesis and add a period

Delete lines 12 through 17 inclusive.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 139 has had the same under consideration and recommends that the same be amended as follows:

In line 27 delete the words "association or" and insert in lieu thereof the following words "general farm."

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 142 has had the same under consideration and recommends that the same be amended as follows:

In line 4 of the title of the bill after the word "test" insert the following language: "and to amend and reenact section 39-0101 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 61 and to amend and reenact section 39-0801 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to intoxicating liquor and persons under the influence of intoxicating liquor"

On lines 9, 10 and 11 delete the words "having reasonable grounds to believe the person has been driving or was in actual physical control of" and insert the following words in lieu thereof: "only after placing such person under arrest and informing him that he is or will be charged with the offense of driving"

On line 14 following the word "chemist" delete the comma and insert the word "or" and

On line 15 delete the words "or other qualified person"

After line 102 and before line 103 insert the following language:

"SECTION. INTERPRETATION OF CHEMICAL TESTS.)
Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor, evidence of the amount of alcohol in the person's blood at the time of the act alleged as shown by a chemical analysis of his blood, breath, saliva or urine is admissible.

For the purpose of this section:

1. evidence that there was, at the time, five-hundredths of one percent or less, by weight of alcohol in his blood, is prima facie evidence that the person was not under the influence of intoxicating liquor,
2. evidence that there was at that time, more than five-hundredths of one percent and less than fifteen-hundredths of one percent by weight of alcohol in the

- person's blood is relevant evidence, but it is not to be given prima facie effect in indicating whether the person was under the influence of intoxicating liquor,
3. evidence that there was, at that time, fifteen-hundredths of one percent or more by weight of alcohol in his blood, shall be admitted as prima facie evidence that the person was under the influence of intoxicating liquor,
 4. percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred milligrams of blood,
 5. the results of a test given by means of the Harger Drunkometer or other similar device approved by the American Medical Association and the National Safety Council shall be received in evidence when it is shown that the test was fairly administered."

In line 103 renumber the section by striking the figure "7" and inserting the figure "8".

In line 111 of the printed bill after the word "liquor" insert a comma and the following language: "provided the person shall first have testified in the action"

In line 112 of the bill renumber the section by striking the figure "8" and inserting the figure "9"

In line 117 of the bill renumber the section by striking the figure "9" and inserting the figure "10"

After line 124 of the bill insert the following language:

"SECTION 11. APPLICATION TO PROSECUTIONS UNDER MUNICIPAL ORDINANCES.) The provisions of this Act shall also apply to prosecutions for the violation of municipal ordinances prohibiting the driving or control of a motor vehicle while under the influence of intoxicating liquor.

SECTION 12. AMENDMENT.) Section 39-0101 of the North Dakota Revised Code of 1943, as amended, is hereby amended by creating and enacting subsection 61 to read as follows:

61. "Intoxicating liquor" shall mean and include any beverage containing alcohol.

SECTION 13. AMENDMENT.) Section 39-0801 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

39-0801. PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR NARCOTIC DRUGS NOT TO OPERATE VEHICLE; ((DECLARING WHAT CONSTITUTES BEING UNDER THE INFLUENCE OF INTOXICATING LIQUOR;))) PENALTY.) a. No person shall drive or have under his control any vehicle upon a highway in this state if:

1. He is an habitual user of narcotic drugs or is under the influence of a narcotic drug, or;
2. He is under the influence of intoxicating liquor (((;))). (((a. If in any criminal prosecution for a violation of this subsection, there was at the time alleged as shown by chemical analysis of his breath, urine or other bodily substance, said breath analysis to be made by use of the "Drunkometer" or other similar device approved by the American Medical Association and National Safety Council;

- (1) Five hundredths percent or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor;
 - (2) Fifteen hundredths percent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor;
 - (3) In excess of five hundredths percent but less than fifteen hundredths percent by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant.
- b. The provisions of subdivision a of this subsection shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether or not the defendant was under the influence of intoxicating liquor. No defendant shall be required to submit to any chemical test without his consent.)))
- b. Any person violating any provision of this section shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment. Upon a second or subsequent offense, such person shall be punished by imprisonment for not less than ninety days nor more than one year, and in the discretion of the court, a fine of not more than one thousand dollars."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 144 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of the bill following the word "state" delete the triple parenthesis

In line 7 following the word "county" delete the period and insert the following language: "except that one-half of the fifty percent of the funds allocated to the counties from the registration of trucks having a gross weight of 26,000 pounds or over shall"

In lines 7, 8, 9, and 10 delete the following: "Each county shall be credited with the certificates of title of all motor vehicles registered by residents of such county.))) to"

Following line 29 insert the following language: "Each county shall be credited with the certificate of title of all motor vehicles registered by residents of such county."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 149 has had the same under consideration and recommends that the same be amended as follows:

In line 8 after the word "state" delete the period and the word "The" and insert in lieu thereof the word "the"

In line 13 after the word "vehicle" delete the period and insert in lieu thereof a comma and the words "but in no case shall it be less than the retail book value."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 157 has had the same under consideration and recommends that the same be amended as follows:

In line 7, delete the "." and the triple parenthesis before the word "except"

In line 17, delete the triple parenthesis after the period

In line 23, delete the word "three" and insert in lieu thereof the words "three and seven-tenths"

In line 29, delete the "." and the triple parenthesis before the word "except"

In line 31, after the word "rate" insert the words "of not less than three percent"

In line 35, after the word "year" delete the "." and the triple parenthesis and insert the following: "if he has an employer reserve ratio of at least five percent."

In line 59, delete the word "four" and insert in lieu thereof the word "three"

In line 61, delete the word "four" and insert in lieu thereof the word "three"

Between lines 80 and 81 insert the following words:

"For the calendar year 1960, the schedule of rates to be in effect will not be more than the schedule of rates at column V. If the fund reserve ratio decreases during the calendar year 1960 or any calendar year thereafter, the schedule of rates will not be advanced by more than one column for any calendar year, except that the schedule of rates at column I will be in effect for each calendar year that the fund reserve ratio is less than three percent on December 31st of the preceding calendar year."

In line 132, delete the "4%" under column II and insert in lieu thereof the number "3%"

In line 134, delete the "4%" under column I and insert in lieu thereof the number "3%"

In line 138, delete the "3.0%" in all columns and insert in lieu thereof "3.7%" in all columns.

In line 152, delete the "0.1%" in column VIII and insert in lieu thereof "0.3%" in column VIII

In line 153, delete the "0.1%" in columns VII and VIII and insert in lieu thereof "0.3%" in columns VII and VIII

In line 154, delete the word "over" and insert in lieu thereof the words "less than 16%". In columns VI, VII and VIII, delete "0.1%" and insert in lieu thereof "0.3%" in columns VI, VII and VIII

After line 154, insert the following words "16% and over"; under column I insert "2.7%"; under column II insert "1.5%"; under column III insert "1.1%"; under column IV insert "0.7%"; in columns V, VI, VII and VIII insert "0.3%"

In line 202, delete the triple parenthesis before the word "the"

In line 212, delete the triple parenthesis after the "."

In line 251, delete the word "shall"

In line 252, delete all words in line 252

In line 253, delete the words "rate and"

In line 254, after the word "month" insert the words "plus \$10.00"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 158 has had the same under consideration and recommends that the same be amended as follows:

In the first line in the title after the word "to" add the words "create and"

In line 5, delete the word "group"; and delete the word "system" and insert in lieu thereof the word "plan"

In line 117, delete "832" and insert in lieu thereof the words "and over"

In line 118, delete "832.01 - 885 33 1287"

In line 119, delete "858.01 - 884 34 1326"

In line 120, delete "884.01 - 910 35 1365"

In line 121, delete "910.01 - 936 36 1404"

In line 122, delete "936.01 - 962 37 1443"

In line 123, delete "962.01 - and over 38 1482"

In line 155, delete "twenty-six" and insert in lieu thereof "twenty-four"

Delete all of lines 162 through 172 inclusive.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 165 has had the same under consideration and recommends that the same be amended as follows:

In line 4 strike out the word "three" and insert in lieu thereof the word "two".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 177 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted.

Senator Garaas made the substitute motion that Senate Bill No. 177 be placed on the calendar, which motion was lost.

The question was on the motion of Senator Hernettt that the committee report on Senate Bill No. 177 be adopted, which motion prevailed.

— Senator Wartner moved that the vote by which Senate Bill No. 177 was indefinitely postponed on committee report be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 178 has had the same under consideration and recommends that the same be amended as follows:

In line 2 strike out the word "general" and insert in lieu thereof the words "capitol building".

Renumber the lines if necessary.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 179 has had the same under consideration and recommends that the same be amended as follows:

In line 15 after the word "the" delete the word "municipality" and insert in lieu thereof the word "taxing district"

In line 38 after the word "such" delete the word "excise" and insert in lieu thereof the word "excess"

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 214 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 267 has had the same under consideration and recommends that the same be amended as follows:

In line 8, delete the triple parentheses preceding the word "All"

In line 9, delete the comma after the word "legal" and insert in lieu thereof the word "and".

In line 9, delete the comma after the word "medical".

In line 9, insert triple parentheses around the words "and hospital".

In line 12, delete the triple parentheses after the word "bureau".

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 268 has had the same under consideration and recommends that the same be amended as follows:

In the title of the bill delete the following after the word "schools", ", and declaring an emergency." and insert in lieu thereof a "period"

In line 2, delete the word "purposes" and insert in lieu thereof the word "purpose"

In line 3, delete the words "or not"

In line 7, after the word "least" insert the word "twenty-"

In line 12, delete the word "sixty" and insert in lieu thereof the word "ninety"

In line 21, after the word "school" insert a "comma"

In line 22, delete the word "may" and insert in lieu thereof the word "shall" and insert the following: "in cooperation with the county reorganization committee and the state board of public school education"

In line 22, after the word "prescribe" insert a "comma"

In line 22, delete the word "two" and insert in lieu thereof the word "three"

Strike all of lines 24 through 26

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Vice Chairman.

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 273 has had the same under consideration and recommends that the same be re-referred to the Appropriations Committee, without recommendation.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 275 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of SECTION 1, delete the period following the word "Act", and insert in lieu thereof a comma, and delete the word "that".

In line 8, delete the small "t" in "title" and insert in lieu thereof a capital "T".

In line 81, delete the words "twenty-four" and insert in lieu thereof the words "thirty-six".

In line 120, delete the words "of the peace."

In line 127, following the word "elected" insert the words "or appointed."

In line 152, delete the word "defendant" and insert in lieu thereof the word "state".

In line 153, delete the words "the next nearest" and insert in lieu thereof the word "a".

In line 154, delete the period following the word "justice" and insert the words "for the same county".

In line 316, delete the words "of the peace."

In line 395, delete the word "respective."

In line 429, following the word "jury" delete the word "is" and insert in lieu thereof the word "in".

Delete all the material on lines 528, 529 and 530, and insert in lieu thereof the following: "Section 31. TITLE EFFECTIVE DATE.) This Act shall become effective January 2, 1961. SECTION 32. REPEAL.) Sections 33-0123, 40-1802 and 11-1003 of the North Dakota Revised Code of 1943 is hereby repealed."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 285 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted.

Senator Larson: Mr. President, I have a few remarks to make on this bill and I would like to have them recorded in the journal. First of all there was a lot of testimony given at this hearing concerning the liquor food divorce-ment bill. I would not have put my name on the bill had I not thought it was a temperance measure. There was quite a bit said about the economy of it. I was not at all interested in the profit motive. I don't believe most of the people on the bill were interested in the profit motive. It is a peculiar thing in each state in the union, except the State of North Dakota, the dries have sponsored this legislation, but in North Dakota it is always assumed that the wets sponsor this legislation. I think we have all pretty well agreed that we don't want prohibition, but I don't believe we have solved the liquor problem in North Dakota either. We haven't faced the problem squarely. We haven't even searched for the many solutions that are badly needed. Many emotional people have refused to talk about them at all. Their only answer when we have talked about the liquor problem is no! no! no! Just as if ignoring the problem will solve it. Doctors tell me that medically this bill

is a good idea. Law enforcement people also say that this bill is a good idea, and they are the two classes of people most intimately concerned with the problem. I knew that this bill would fail because of my pre-session study on the subject, but I do believe that the hearing we had the other day has accomplished something. We have a promise from Rev. Burkhart that we will get together, we will try to resolve this problem, and I hope that those of us who are interested in enforcement and those of us who are interested in really solving the problem will do something about it.

The question was on the motion of Senator Hernet that the report of the committee on Senate Bill No. 285 be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 292 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-THIRD DAY

Bismarck, February 17, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain R. H. Feind, Evangelical United Brethren, Bismarck:

Eternal God, Whose mercies are unending, and Whose truth endureth to all generations; we stand before Thee as those who recognize Thy greatness and acknowledge our own limitations.

Thou hast said, "Call upon Me . . . and I will answer thee".

Thy Divine Word declares also "That the effectual fervent prayer of a righteous man availeth much".

Help us to walk before Thee in honor, seeking not so much to please men, as that we may hear Thy "Well Done". Thus when our work in this 36th Legislative Assembly, and in our daily walk of life is done may it all bring glory to Thee, Our God, and blessing and good to our fellowmen. We pray this in the name of Jesus Christ Our Lord, Amen.

Roll call: All Senators present except Senator Meidinger.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fortieth day after recess and forty-second day and recommends that the same be corrected as follows:

On page 442, line 8, delete the figure "116" and insert in lieu thereof the figure "166".

On page 457, line 11, delete the words "Political Subdivisions" and insert in lieu thereof the word "Judiciary".

On page 457, line 17, delete the word "Judiciary" and insert in lieu thereof the word "Agriculture".

And when so corrected recommends that the same be approved.

SENATOR RINGSAK, Vice Chairman.

Senator Ringsak moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 17, 1959

Mr. President: I have the honor to transmit:

House Bill No. 597

House Bill No. 664

House Concurrent Resolution "W 1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 17, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "F"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 17, 1959

Mr. President: I have the honor to return:

Senate Bill No. 21

Senate Bill No. 46

Senate Bill No. 74

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 45, 92, 166, 168, 201, 229, 233, 245, 261, 264, 266, 291 and Senate Resolution No. 3, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

Senator Longmire moved that Senate Bill No. 255 be amended as follows:

In line 5 of the title of the bill delete the period and insert in lieu thereof a comma and the following words: "and providing a penalty."

Which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that consideration of the amendments to Senate Bill No. 107 be laid over one legislative day, which motion prevailed.

Senator Gefreh moved that the amendments to Senate Bill No. 110 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 220 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 237 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 249 be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 78 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after "A BILL" and insert in lieu thereof the following:

"For an Act to amend and reenact sections 16-1706, 16-1710 and 16-1716 of the North Dakota Revised Code of 1943 relating to per diem and mileage of precinct committeemen, and election of precinct committeemen.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section 16-1706 of the
 1a North
 2 Dakota Revised Code of 1943 is hereby amended and
 2a reenacted
 3 to read as follows:
 4 16-1706. CANDIDATES ELECTED AT ELECTION;
 5 TIE VOTE; CANVASSING VOTE; CERTIFICATE OF
 5a ELECTION.)
 6 The candidate, or if more than one precinct committee-
 6a man is
 7 to be elected, the corresponding number of candidates,
 7a re-
 8 ceiving the highest number of votes shall be declared
 9 elected. In case of a tie vote, the election officials
 10 immediately shall decide the winner by drawing lots.
 10a Upon
 11 the closing of the polls, the election officials in each
 12 precinct shall proceed to count and canvass the votes
 12a cast
 13 for precinct committeemen and ascertain who were
 13a elected,
 14 and shall notify the county auditor. The county auditor
 15 shall make out, upon blanks furnished by the county,
 15a and
 16 shall, within seven days after the election mail to each
 16a per-
 17 son elected, a certificate of election which also shall
 17a no-
 18 tify each precinct committeeman of the time and the
 18a place of
 19 the first meeting of the county committee as provided
 20a for in
 21 this chapter.
 22 SECTION 2. AMENDMENT.) Section 16-1710 of the
 22a North
 23 Dakota Revised Code of 1943 is hereby amended and
 23a reenacted
 24 to read as follows:
 25 16-1710. MEETING OF COUNTY COMMITTEE
 26 (((; ORGANIZATION))) .) The county committee of
 26a each party
 27 shall meet in the courthouse at the county seat at two
 28 o'clock p.m. on the third Wednesday after the primary
 28a elec-
 29 tion. The county committee shall organize by:
 30 1. Selecting a chairman, a vice chairman, a secretary,
 31 and a treasurer;

32 2. Adopting rules and modes of procedure not in con-
 33 flict with law; and
 34 3. Selecting an executive committee consisting of
 34a from
 35 five to eleven persons chosen from the county
 35a com-
 36 mittee. The chairman and secretary of the county
 37 committee shall be members of the executive
 38 committee.
 39 In counties having more than one legislative district,
 39a each
 40 legislative district is entitled to representation on the
 41 county executive committee apportioned in the ratio
 41a which
 42 the number of precinct committeemen each legislative
 42a dis-
 43 trict may have bears to the total number of precinct
 43a com-
 44 mitteemen in the county, and shall be selected by the
 44a pre-
 45 cinct committeemen from each legislative district meet-
 45a ing
 46 separately. All elected or appointed precinct commit-
 46a teemen
 47 of each political party attending the meeting as pro-
 47a vided
 48 for in this section shall receive five dollars per day for
 49 each day actually spent at such meeting and in addition
 50 shall receive seven and one-half cents per mile for
 50a each
 51 mile traveled to and from such meeting. The salary
 51a and
 52 mileage provided for in this section shall be paid from
 52a the
 53 county treasury.
 54 SECTION 3. AMENDMENT.) Section 16-1716 of the
 64a North
 55 Dakota Revised Code of 1943 is hereby amended and
 55a reenacted
 56 to read as follows:
 57 16-1716. MEETING OF PRECINCT COMMITTEE-
 57a MEN
 58 OF COUNTY TO ELECT DELEGATES TO STATE
 58a PARTY
 59 CONVENTION: PROXIES.) At two o'clock p.m. on the
 59a first
 60 Wednesday in May in each presidential election year,
 60a the
 61 precinct committeemen of each county shall meet at the
 62 county seat to elect delegates to a state party conven-
 62a tion
 63 to be held as provided in this chapter. One delegate
 63a shall
 64 be elected for each three hundred votes or majority
 64a fraction
 65 thereof cast in such county at the last preceding
 65a presiden-
 66 tial election for the candidates for presidential electors
 67 of such party, but every county shall be entitled to at
 68 least one delegate. Delegates shall be electors of their

69 county. If any delegate shall be unable to attend such
69a con-
70 vention, he shall designate in writing an alternate to
71 attend and represent and act for him. In counties hav-
71a ing
72 more than one legislative district, the precinct com-
72a mittee-
73 men from each legislative district, meeting separately,
74 shall elect delegates to the state party convention. One
75 delegate shall be elected for each three hundred votes,
75a or
76 major fraction thereof, cast in said legislative district
77 at the last preceding presidential election for the candi-
78 dates for presidential elector of such party, but each
79 legislative district shall be entitled to at least one
80 delegate. All elected or appointed precinct committee-
80a men
81 of each political party or his alternate attending the
82 meeting as provided for in this section shall receive
82a five
83 dollars per day for each day actually spent at such
83a meeting
84 and in addition shall receive seven and one-half cents
84a per
85 mile for each mile traveled to and from such meeting.
85a The
86 salary and mileage provided for in this section shall be
87 paid from the county treasury."

And when so amended recommends the same be placed on the calendar without recommendation.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 111 has had the same under consideration and recommends that the same be amended as follows:

Delete the title of the bill and insert the following in lieu thereof:

"For an Act to amend subsection 1 of section 20-0205 of the North Dakota Revised Code of 1943 to provide for the appointment and removal of a chief warden, district deputy wardens, biologists and technicians, and other employees and to repeal sections 20-0208 of the North Dakota Revised Code of 1943 and 20-0211 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the appointment of a chief warden and deputy district wardens."

Delete lines 1 through 14, both lines inclusive

In line 31 delete the words "DEPUTY COMMISSIONER,"

Delete all of lines 36 and 37

In line 38 delete the numeral "2" and insert the numeral "1" in lieu thereof

In line 41 delete the numeral "3" and insert the numeral "2" in lieu thereof

In line 45 delete the numeral "4" and insert the numeral "3" in lieu thereof

In line 63 after the word "than" add the following: "the deputy commissioner, and"

In line 103 delete the words and numerals "Sections 20-0206 and" and insert the word "Section" in lieu thereof. Renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Baeverstad, Krause, Roen and Holand introduced:

Senate Concurrent Resolution "GG". A concurrent resolution directing the legislative research committee to study the equities of the present formula for the distribution of motor vehicle license fees to counties, and to study methods to insure that motor vehicle registration certificates are credited to the proper county.

Was read the first time and referred to the Legislative Research Resolutions Committee.

Senators Krause, Baeverstad, Roen and Holand introduced:

Senate Concurrent Resolution "HH". A concurrent resolution directing the legislative research committee to study the equities of the present formula for distribution of the oil and gas production tax.

Was read the first time and referred to the Legislative Research Resolutions Committee.

Senators Foss and Erickstad introduced:

Senate Concurrent Resolution "II". A concurrent resolution directing the legislative research committee to study the physical and instructional facilities of the state training school with a view to determining its suitability to the rehabilitation and preparation of the youngsters at the institution.

Was read the first time and referred to the Legislative Research Resolutions Committee.

SECOND READING OF SENATE BILLS

Senate Bill No. 45. A Bill for an Act to amend and reenact section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the designation of the state highway system.

Which has been read.

Senator Holand moved that Senate Bill No. 45 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 92. A Bill for an Act to amend and reenact sections 16-0415 and 16-1705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to primary election ballots and precinct committeemen, and to amend and reenact section 16-1703 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to precinct committeemen ballot.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Redlin
Baeverstad	Johnson	Ringsak
Berube	Lautenschlager	Schrock
Brooks	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Gilbertson	Paulson	Yunker

Those voting in the negative were:

Becker	Holand	Miller
Erickson	Kee	Morgan
Erickstad	Kisse	Mutch
Foss	Klefstad	Roen
Freed	Krause	Saumur
Gefreh	Larson	Trenbeath
George	Livingston	Wadeson
Gronvold	Longmire	Wartner
Hernett	Luick	Wenstrom

Absent and not voting:

Meidinger

So the bill was declared lost.

Senator Wartner moved that the vote by which Senate Bill No. 92 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 166. A Bill for an Act to promote development, utilization and marketing of wheat grown in North Dakota; declaring public policy and purpose; creating the North Dakota State Wheat Commission and prescribing its powers, authority and duties; providing funds by the levy of an excise tax and appropriation of the proceeds; and declaring an emergency, and providing a penalty.

Which has been read.

Senator Holand move that Senate Bill No. 166 be laid over one legislative day, which motion prevailed.

Senate Bill No. 168. A Bill for an Act to amend and reenact section 48-0202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the procurement of plans, drawings, and specifications from a licensed architect when a public building is altered, repaired, or constructed.

Which has been read.

Senator Ringsak moved that Senate Bill No. 168 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 201. A Bill for an Act to amend and reenact section 39-0614 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the issuance and types of motor vehicle operators licenses.

Which has been read.

Senator Ringsak moved that Senate Bill No. 201 be amended as follows:

In paragraph two delete the words "twelve o'clock midnight" and insert in lieu thereof the words "one o'clock A.M."

Which motion was lost.

ROLL CALL

The question being on the final passage of Senate Bill No. 201, as amended, the roll was called and there were ayes, 23; nays, 25; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gefreh	Livingston
Baeverstad	George	Longmire
Becker	Holand	Luick
Erickson	Johnson	Redlin
Fiedler	Kee	Saumur
Foss	Klefstad	Thompson
Freed	Larson	Trenbeath
Garaas	Lautenschlager	

Those voting in the negative were:

Berube	Miller	Roen
Brooks	Morgan	Schrock
Erickstad	Murphy	Van Horn
Gilbertson	Mutch	Vendsel
Gronvold	Nesvig	Wadeson
Hernett	O'Brien	Wartner
Hystad	Paulson	Wenstrom
Kisse	Ringsak	Yunker
Krause		

Absent and not voting:

Meidinger

So the bill was declared lost.

Senator Erickstad changed his vote from aye to nay for the purpose of reconsideration.

Senate Bill No. 229. A Bill for an Act protecting sources of information of gatherers of news.

Which has been read.

Senator O'Brien moved that Senate Bill No. 229 be laid over one legislative day, which motion prevailed.

Senate Bill No. 233. A Bill for an Act authorizing the highway commissioner to redesignate as a part of the state highway system, highways which have been previously removed from the system.

Which has been read.

Senator Krause moved that Senate Bill No. 233 be laid over one legislative day, which motion prevailed.

Senate Bill No. 245. A Bill for an Act to amend and reenact sections 47-2102, 47-2103, 47-2104, 47-2105, 47-2106, 47-2107 and 47-2108 of the North Dakota Revised Code of 1943, relating to the tax levied on the selling and licensing of performing rights of music or dramatico-musical compositions, and to provide for transfer of records.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

Senator Holand moved that Senate Bill No. 45 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 45. A Bill for an Act to amend and reenact section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the designation of the state highway system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Miller
Baeverstad	Holand	Morgan
Becker	Hystad	Mutch
Brooks	Johnson	Redlin
Erickson	Kee	Ringsak
Erickstad	Kisse	Roen
Fiedler	Klefstad	Saumur
Foss	Krause	Schrock
Freed	Larson	Trenbeath
Gefreh	Lautenschlager	Wadeson
George	Livingston	Wartner
Gilbertson	Longmire	Wenstrom
Gronvold	Luick	Yunker

Those voting in the negative were:

Berube	Nesvig	Thompson
Garaas	O'Brien	Van Horn
Murphy	Paulson	Vendsel

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 261. A Bill for an Act authorizing factory representatives of passenger motor vehicle manufacturers to purchase a manufacturer's plate which shall be in lieu

of all registration fees, sales tax, and use tax on the passenger motor vehicles used by such representatives in the course of their employment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Erickson	Kee	Redlin
Erickstad	Kisse	Ringsak
Fiedler	Klefstad	Roen
Foss	Krause	Saumur
Freed	Larson	Schrock
Garaas	Lautenschlager	Trenbeath
Gefreh	Livingston	Wadeson
George	Longmire	Wartner
Gilbertson	Luick	Wenstrom
Gronvold	Miller	Yunker
Hernett	Morgan	

Those voting in the negative were:

Berube	Paulson	Van Horn
Brooks	Thompson	Vendsel
Murphy		

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 264. A Bill for an Act to create a motor vehicle registration reciprocity commission; to define its powers and duties; and to provide for reciprocal use of the highways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Klefstad	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 266. A Bill for an Act to create the North Dakota Seed Potato Act, defining terms and providing for the formation, regulations and administration of the Act, and providing a penalty.

Which has been read.

Senator Wadson moved that Senate Bill No. 266 be laid over one legislative day, which motion prevailed.

Senate Bill No. 291. A Bill for an Act to amend and reenact section 27-0723 of the North Dakota Revised Code of 1943 relating to change of judges in county courts when the original county judge is unable to act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

SECOND READING OF SENATE RESOLUTIONS

Senate Resolution No. 3. A resolution requesting all lending agencies in the state of North Dakota, including the Bank of North Dakota, to refrain from charging discounts to borrowers on home loans.

Which has been read.

Senator Vendsel moved that Senate Resolution No. 3 be adopted, which motion prevailed.

Senate Concurrent Resolution "FF". A concurrent resolution commending the North Dakota Theodore Roosevelt Centennial Commission and its executive director for the excellent work done in commemorating the anniversary of the birth of Theodore Roosevelt.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "FF" be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 21

Senate Bill No. 46

Senate Bill No. 74

Were delivered to the Governor for his approval at the hour of 3:15 o'clock p.m., February 17, 1959.

SENATOR ERICKSON, Chairman.

FIRST READING OF HOUSE BILLS

House Bill No. 632. A Bill for an Act to amend and reenact section 11-1010 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries of county officers.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 638. A Bill for an Act to amend and reenact section 27-1603 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the compensation of juvenile commissioners, and amending Title 27 of the North Dakota Revised Code of 1943 by creating section 27-16031 providing for the appointment of juvenile court assistants and section 27-16032 providing for the compensation and expenses of juvenile court assistants.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 676. A Bill for an Act to amend and reenact subsection 1 of section 27-1701 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to retirement of Supreme Court judges and District Court judges.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 698. A Bill for an Act authorizing the establishment and construction of a state historical museum at or near the city of Pembina, North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 729. A Bill for an Act to amend and reenact Section 29-2618 of the 1943 Revised Code of North Dakota relating to evidence in aggravation or mitigation of punishment; how presented.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 772. A Bill for an Act to amend and reenact section 10-2210 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to service of process on foreign corporation.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 810. A Bill for an Act to amend and reenact section 52-0503 of the North Dakota Revised Code of 1943, relating to employment not included within title may be deemed subject to the provisions of this title when.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 811. A Bill for an Act to prohibit the construction of any utility or transmission line within one hundred two feet of any public highway right of way, exceptions, and enforcement, and providing for relocation of right of way.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 823. A Bill for an Act to amend and reenact Section 50-0921 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to amount the county is liable for payments for Aid to Dependent Children and providing for reimbursement by the county.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 842. A Bill for an Act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and to provide funds for their payment; providing that this act may be cited as "The 1959 Bond Validating Act", and declaring an emergency.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 844. A Bill for an Act to amend and reenact section 30-2610 of the North Dakota Revised Code of 1943, relating to undertaking on appeal from a county court.

Was read the first time and referred to the Committee on Judiciary.

House Concurrent Resolution "P". A concurrent resolution directing the state welfare board and department to pay full costs of hospitalization for welfare patients, and recommending adoption of the federal reimbursement cost formula.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Concurrent Resolution "T". A concurrent resolution memorializing the village of Medora to take all action possible to preserve and restore Medora as a pioneer cattle town.

Was read the first time and referred to the Committee on State and Federal Government.

House Concurrent Resolution "U". A concurrent resolution urging the Governor of the State of North Dakota to appoint a commission to work with the village of Medora in the formulation, development and completion of a plan aimed at restoring the pioneer cattle town, and authorizing and directing the State's schools of higher learning to assist in the development of the plan.

Was read the first time and referred to the Committee on State and Federal Government.

TUESDAY, FEBRUARY 17, 1959

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House Concurrent Resolution "V-1". A concurrent resolution requesting the Corps of U. S. Army Engineers to study and investigate the most feasible means of protecting from erosion the banks of the Missouri River in the reaches thereof between the Oahe Reservoir and Garrison Dam.

Was read the first time and referred to the Committee on Natural Resources.

MOTION

Senator Holand moved that the Senate recess until 1:00 p.m., February 19, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-THIRD DAY AFTER RECESS

Bismarck, February 18, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 220

Senate Bill No. 237

Senate Bill No. 249

Senate Bill No. 255

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 110

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 168. A Bill for an Act to amend and reenact section 48-0202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the procurement of plans, drawings, and specifications from a licensed architect when a public building is altered, repaired, or constructed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson

Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 292. A Bill for an Act to amend and re-enact section 54-2122 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the disposition of the executive mansion, providing for the disposition of the real property upon which said mansion is located, authorizing the board of administration to purchase property near the site of the new executive mansion, and providing for an appropriation.

Was read the second time.

Senator Holand moved that Senate Bill No. 292 be laid over one legislative day, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 18, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 125
 Senate Bill No. 151
 Senate Bill No. 204
 Senate Bill No. 217
 Senate Bill No. 218
 Senate Bill No. 219
 Senate Bill No. 231
 Senate Bill No. 250
 Senate Bill No. 255
 Senate Bill No. 271
 Senate Concurrent Resolution "Q"
 Senate Concurrent Resolution "FF"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 18, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 675
 Which the Senate has amended.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 18, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 596
 Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

MOTIONS

Senator Erickstad moved that the Senate reconsider the action by which Senate Bill No. 201 was lost, which motion prevailed.

Senator Gefreh moved that Senate Bill No. 201 be amended as follows:

In line 30, delete the word "seventeen" and insert in lieu thereof the word "sixteen".

In line 38, delete the word "eighteen" and insert in lieu thereof the word "seventeen".

Which motion prevailed.

Senator Gefreh moved that Senate Bill No. 201 be placed on the calendar, as amended from the floor, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the reading of the amendments to Senate Bills No. 1, 29, 42, 135, 139, 142, 144, 149, 157, 158, 165, 178, 179, 267, 268, and 275, be dispensed with, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 1 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 29 be adopted, which motion prevailed.

Senator Luick moved that the amendments to Senate Bill No. 42 be adopted, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 135 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 139 be adopted.

Senator Garaas made the substitute motion that Senate Bill No. 139 be amended as follows:

On line 21 following the word "ballot" insert a period and delete the balance of the line.

Delete line 22 through 27 inclusive.

Renumber the lines accordingly.

Senator Garaas requested a recorded roll call, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Garaas, the roll was called and there were ayes, 10; nays, 39; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Schrock
Berube	Murphy	Thompson
Garaas	Paulson	Vendsel
Gilbertson		

Those voting in the negative were:

Baeverstad	Johnson	Mutch
Becker	Kee	Nesvig
Brooks	Kisse	O'Brien
Erickson	Klefstad	Redlin
Erickstad	Krause	Ringsak
Fiedler	Larson	Roen
Foss	Lautenschlager	Saumur

Freed	Livingston	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gronvold	Meidinger	Wartner
Hernett	Miller	Wenstrom
Holand	Morgan	Yunker

So the motion was declared lost.

The question was on the motion of Senator Wartner to adopt the committee report on Senate Bill No. 139, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 142 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 144 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 149 be adopted.

Senator Wartner made the substitute motion that Senate Bill No. 149 be indefinitely postponed, which motion prevailed.

Senator Wartner moved that the vote by which Senate Bill No. 149 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 157 be adopted, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 158 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 165 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 178 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 179 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 267 be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "F"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 18, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "F"

Which the President has signed.

VIC GILBREATH, Secretary.

COMMUNICATIONS

A communication was presented from Jamestown College reading as follows:

JAMESTOWN COLLEGE
 acknowledges with appreciation the gift of
 Forty-nine dollars
 in memory of
 Clara Meidinger
 for Memorial Scholarships

Edwin H. Rian, President

A communication was received from Senator Meidinger which was read from the desk.

Senator Saumur moved that the communication from Senator Meidinger be printed in the journal, which motion prevailed.

February 18, 1959

Hon. C. P. Dahl
 Members of the Senate

Thank you for your kind expressions of sympathy and understanding in our recent tragic loss. Twenty-two years of a happy marriage leaves many pleasant memories.

I have faith in God's infinite wisdom, justice and above all mercy.

I am ready to help you with the difficult tasks at hand.

(Signed) Roland.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 37 has had the same under consideration and a majority recommends that the same do pass and further recommends that the same be referred to the Appropriations Committee.

Bronald Thompson
 Isak Hystad
 P. L. Foss
 A. W. Luick
 O. S. Johnson
 Lester N. Lautenschlager
 Selmer Gilbertson

A. W. LUICK, Chairman.

Senator Luick moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same be indefinitely postponed.

Fred Krause, Jr.
 Harry W. Wadson
 Lee F. Brooks
 Amos Freed
 H. B. Baeverstad
 C. G. Kee

Senator Baeverstad moved that the report of the minority be substituted for that of the majority.

Senator Brooks requested a call of the Senate, which request was granted.

Senator Brooks moved that the call of the Senate be dispensed with, which motion prevailed.

The question was on the motion of Senator Baeverstad that the report of the minority be substituted for that of the majority on Senate Bill No. 37, which motion was lost.

The question was on the motion of Senator Luick that the report of the majority be adopted on Senate Bill No. 37, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 7 has had the same under consideration and recommends that the same be amended as follows:

After line 15 insert the following lines: "Salary Adjustment in lieu of Sustenance Allowance.....\$41,420.00"

In line 16 strike out the figure "\$322,900.00" and insert in lieu thereof the figure "\$307,900.00"

In line 26 strike out the figure "\$940,281.00" and insert in lieu thereof the figure "\$966,701.00".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Senator Vendsel made the substitute motion that Senate Bill No. 7 be amended as follows:

After line 25 insert the following:

"5. Education and administration building.....\$425,000.00"

In line 26 change the total to read "\$1,365,281.00"

Renumber the lines accordingly.

Which motion was lost.

Senator Foss moved that Senate Bill No. 7 be amended as follows:

In line 3 following the comma after the word "income" insert the following words: "an amount equal to \$180,000 from the state equalization fund,"

Renumber the lines accordingly.

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 190 has had the same under consideration and recommends that the same be amended as follows:

In line 3 strike out the word "three".

In line 4 strike out the words "hundred and".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 191 has had the same under consideration and recommends that the same be amended as follows:

In line 14 strike out the figure "\$43,200.00" and insert in lieu thereof the figure "\$25,000.00".

In line 15 strike out the figure "\$7,200.00" and insert in lieu thereof the figure "\$5,000.00".

In line 16 strike out the figure "\$21,600.00" and insert in lieu thereof the figure "\$10,000.00".

In line 17 strike out the figure "\$6,000.00" and insert in lieu thereof the figure "\$3,000.00".

In line 18 strike out the figure "\$40,000.00" and insert in lieu thereof the figure "\$15,000.00".

In line 19 strike out the figure "\$42,000.00" and insert in lieu thereof the figure "\$25,000.00".

In line 20 strike out the figure "\$10,000.00" and insert in lieu thereof the figure "\$8,000.00".

In line 21 strike out the figure "\$12,000.00" and insert in lieu thereof the figure "\$5,000.00".

In line 22 strike out the figure "\$1,260.00" and insert in lieu thereof the figure "\$1,000.00".

In line 23 strike out the figure "\$1,200.00" and insert in lieu thereof the figure "\$1,000.00".

In line 24 strike out the figure "\$1,328.00" and insert in lieu thereof the figure "\$1,000.00".

In line 25 strike out the figure "\$185,788.00" and insert in lieu thereof the figure "\$99,000.00".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 235 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 272 has had the same under consideration and recommends that the same be amended as follows:

In line 38 after the word "moneys" insert the following language: "in the State Treasury, not otherwise appropriated"

In line 38 strike out the last two words in the line "appropriated for".

Strike out all of lines 39 and 40.

At the beginning of line 41 strike out the following language: "ending June 30, 1961".

In line 41 strike out the word "four" and insert in lieu thereof the word "one".

—And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "CC" has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Concurrent Resolution "DD" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 201

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following resolution:

Senate Resolution No. 3

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE
CONCURRENT RESOLUTION

Senators Erickstad and Trenbeath introduced:

Senate Concurrent Resolution "JJ". A concurrent resolution authorizing and directing the state historical society to accept the old Fort Totten site from the Federal Government if it is offered to the state.

Was read the first time.

Senator Erickstad moved that Senate Concurrent Resolution "JJ" be printed in the journal and laid over one legislative day and not printed as a bill, which motion prevailed.

SENATE CONCURRENT RESOLUTION "JJ"

Introduced by Senators Erickstad and Trenbeath

A concurrent resolution authorizing and directing the state historical society to accept the old Fort Totten site from the Federal Government if it is offered to the state.

1 WHEREAS, the site of old Fort Totten is one of the
2 state's oldest historic sites, having been established in
3 1867; and

4 WHEREAS, old Fort Totten is presently being used
4a as an
5 Indian school but will be abandoned in the near future
5a when

6 a new Indian school is completed; and
7 WHEREAS, the United States Bureau of Indian
7a Affairs has
8 expressed a willingness to transfer the site and build-
8a ings

9 at old Fort Totten to the state;

10 NOW, THEREFORE, BE IT RESOLVED BY THE
10a SENATE

11 OF THE STATE OF NORTH DAKOTA, THE HOUSE
 11a OF
 12 REPRESENTATIVES CONCURRING THEREIN:

13 That the state historical society is hereby authorized
 14 and directed to accept the site and buildings at old Fort
 15 Totten if such property is offered to the state by the
 16 United States Bureau of Indian Affairs and to maintain
 16a and
 17 preserve the site of historic old Fort Totten as a tourist
 18 and recreational center; and

19 BE IT FURTHER RESOLVED, that copies of this
 19a resolution

20 be forwarded by the Secretary of the Senate to the
 20a state

21 historical society, the Secretary of Interior, the North
 22 Dakota Congressional Delegation, the Superintendent of
 22a the

23 Turtle Mountain Indian Reservation and the President
 23a of the

24 Pioneer Daughters of the State of North Dakota.

FIRST READING OF HOUSE BILLS

House Bill No. 597. A Bill for an Act creating a state milk control board to supervise and regulate the fluid milk industry of the state of North Dakota, and defining its powers and duties; setting forth the rules governing said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the board's rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this Act, and establishing the manner of this Act's taking effect, and providing for an appropriation.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 664. A Bill for an Act relating to the inclusion of land in and exclusion of land from an irrigation district and repealing sections 61-1003, 61-1004, 61-1006, 61-1007, 61-1008, 61-1009, 61-1010, 61-1011, 61-1013, 61-1014, 61-1015, 61-1017, 61-1018, 61-1019, 61-1020, 61-1021 and 61-1023 of the North Dakota Revised Code of 1943, repealing all acts and parts of acts in conflict with the provisions of this Act.

Was read the first time and referred to the Committee on Agriculture.

House Concurrent Resolution "W 1". A concurrent resolution expressing the policy of the legislative assembly in regard to the conduct of athletic events in public schools.

Was read the first time and referred to the Committee on Education.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 18, 1959

Mr. President: I have the honor to return:

Senate Bill No. 176

Which the House has amended as follows:

Line 4 of the title, delete the words "sales rings" and insert in lieu thereof the words "livestock auction markets"

Line 6, delete the words "sales ring" and insert in lieu thereof the words "auction market"

Line 7, delete the word "sales" and insert in lieu thereof the word "auction"

Line 8, delete the word "ring" and insert in lieu thereof the word "market"

Line 9, delete the words "sales ring" and insert in lieu thereof the words "auction market"

Line 10, delete the words "a sales" and insert in lieu thereof the words "an auction"

Line 11, delete the word "ring" and insert in lieu thereof the word "market"

Line 13, delete the word "ring" and insert in lieu thereof the word "auction"

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 18, 1959

Mr. President: I have the honor to transmit:

House Bill No. 695

House Bill No. 703

House Bill No. 730

House Bill No. 747

House Bill No. 759

House Bill No. 761

House Bill No. 762

House Bill No. 763

House Bill No. 785

House Bill No. 786

House Bill No. 820

House Bill No. 826

House Bill No. 857

House Concurrent Resolution "H 1"

House Concurrent Resolution "O 1"

House Concurrent Resolution "T 1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 18, 1959

Mr. President: I have the honor to transmit:

House Bill No. 546

House Bill No. 640

House Concurrent Resolution "E"

House Concurrent Resolution "D 1"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-THIRD DAY AFTER RECESS
AND FORTY-FOURTH DAY

Bismarck, February 19, 1959

The Senate convened pursuant to recess taken, at the call of the chair, the President presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that it has examined the following bills:

Senate Bill No. 1
Senate Bill No. 29
Senate Bill No. 42
Senate Bill No. 135
Senate Bill No. 139
Senate Bill No. 142
Senate Bill No. 144
Senate Bill No. 157
Senate Bill No. 158
Senate Bill No. 165
Senate Bill No. 178
Senate Bill No. 179
Senate Bill No. 267

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution 3

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Gefreh moved that Senate Bill No. 273 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Gefreh requested the unanimous consent of the Senate to withdraw Senate Bill No. 273, which request was granted.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 36 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 37 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted.

Senator Freed made the substitute motion that Senate Bill No. 37 be indefinitely postponed, which motion prevailed.

Senator Holand: Mr. President. I would like to explain my vote. I voted with some reluctance for indefinite postponement of this measure and my reluctance arose from the fact that I know a great deal of time and effort was put in by members of the subcommittee of the research committee and by the research committee itself studying this involved matter. I hope that the discussion that has been had on the floor of the Senate and in the Committee in consideration of this matter will serve notice on not only the highway department but upon other departments that may be involved in research study, that those of us who come back here from time to time to serve with the research committee, or any of the subcommittees, are not here to play, that we have a job to do and that when we come here to Bismarck to take testimony at hearings we expect to get the straight goods from these people so that a proper report will be brought into the legislature.

Senator Krause moved that the vote by which Senate Bill No. 37 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Meidinger moved that Senate Bill No. 193 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Meidinger moved that Senate Bill No. 193 be placed on the calendar, which motion prevailed.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 55 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of the title of the bill following the word "Supplement" insert the words "to the North Dakota Revised Code of 1943".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 86 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted.

Senator Gronvold made the substitute motion that Senate Bill No. 86 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 108 has had the same under consideration and recommends that the same be amended as follows:

In line 2 after the word "moneys" insert the following words: "in the public welfare fund".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 199 has had the same under consideration and recommends that the same be amended as follows:

In line 2 strike out the words "in the Korean conflict".

In line 3 strike out the words "adjusted compensation administration fund".

In line 5 strike out the word "eighty" and insert in lieu thereof the word "seventy".

In line 5 after the word "thousand" insert the following words: "six hundred ninety-five".

In line 13 following the numeral "1943" insert the following words: ", except that a sum not to exceed seven thousand five hundred in addition to the amounts provided in section 37-1003 may be made available for the construction of single unit armories if any national guard unit, because of its size or strength, is unable to meet federal requirements for the construction of an armory containing a drill floor of at least 7,000 square feet".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 290 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Garaas moved that Senate Bill No. 256 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Garaas requested the unanimous consent of the Senate to withdraw Senate Bill No. 256, which request was granted.

CONSIDERATION OF AMENDMENTS

Senator Roen moved that the amendments to Senate Bill No. 268 be adopted.

Senator Schrock made the substitute motion that Senate Bill No. 268 be amended as follows:

In line 2 of the title of the bill delete the "comma"

In line 3 of the title of the bill delete the following language: "and declaring an emergency"

In line 4 of the bill after the word "continued" insert the following language: "and whether or not the school building and equipment and any other property of the county agricultural and training school shall be transferred to the school district wherein such school is located"

In line 7 of the bill after the word "least" insert the following: "twenty-"

In line 12 of the bill delete the word "sixty" and insert the word "ninety"

In line 18 of the bill after the word "school" delete the comma and the word "the"

Delete lines 19 through 26 of the bill, both lines inclusive, and insert in lieu thereof the following language: "and transferring the school building, equipment and any other property of the county agricultural and training school to the school district wherein the county agricultural and training school is located, the board of county commissioners shall take the necessary action to discontinue the operation of such school and shall transfer the property of the school to the school district wherein the county agricultural and training school is located."

Renumber the lines accordingly.

Which motion was lost.

The question was on the motion of Senator Roen that the amendments to Senate Bill No. 268 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 275 be adopted, which motion prevailed.

Senator Wartner moved that Senate Bill No. 275 be further amended as follows:

Delete the period at the end of the title and insert a comma and the following words: "and providing for an effective date."

Which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Wenstrom, Larson, Longmire, Meidinger, Wadson, Trenbeath, Freed, Roen, Gronvold, Livingston and Brooks introduced:

Senate Concurrent Resolution "KK". A concurrent resolution authorizing the appointment of a temporary committee to make, promote and supervise plans for a Dakota Territory Centennial Celebration.

Was read the first time.

Senator Holand moved that Senate Concurrent Resolution "KK" be printed in the journal and not as a bill and that the same be laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "KK"

Introduced by Senators Wenstrom, Larson, Longmire, Meidinger, Wadson, Trenbeath, Freed, Roen, Gronvold, Livingston and Brooks

A concurrent resolution authorizing the appointment of a temporary committee to make, promote and supervise plans for a Dakota Territory Centennial Celebration.

1 WHEREAS, Dakota Territory, of which North Dakota
2 was a part, was created on March 2, 1861 out of part of
2a the
3 land of the United States known as the Louisiana
3a Purchase,
4 and the year 1961 will be the one hundredth anniversary
5 thereof; and

6 WHEREAS, the State of South Dakota is presently
7 considering legislation to create a commission to com-
7a memorate
8 the creation of the Dakota Territory; and

9 WHEREAS, it is desirable and proper that the year
10 1961 be marked with appropriate activities to observe
10a the
11 significant events in the history of the State of North
11a Dakota,
12 the outstanding contributions of early residents of the
12a area
13 now included in our state, and to bring the rich his-
13a torical

14 heritage of the state to the attention of our citizens;
15 NOW, THEREFORE, BE IT RESOLVED BY THE
16 SENATE OF THE STATE OF NORTH DAKOTA,
16a THE

17 HOUSE OF REPRESENTATIVES CONCURRING
17a THEREIN:

18 1. That the Governor is hereby authorized and
19 directed to appoint a Dakota Territory Centennial
19a Committee
20 consisting of not more than nineteen citizens of the
20a state for
21 the purpose of formulating and executing plans to ap-
21a propriately
22 observe the centennial anniversary of the creation of
22a the Dakota
23 Territory;

24 2. That such committee shall meet at the call of the
25 Governor, who shall act as chairman of the committee.
25a The
26 committee shall select a vice chairman and a secretary
26a from
27 among its members. The committee shall appoint such
27a sub-
28 committees as it shall deem desirable from its own
28a membership
29 and from among other citizens of the state, and may
29a adopt
30 such rules and regulations as deemed appropriate to
30a govern
31 its activities in carrying out its responsibilities;

32 3. The committee shall enlist the aid of all
33 departments of the state, call upon civic, patriotic,
23a educational,
34 fraternal, professional, and religious bodies and organ-
34a izations
35 to join in the observance, and shall cooperate with
35a similar

36 Dakota Territory Centennial Committees or Commis-
 36a sions of
 37 other states. The department of public instruction
 37a shall
 38 encourage and provide for suitable commemorative
 38a activities
 39 in the public schools of the state; and
 40 BE IT FURTHER RESOLVED, that such Dakota
 41 Territory Centennial Committee shall make a report
 41a to the
 42 Thirty-seventh Legislative Assembly in regard to the
 43 plans and program for the centennial observance, and
 43a as to
 44 any further action by the Legislative Assembly that
 44a may be
 45 desirable to implement the proper observance of the
 45a one hundredth
 46 anniversary of the creation of the Dakota Territory.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 19, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 675.

GERALD L. STAIR, Chief Clerk.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 115 has had the same under consideration and recommends: that the House recede from its amendments.

For the Senate:

Duane Mutch

C. G. Kee

O. S. Johnson

For the House:

R. Fay Brown

Don Halcrow

Oliver Magnuson

Senator Mutch moved that the report be adopted.

Senator Trenbeath moved that the Senate do not adopt the Conference Committee report on Senate Bill No. 115, and that a new Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 115 Senators Baeverstad, Redlin and Mutch.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 19, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the conference committee on Senate Bill No. 115. Vote as follows: ayes, 106; nays, 0; absent and not voting, 7.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 19, 1959

Mr. Speaker: I have the honor to inform you that the Senate refused to adopt the report of the Conference Committee on Senate Bill No. 115 and the President has appointed as a new Conference Committee,

Senators:
Baeverstad
Redlin
Mutch

VIC GILBREATH, Secretary.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-FOURTH DAY

Bismarck, February 19, 1959

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain M. P. Lutness, Trinity Lutheran Church.

Dear Lord God, we ask Thy blessing upon the members of the Senate this day. Grant unto each of them the strength to continue in the schedule of work, and to find rest in the midst of the strain of the continuous demand for decision. We pray for the enlightenment to make wise decisions, and then the courage to live with results of these choices. Be with our country in the hours of crisis, and ever preserve our land from armed conflict. May the nations of all the world, and the peoples of our land, realize that the only true peace is built on foundation of truth revealed in Jesus Christ. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-second day after recess and forty-third day and recommends that the same be corrected as follows:

Page 465, line 37, delete the figure "D" and insert in lieu thereof the figure "D 1".

Page 491, line 34, delete "Social Welfare and Veterans Affairs" and insert in lieu thereof "Judiciary".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-third day after recess and recommends that the same be corrected as follows:

On page 494, delete line 25 and insert in lieu thereof the following: "Was read the second time."

On page 494, line 42, delete the letter "G" and insert in lieu thereof the letter "Q".

On page 498, line 35, delete the word "Transportation" and insert in lieu thereof the word "Appropriations"

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

COMMUNICATIONS

A communication was presented from Mrs. Charles Kauffman, Fargo, relative to Senate Bill No. 190, which communication was referred to the Committee on Appropriations.

A communication was presented from Mr. and Mrs. Charles Kauffman, Esther Hagemeister, Marie Westlund, Mr. and Mrs. M. J. Eid relative to sending blind children out of state to be educated, which communication was referred to the Committee on Appropriations.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the reading of the amendments to Senate Bills No. 7, 78, 107, 111, 190, 191 and 272 be dispensed with, which motion prevailed.

Senator Klefstad moved that the amendments to Senate Bill No. 78 be adopted, which motion prevailed.

Senator Longmire moved that Senate Bill No. 78 be amended as follows:

In line 27 delete the words: "at the county seat at two".

In line 27 before the word "courthouse" insert the word "county" and after the word "courthouse" insert the following: "or at any other public building between the hours of two o'clock and eight".

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that Senate Bill No. 78 be placed on the calendar, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 107 be adopted.

Senator Murphy made the substitute motion that the amendments to Senate Bill No. 107 be not adopted.

Senator Holand requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Murphy requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Murphy that the amendments to Senate Bill No. 107 be not adopted, the roll was called and there were ayes, 19; nays, 30; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Krause	Redlin
Berube	Lautenschlager	Schrock
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn

Gilbertson	O'Brien	Vendsel
Hystad	Paulson	Yunker
Johnson		

Those voting in the negative were:

Baeverstad	Hernett	Miller
Becker	Holand	Morgan
Brooks	Kee	Mutch
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Roen
Foss	Larson	Saumur
Freed	Livingston	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Meidinger	Wenstrom

So the motion was declared lost.

The question being on the motion of Senator Hernett that the amendments to Senate Bill No. 107 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 111 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 7 be adopted, which motion prevailed.

Senator Brooks moved that Senate Bill No. 7 be amended as follows:

After line 25 insert the following: "5. Education and administration building.....\$425,000.00"

In line 26 change the total to read "\$1,365,281.00"

Renumber the lines accordingly.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

The question being on the motion of Senator Brooks to amend Senate Bill No. 7, which motion was declared lost.

Senator Vendsel requested a recorded roll call, which request was granted.

ROLL CALL

The question being on the motion of Senator Brooks to amend Senate Bill No. 7, the roll was called and there were ayes, 19; nays, 29; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Klefstad	Redlin
Berube	Lautenschlager	Schroëck
Brooks	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Gilbertson	Paulson	Yunker
Hystad		

Those voting in the negative were:

Baeverstad	Holand	Miller
Becker	Johnson	Morgan
Erickson	Kee	Mutch
Erickstad	Kisse	Ringsak
Foss	Krause	Roen
Freed	Larson	Saumur

Gefreh	Livingston	Wadeson
George	Longmire	Wartner
Gronvold	Luick	Wenstrom
Hernett	Meidinger	

Absent and not voting:
Trenbeath

So the motion was declared lost.

Senator Foss moved that the amendments to Senate Bill No. 190 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 191 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 272 be adopted, which motion prevailed.

MESSAGE FROM THE GOVERNOR

Bismarck, February 19, 1959

Members of the Senate
Thirty-Sixth Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Greetings:

Today I signed Senate Bills No. 21, No. 46, and No. 74.
These bills have been filed with the Secretary of State.

Sincerely yours,
JOHN E. DAVIS
Governor

MOTIONS

Senator Baeverstad moved that the Senate request the House to return the message pertaining to the Conference Committee report on Senate Bill No. 115 and appointing a new Conference Committee, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 19, 1959

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of the Message on the Conference Committee report on Senate Bill No. 115.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 19, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as Conference Committee on Senate Bill No. 115, Representatives Halcrow, Streibel and Hjelle.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 19, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 45
Senate Bill No. 168
Senate Bill No. 245
Senate Bill No. 261

Senate Bill No. 264

Senate Bill No. 291

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 55 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 108 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 199 be adopted, which motion prevailed.

Senator Gefreh moved that Senate Bill No. 290 be amended as follows:

In the second line of the title of the bill following the word "loans" insert the words "and grants" and delete the words "counties and"

In the fourth line of the title of the bill following the word "loan" insert the words "and grant"

In lines five, six and seven of the title of the bill delete the words "and authorizing the establishment and operation of county nursing homes and homes for the aged and levying a tax therefore,"

In line three following the word "loans" insert the words "and grants" and delete the words "counties and"

In line 10 following the word "loans" insert the words "and grants"

In line 14 following the word "loans" insert the words "and grants"

In line 15 following the word "loans" insert the words "and grants"

In line 31 following the word "loans" insert the words "and grants"

In line 37 delete the words "counties or"

In line 45 following the word "loans" insert the words "and grants" and delete the words "county or"

In line 52 delete the words "county or"

In line 68 following the word "loans" insert the words "and grants"

In line 72 following the word "loans" insert the words "and grants"

In line 79 following the word "loans" insert the words "and grants"

In line 93 delete the words "county or"

Following line 153 insert the following words:

"SECTION 11. GRANTS IN AID.) In addition to loans to nonprofit corporations provided in this Act for the construction and reconstruction of nursing homes, homes for the aged, or combination nursing homes and homes for the aged, such nonprofit corporations as may qualify for and receive loans may also receive, upon application, from the revolving fund created in section 1 of this Act, a grant of funds not in excess of twenty-five thousand dollars. Any nonprofit corporation applying for and receiving such grant shall expend a sum not less than the amount of the

grant from moneys provided by it in the construction or reconstruction of the home for which the grant was made."

Delete lines 103 through 153, both lines inclusive.

Renumber the lines and sections accordingly.

Which motion was declared carried.

Senator Larson: I want to explain my vote. I am not satisfied with the bill but I wanted it to go over to the House so I voted for the amendment of the Senate.

Senator Holand moved that Senate Bills No. 55, 108, 199 and 290 be placed on the calendar, as amended, which motion prevailed.

Senator Holand moved that after the reading of Senate Bills No. 110, 220, 229, 237, 233, 249, 29, 42, 135, 139, 144, 157, 158, 165, 178, 179, 201, 235, 267, 292, 268, 275, 78, 107, 111, 7, 190, 191, 272, 55, 108, 199, 290, 193, 36, 86, 1, 142, 166, 266, and Senate Concurrent Resolution "CC" that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

SECOND READING OF SENATE BILLS

Senator Garaas moved that Senate Bill No. 1 be placed at the head of the calendar, which motion prevailed.

Senator Garaas moved that Senate Bill No. 1 be amended as follows:

In line 57, delete the figure "\$11,000.00" and insert in lieu thereof the figure "\$12,000.00".

In line 65, delete the figure "\$25,420.00" and insert in lieu thereof the figure "\$26,420.00".

In line 467, delete the figure "\$6,356,357.00" and insert in lieu thereof the figure "\$6,357,357.00."

Which motion prevailed.

Senator Holand moved that Senate Bill No. 1 be placed on the calendar, as amended from the floor, which motion prevailed.

Senator Wartner moved that Senate Bill No. 142 be placed at the head of the calendar, which motion prevailed.

Senator Wartner moved that Senate Bill No. 142 be amended as follows:

In line 214 of the engrossed bill following the word "shall", insert the words "upon first conviction"

In line 215 of the engrossed bill following the word "than" delete the word "five" and insert the word "one" in lieu thereof

In line 217 of the engrossed bill delete the words "one year" and insert the words "thirty days" in lieu thereof.

Renumber the lines accordingly.

Which motion prevailed.

Senator Wartner moved that Senate Bill No. 142 be placed on the calendar, as amended from the floor, which motion prevailed.

Senator Livingston moved that Senate Bill No. 166 be placed at the head of the calendar, which motion prevailed.

Senator Livingston moved that Senate Bill No. 166 be amended as follows:

After line 247 of the bill insert the following language:

"Any producer subject to the deduction provided in this Act may, within thirty days following such deduction, make application by personal letter to the wheat commission for a refund application blank. Upon the return of said blank, properly executed by the producer, accompanied by a record of the deduction by the purchaser, the producer shall be refunded the net amount of the deduction collected. If no request for refund shall have been made within the period prescribed above, then the producer shall be presumed to have agreed to such deduction."

Renumber the lines accordingly.

Senator Vendsel made the substitute motion that Senate Bill No. 166 be amended as follows:

In line 245 of the bill following the word "mortgage" delete the period and insert the following words: "; except that tax shall not apply to any wheat sold by a producer if such producer shall deliver to the first purchaser a written request that such wheat be exempted from the tax."

Renumber the lines accordingly.

Which motion was declared lost.

Senator Redlin moved that the amendments to Senate Bill No. 166, as proposed by Senator Livingston, be amended as follows:

In line 2 of the amendment delete the word "thirty" and insert in lieu thereof the word "sixty".

Which motion prevailed.

The question being on the motion of Senator Livingston to amend Senate Bill No. 166, as amended by the motion of Senator Redlin, which motion prevailed.

Senator Van Horn moved that Senate Bill No. 166 be amended as follows:

In line 51, delete the words "and winter wheats".

Which motion was declared lost.

Senator Livingston moved that Senate Bill No. 166 be placed on the calendar, as amended from the floor, which motion prevailed.

Senator Fiedler moved that Senate Bill No. 229 be placed at the head of the calendar, which motion prevailed.

Senator Fiedler moved that Senate Bill No. 229 be amended as follows:

In line 9 after the period insert the following: "This privilege may be claimed only by such reporter or news gatherer."

Renumber the lines accordingly.

Which motion was declared lost.

Senator Wadson moved that Senate Bill No. 266 be placed at the head of the calendar, which motion prevailed.

Senator Wadson moved that Senate Bill No. 266 be amended as follows:

In line 146 strike out the word "penalty" and the balance of the Section and insert the following:

"This Act shall not apply to the following counties: Cavalier, Sargent, Pembina, Ramsey, Walsh, Nelson, Grand Forks, Griggs, Steele, Traill, Barnes, Cass, Ransom, Richland.

SECTION 13. PENALTY.) Any person violating any of the provisions of this Act is guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment."

Renumber the lines accordingly.

Which motion prevailed.

Senator Wadson moved that Senate Bill No. 266 be placed on the calendar, as amended, which motion prevailed.

Senator Murphy moved that Senate Bill No. 166 be placed at the head of the calendar, which motion was declared lost.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 19, 1959

Mr. President: I have the honor to inform you that the House requests the return of the House message announcing the appointment of Reps. Halcrow, Streibel and Hjelle.

GERALD L. STAIR, Chief Clerk.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 3

Was delivered to the Secretary of State for his approval at the hour of 11 o'clock a.m., February 19, 1959.

SENATOR ERICKSON, Chairman.

MOTIONS

Senator Wenstrom: Mr. President. Members of the Senate. Again this afternoon, as it was during the session of 1957, it is my privilege to present my father to this Senate. Dad served in the Senate during the sessions of 1917, 1919, 1921 and 1923, plus the special sessions brought about by World War I. He represented Senator Wartner's 33rd District. Mr. President: I again present the Senior Senator Wenstrom to this body.

Senator Erickson moved that the remarks of Senator Wenstrom be printed in the journal, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 166

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 1
Senate Bill No. 55
Senate Bill No. 142
Senate Bill No. 266

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 19, 1959

Mr. Speaker: I have the honor to return House Message appointing Reps. Halcrow, Streibel and Hjelle as a Conference Committee on Senate Bill No. 115.

VIC GILBREATH, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 110. A Bill for an Act to amend and re-enact the initiated measure approved June 29, 1948 entitled "making it unlawful for the state of North Dakota, its political subdivisions, counties, cities, villages, and the State Highway Department, to establish and maintain any mechanical device or devices known as 'parking meters', or by whatever name designated, requiring the deposit therein of coins or tokens for the privilege of parking cars or vehicles upon the streets and highways in the state of North Dakota," constituting Chapter 357 of the 1949 Session Laws and Section 39-0109 of the 1957 Supplement to the North Dakota Revised Code of 1943; by providing for the use of parking meters by cities and villages having a population of 3,000 or more upon approval of the electors, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 20; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Klefstad	Saumur
Foss	Krause	Thompson
Freed	Larson	Trenbeath
Gefreh	Livingston	Wartner
George	Longmire	Wenstrom
Gronvold	Luick	Yunker
Hernett	Meidinger	

Those voting in the negative were:

Andre	Johnson	Paulson
Becker	Lautenschlager	Redlin

Berube	Miller	Schrock
Fiedler	Morgan	Van Horn
Garaas	Murphy	Vendsel
Gilbertson	Nesvig	Wadeson
Hystad	O'Brien	

So the bill was declared lost due to the lack of a constitutional majority.

Senator Paulson moved that the vote by which Senate Bill No. 110 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 220. A Bill for an Act to provide that irregularities and defects occurring in proceedings taken under the provisions of chapter 40-22 of the North Dakota Revised Code of 1943, as amended, relating to improvements by the special assessment method will not invalidate such proceedings, if the proceedings are for a lawful purpose and are unaffected by fraud.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 12; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Kee	Mutch
Becker	Kisse	O'Brien
Brooks	Klefstad	Redlin
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Wenstrom
Hernett	Morgan	Yunker
Holand		

Those voting in the negative were:

Andre	Hystad	Paulson
Berube	Johnson	Ringsak
Gilbertson	Murphy	Van Horn
Gronvold	Nesvig	Vendsel

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 220 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Murphy moved that Senate Bill No. 36 be placed at the head of the calendar, which motion was lost.

Senator Murphy: Mr. President, I rise to a point of personal privilege and I would like to have my remarks recorded in the journal.

Mr. President: State your point, Senator.

Senator Murphy: I state at this time by failure of this body to first consider Senate Bill No. 36 this State may expend more than a half million dollars without purpose, without justification, without need. As the evening continues this will be clearly and fully shown.

Senate Bill No. 229. A Bill for an Act protecting sources of information of gatherers of news.

Which has been read.

Senator Wartner: Mr. President, I would like to have my remarks recorded in the record.

Mr. William H. Fitzpatrick, associate editor, Wall Street Journal, strongly opposed immunity legislation.

"It seems to me that the proposition ought to be questioned on at least two grounds," he said. "One is the relation of this suggested privilege to the public good. The other is to ask how the nation's press, the acknowledged champion of the right of the public to know all where the public interest is involved, can at the same time champion for itself a privilege to remain silent on matters that may well involve the public interest quite as deeply as its right to know.

"If this seems to some of us a bit of editorial schizophrenia that is rather hard to justify, examination of the logic on which it rests is likely to prove even more disenchanting. It is said that if the privilege is not granted, newspapers will not be able to gather news as heretofore. It is also said that 12 states have granted such a privilege. The answer to that, it seems to me, is that 13 states have refused to grant such a privilege though the legislatures have considered it. And newspapers in 23 other states have got along nicely, publishing papers, gathering news, revealing the sins of politicians and, on occasion, becoming heroes because a reporter or an editor insists on standing on a point of principle rather than on a privilege.

"There is no exception to the Constitutional right to summon witnesses that excludes newsmen from the same responsibility to serve the public interest required of everybody else. Nor is it likely that if Congress should pass such an immunity law that the Federal courts would uphold it.

"And we had best be careful about attempts to broaden freedom of the press lest we be accused of seeking not just liberty to print, but license to print. We may believe that complete immunity will serve a responsible press, but others may well believe that it will lead to irresponsibility flowing from an arrogant power to hold ourselves unaccountable for what we print.

"As to the philosophy behind such an immunity cloak, there is not very much to be said in its favor, at least not by me. For it strikes me as something considerably less than a posture we can take pride in to ask that newspapers be granted an immunity broader than anyone else possesses under the Constitution.

"Indeed, most of us pride ourselves on a policy of opposing special privileges in all its arrogant manifestations; nearly every newspaper organization in this country has a Freedom of Information Committee, all dedicated to the right of the public to know what goes on that affects or may affect the public interest. Is it possible that we are so blind as to believe we can have it both ways—that we can demand full disclosure where all others are concerned but deny it where we are concerned? Or is it possible that, if we follow such a course, the public will some day wonder whose interests, ours or the public's is our real concern."

Senator O'Brien: When our forefathers wrote the Constitution they thought about freedom. At first they thought that freedom was too obvious to mention explicitly. Nobody was against it. Everybody was for it. Why cumber the fundamental law with unnecessary detail? Then they found they could not get the constitution ratified without such detail. The people wanted to know just what the Congress would do for them. They demanded freedoms that were free from interference by Congress and as a result the first amendment to the constitution was adopted. In that amendment was embodied freedom of the press which is being questioned today.

Newspapers have become an institution in the lives of every citizen and the operation of these businesses are an important part of the economic set up of the country, providing employment for a large number of people and giving a needed service that can not be procured otherwise.

The fact that these media are privately owned and operated for profit is an assurance that the newspaper must present enough news to attract readers. Very few newspapers distort the news they publish. Competition is so keen that reliable news must be supplied. They may, of course, denounce in the editorial columns what they have printed in their news columns but nevertheless they have given the news. In this connection, some people in public life claim that a short editorial comment made against them may be very damaging, although they may have received a double column spread on a news story . . . on the front page.

People have the right to know the full and true facts pertaining to government and affairs of state effecting the taxpayer. To be able to bring out things that may never be revealed newsmen need some legal formula that would provide a measure of protection in maintaining confidential relationship with their news sources.

This is particularly needed by reporters handling difficult assignments and there have been innumerable instances where fraud, graft and crimes have been brought to light by a reporter who tenaciously stuck to his job. Every newsman depends on tips or ideas received from outside sources and if there is a measure of protection for these sources, it will be most helpful in tracking down important facts. It is a well known fact that police departments and district attorneys in large cities have paid informants for whom they provide protection in return for confidential information. This privilege should be extended to newsmen as well.

When war came in 1939, President Roosevelt told us we were the most enlightened and the best informed people in all the world. We were and we still are, but we should give our news reporters immunity so that we can continue to have this status.

Senator Vendsel moved that the remarks of Senator O'Brien be recorded in the journal, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 229, the roll was called and there were ayes, 18; nays, 31; absent and not voting, 0.

Those voting in the affirmative were:

Fiedler	Longmire	Saumur
Garaas	Miller	Thompson
Gilbertson	Morgan	Van Horn
Gronvold	O'Brien	Vendsel
Johnson	Paulson	Wenstrom
Klefstad	Ringsak	Yunker

Those voting in the negative were:

Andre	Hernett	Meidinger
Baeverstad	Holand	Murphy
Becker	Hystad	Mutch
Berube	Kee	Nesvig
Brooks	Kisse	Redlin
Erickson	Krause	Roen
Erickstad	Larson	Schrock
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Wadeson
Gefreh	Luick	Wartner
George		

So the bill was declared lost.

Senator Holand moved that the vote, by which Senate Bill No. 229 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 237. A Bill for an Act to amend and reenact sections 15-5210, 15-5215, 15-5216, 15-5217, 15-5218, 15-5219, 15-5220, 15-5222, 15-5226, and 15-5227 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to loans for dental students from the medical center loan fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 26; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Livingston	Trenbeath
Berube	Longmire	Van Horn
Brooks	Luick	Vendsel
Garaas	Mutch	Wadeson
Gronvold	Nesvig	Wartner
Hystad	Paulson	Wenstrom
Klefstad	Redlin	Yunker
Lautenschlager	Thompson	

Those voting in the negative were:

Baeverstad	Gilbertson	Miller
Becker	Hernett	Morgan
Erickson	Holand	Murphy
Erickstad	Johnson	O'Brien
Fiedler	Kee	Ringsak
Foss	Kisse	Roen
Freed	Krause	Saumur
Gefreh	Larson	Schrock
George	Meidinger	

So the bill was declared lost due to the lack of a constitutional majority.

Senator Holand moved that the vote by which Senate Bill No. 237 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 233. A Bill for an Act authorizing the highway commissioner to redesignate as a part of the state highway system, highways which have been previously removed from the system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Hystad	Nesvig
Becker	Kee	O'Brien
Berube	Krause	Paulson
Brooks	Larson	Redlin
Erickson	Lautenschlager	Ringsak
Fiedler	Livingston	Thompson
Freed	Longmire	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wenstrom
George	Murphy	Yunker
Gronvold		

Those voting in the negative were:

Erickstad	Kisse	Schrock
Foss	Luick	Trenbeath
Gilbertson	Morgan	Wadeson
Holand	Roen	Wartner
Johnson	Saumur	

Absent and not voting:
Klefstad

So the bill passed and the title was agreed to.

Senator Larson moved that the vote by which Senate Bill No. 233 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 249. A Bill for an Act relating to contractors' performance bonds and providing for payment of all use taxes due the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson

George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Absent and not voting:		
Hernett	Meidinger	Vendsel
Klefstad		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 249 was passed, 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 salaries and miscellaneous expenses of the Division of Supervised Study.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Thompson
Freed	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker

Absent and not voting:		
Hernett	Larson	Vendsel
Klefstad		

So the bill passed and the title was agreed to.

Senator Holand 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.

Senate Bill No. 42. A Bill for an Act to create and enact section 39-0110, to amend and reenact sections 39-0205, subsection 4 of section 39-0501, subsection 1 of section 39-0505 and section 39-1207 of the North Dakota Revised Code of 1943, and section 39-0102, subsection 1 of section 39-0309, sections 39-04A06, 39-04A07, 39-0510, 39-0803, 39-0902, 39-1102, and 39-1208 of the 1957 Supplement to the North Dakota Revised Code of 1943; to amend and reenact chapter 39-04 of the North Dakota Revised Code of 1943, as it may be amended, and to repeal subsection 4 of section 39-04A04, and sections 39-0504 and 39-0514 of the North Dakota Revised Code of 1943, as they may be amended, and to repeal section 39-0513 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to motor

vehicles' operation and registration and the use of motor vehicles on the highways and streets of this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Klefstad

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 42 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 135. A Bill for an Act to amend and reenact section 52-0606 of the North Dakota Revised Code of 1943 relating to weekly benefits for unemployment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Nesvig	Yunker
Holand	Mutch	

Absent and not voting:

Baeverstad Klefstad

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 135 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 139. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 10-1533 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the apportionment and distribution of proceeds of cooperative associations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker

Those voting in the negative were:

Andre	Gilbertson	Thompson
Garaas	Miller	

Absent and not voting:

Klefstad Livingston

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 139 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 144. A Bill for an Act to amend and reenact subsection 3 of section 39-0467 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to allocation of motor vehicle registration tax proceeds for counties.

Which has been read.

Senator Brooks moved that Senate Bill No. 144 be amended as follows:

At the end of the amended bill add the following language:

"Provided, however, that the license fees from registration of out-of-state trucks shall be divided as follows: Fifty per cent to the state highway department; and Fifty per cent to the counties of this state in proportion to the number of certificates of title of resident vehicles credited to each county."

Which motion prevailed.

Senator Schrock moved that Senate Bill No. 144 be indefinitely postponed.

Senator Hernett made the substitute motion that Senate Bill No. 144 be placed on the calendar, which motion prevailed.

Senator Hernett moved that Senate Bill No. 144 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 157. A Bill for an Act to amend and reenact subsection 2 of section 52-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to definitions; section 52-0405 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to standard rate of contributions; reduction of rates; section 52-0406 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to variations in standard rate of contributions; how determined; section 52-0409 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to classification of employers to determine contributions; regulations governing; and section 52-0411 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to unpaid contributions to bear interest; interest collected paid into unemployment compensation fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:
Krause

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 157 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 158. A Bill for an Act to enact subsection 9 of section 52-0602, relating to disqualification for benefits; and to amend and reenact section 52-0603 of the North Dakota Revised Code of 1943, relating to benefits payable when; section 52-0604 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to schedule of bene-

fits, qualifying wages and definitions; section 52-0605 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to maximum potential benefits, and section 52-0606 of the North Dakota Revised Code of 1943, relating to weekly benefit for unemployment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Vendsel

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 158 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Hernett moved that Senate Bill No. 158 be amended as follows:

In line 1 of the title of the bill after the figure "52-0602," insert the following: "North Dakota Revised Code of 1943."

In line 9 of the title of the bill after the word "benefits" delete the comma and insert in lieu thereof a period, and delete the word "and".

Delete all of lines 10 and 11 of the title of the bill.

Which motion prevailed.

Senate Bill No. 165. A Bill for an Act making an appropriation to the state water conservation commission for continued participation in the investigation, planning, construction and maintenance of multiple-purpose projects for beneficial utilization, control and management of public waters and providing that moneys appropriated by this Act, and any unused balance of moneys remaining unexpended, appropriated for the purposes mentioned, shall be covered into a fund designated "multiple purpose fund" and that such fund shall remain available to the commission until expended.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Klefstad Vendsel

So the bill passed and the title was agreed to.

Senator Holand 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. 178. A Bill for an Act making an appropriation to the state board of administration for the purpose of lighting the exterior of the state capitol building and the capitol grounds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Trenbeath
Freed	Luick	Wadson
Gefreh	Miller	Wartner
George	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Those voting in the negative were:

Garaas	Hystad	Thompson
Gilbertson	Meidinger	Van Horn

Absent and not voting:

Klefstad Vendsel

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 178 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 179. A Bill for an Act to amend and reenact sections 57-1701, 57-1702 and 57-1705 of the North Dakota Revised Code of 1943 relating to excess levies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Lautenschlager	Redlin
Brooks	Livingston	Saumur
Erickson	Longmire	Van Horn
Erickstad	Meidinger	Wadson
Hernett	Miller	Wartner
Holand	Nesvig	Wenstrom
Hystad	O'Brien	Yunker
Larson		

Those voting in the negative were:

Andre	Gilbertson	Murphy
Becker	Gronvold	Mutch
Berube	Johnson	Paulson
Fiedler	Kee	Ringsak
Foss	Kisse	Roen
Freed	Krause	Schrock
Garaas	Luick	Thompson
Gefreh	Morgan	Trenbeath
George		

Absent and not voting:

Klefstad	Vendsel
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So the bill was declared lost due to a lack of a constitutional majority.

Senator Holand moved that the vote by which Senate Bill No. 179 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 201. A Bill for an Act to amend and reenact section 39-0614 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the issuance and types of motor vehicle operators licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Andre	George	Meidinger
Baeverstad	Hernett	Paulson
Becker	Holand	Redlin
Berube	Johnson	Roen
Erickson	Kee	Saumur
Erickstad	Krause	Thompson
Fiedler	Larson	Trenbeath
Foss	Lautenschlager	Van Horn

Freed	Livingston	Wartner
Garaas	Longmire	Wenstrom
Gefreh	Luick	

Those voting in the negative were:

Brooks	Miller	O'Brien
Gilbertson	Morgan	Ringsak
Gronvold	Murphy	Schrock
Hystad	Mutch	Wadeson
Kisse	Nesvig	Yunker

Absent and not voting:

Klefstad	Vendsel
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 201 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 235. A Bill for an Act making an appropriation for the purpose of reconstructing federal-aid secondary route number 169 from state highway number 32 to the entrance of the North Dakota Soldier's Home in Lisbon.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Thompson
Freed	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Those voting in the negative were:

Johnson

Absent and not voting:

Klefstad	Vendsel
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 235 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 267. A Bill for an Act to amend and reenact section 65-0208 of the North Dakota Revised Code of 1943 relating to rule-making power of the workmen's compensation bureau.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Kee	O'Brien
Becker	Kisse	Paulson
Brooks	Larson	Roen
Erickson	Lautenschlager	Saumur
Foss	Livingston	Trenbeath
Freed	Longmire	Vendsel
Gefreh	Luick	Wartner
Hernett	Miller	Wenstrom
Johnson	Murphy	Yunker

Those voting in the negative were:

Andre	Gronvold	Nesvig
Berube	Holand	Redlin
Erickstad	Hystad	Ringsak
Fiedler	Krause	Schrock
Garaas	Meidinger	Thompson
George	Morgan	Van Horn
Gilbertson	Mutch	Wadeson

Absent and not voting:
Klefstad

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 267 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Murphy: I want to explain my vote. I voted for Senate Bill No. 267 in the belief that the House will require the Workmen's Compensation by statute to consider as a part of allowable hospital costs to provide excess bed capacity required to serve special emergency community needs.

Senate Bill No. 292. A Bill for an Act to amend and re-enact section 54-2122 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the disposition of the executive mansion, providing for the disposition of the real property upon which said mansion is located, authorizing the board of administration to purchase property near the site of the new executive mansion, and providing for an appropriation.

Which has been read.

Senator Vendsel moved that Senate Bill No. 292 be amended as follows:

In line 20, after the word mansion delete the comma and the balance of the line.

Delete all of line 21.

In line 22 delete the word "mansion."

Which motion was lost.

Senator Murphy moved that Senate Bill No. 292 be amended as follows:

In line 19 after the word "administration" insert a period, and delete the balance of the line.

Delete all of line 20.

Delete all of line 21.
 In line 22 delete the word "mansion" and the period.
 Which motion was lost.

ROLL CALL

The question being on the final passage of Senate Bill No. 292, the roll was called and there were ayes, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett		

Those voting in the negative were:

Andre	Meidinger	Schrock
Klefstad	Nesvig	Vendsel

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 292 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that it has examined the following bills:

Senate Bill No. 108
 Senate Bill No. 190
 Senate Bill No. 268
 Senate Bill No. 272

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

Senator Holand requested a call of the Senate, which request was granted.

Senator Vendsel moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Holand moved that Senate Bill No. 144 be placed at the head of the calendar, which motion prevailed.

Senator Redlin moved that the Senate reconsider the action by which the amendment offered by Senator Brooks to Senate Bill No. 144 be adopted.

Senator Vendsel made the substitute motion that Senate Bill No. 144 be placed at the foot of the calendar, which motion was lost.

The question was on the motion of Senator Redlin to reconsider the action by which the amendment to Senate Bill No. 144 was adopted, which motion prevailed.

Senator Holand moved that the Senate do not adopt the amendment to Senate Bill No. 144 as offered by Senator Brooks.

Senator Schrock moved that further consideration of of Senate Bill No. 144 be laid on the table, which motion was lost.

The question being on the motion of Senator Holand that the amendments to Senate Bill No. 144 be not adopted, which motion prevailed.

Senator Holand moved that Senate Bill No. 144 be placed on the calendar, which motion prevailed.

Senator Holand moved that Senate Bill No. 166 be placed at the head of the calendar, which motion prevailed.

Senator Holand moved that Senate Bill No. 166 be amended as follows:

In line 270 of the bill delete the following language: "All moneys in such fund are hereby"

In line 271 of the bill delete the following language: "appropriated to the state wheat commission," and insert in lieu thereof the following language: "There is hereby appropriated out of any moneys in the state wheat commission fund the sum of four hundred thousand dollars, or so much thereof as may be necessary, to the state wheat commission for the purposes of carrying out the provisions of this Act for the period beginning from and after the effective date of this Act and ending July 1, 1961."

In line 276 of the bill after the word "fund" insert the following language: ", not to exceed four hundred thousand dollars for the period beginning from and after the effective date of this Act and ending July 1, 1961,"

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that Senate Bill No. 166 be placed on the calendar, which motion prevailed.

Senator Holand moved that Senate Bills No. 36 and 193, respectively, be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 36. A Bill for an Act providing for the implementation of the governmental reorganization by authorizing the emergency commission to transfer funds from departments and agencies relinquishing functions to departments assuming these functions, and by making appropriations for the purpose of establishing and operating a department of accounts and purchases, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickstad	Krause	Roen
Erickson	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Holand moved that the vote by which Senate Bill No. 36 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 193. A Bill for an Act requiring certain persons to report the names and addresses of blind persons to the superintendent of the school for the blind.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Those voting in the negative were:

Gefreh Roen

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 193 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Fiedler moved that Senate Bill No. 191 be placed at the head of the calendar, which motion prevailed.

Senator Fiedler moved that Senate Bill No. 191 be amended as follows:

In line 4, delete the figure "\$185,788" and insert in lieu thereof the figure "\$99,000.00".

Which motion prevailed.

Senator Fiedler moved that Senate Bill No. 191 be placed on the calendar, which motion prevailed.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 191

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 144

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MOTION

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-FOURTH DAY AFTER RECESS,
FORTY-FIFTH DAY AND FORTY-SIXTH DAY

Bismarck, February 20, 1959

The Senate convened pursuant to recess taken, at the call of the chair, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 546

House Bill No. 640

House Concurrent Resolution "E"

House Concurrent Resolution "D 1"

And the President signed the same in the presence of the Senate.

Senator Holand requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-FIFTH DAY

Bismarck, February 20, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Warren K. Johnson, First Lutheran, Bismarck:

Teach me to do Thy will; For Thou are my God—Ps. 143:10. Help us, O God, to remember the words of the psalmist each day we go about the sober business of making laws by which man must live. May we never will or act in behalf of fellow man in a spirit that is foreign to Thy teachings, O God. May the Spirit of the Christ be the motivating factor in our actions.

Help us to do unto fellow man even as we would have him do unto us. In Jesus Name we pray. Amen.

Roll Call: All Senators present except Senators Hernett, Klefstad, Ringsak and Wadeson.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of

the forty-third day after recess and forty-fourth day and find the same correct.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE
CONCURRENT RESOLUTION

Senator Roen, Berube, Gronvold, Krause, Baeverstad, Miller, Wenstrom and Johnson introduced:

Senate Concurrent Resolution "LL". A Concurrent Resolution requesting and directing the state highway commissioner to replace on the state highway system certain mileage removed therefrom.

Was read the first time and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEE

Mr. President: Your committee on Enrollment and Engrossment respectfully report that it has examined the following bill:

Senate Bill No. 166

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that it has examined the following bills:

Senate Bill No. 78

Senate Bill No. 144

Senate Bill No. 158

Senate Bill No. 191

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that it has examined the following bills:

Senate Bill No. 7

Senate Bill No. 107

Senate Bill No. 111

Senate Bill No. 199

Senate Bill No. 275

Senate Bill No. 290

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Wenstrom moved that Senate Concurrent Resolution "T" be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Wenstrom requested the unanimous consent of the Senate to withdraw Senate Concurrent Resolution "T", which request was granted.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Wadeson moved that the Senate do concur in the House amendments to Senate Bill No. 176, which motion prevailed.

Senator Wadeson moved that the rules be suspended and that Senate Bill No. 176 be deemed properly re-engrossed and placed upon second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 176. A Bill for an Act to amend and reenact section 36-0512 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership and title of livestock sold through sales rings.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senate Bill No. 191. A Bill for an Act to permit North Dakota to take advantage of the National Defense Education Act for the purpose of improving instruction in the state in accordance with the Act, making an appropriation and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Krause	Ringsak
Erickstad	Larson	Thompson
Fiedler	Lautenschlager	Van Horn
Foss	Livingston	Vendsel
Freed	Longmire	Wadeson

Garaas
Gronvold
Holand

Morgan
Murphy
Nesvig

Wenstrom
Yunker

Those voting in the negative were:

Brooks
Erickson
Gefreh
George
Gilbertson
Hernett

Johnson
Klefstad
Luick
Meidinger
Miller

Mutch
Roen
Saumur
Schrock
Wartner

Absent and not voting:
Trenbeath

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Holand moved that the vote by which Senate Bill No. 191 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Roen moved that Senate Concurrent Resolution "LL" be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Roen moved the Senate Concurrent Resolution "LL" be printed in the journal and not printed as a bill and that the same be laid over one legislative day, which motion prevailed.

Senate Concurrent Resolution "LL". A Concurrent Resolution requesting and directing the state highway commissioner to replace on the state highway system certain mileage removed therefrom.

SENATE CONCURRENT RESOLUTION "LL"

Introduced by Senators Roen, Berube, Gronvold, Krause,

Baeverstad, Miller, Wenstrom and Johnson

A Concurrent Resolution requesting and directing the state highway commissioner to replace on the state highway system certain mileage removed therefrom.

WHEREAS, the highway commissioner and certain boards of county commissioners have pursuant to legislative authorization made transfers of certain mileage on the state highway system to the county road system of such counties; and

WHEREAS, agreements covering such transfers specifically provided that such mileage be re-transferred to the state highway system when additional funds for construction and maintenance of highways were made available to the state highway department; and

WHEREAS, the 36th Session of the North Dakota Legislature has provided for additional income to the state highway fund;

NOW THEREFORE BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the state highway commissioner is hereby authorized and directed to re-transfer to the state highway system, to be reconstructed and maintained as funds therefore are made available, the following highways:

1. A highway from Alamo easterly to its junction

with State Highway 40, a distance of twenty-five miles, all in Williams County.

2. A highway from its junction with State Highway No. 7, northerly to the Little Missouri River, a distance of twenty-five miles, all in Dunn County.

3. A highway from Scranton, North Dakota, northerly to a junction with State Highway No. 21, a distance of twenty-seven miles in Bowman and Slope Counties.

4. A highway from its junction with Highway No. 3 easterly to a junction with State Highway No. 30, a distance of twenty miles, all in Rolette County.

5. A highway from Rolla southerly to a junction with State Highway 66, a distance of fourteen miles, all in Rolette County.

6. A highway from the east Towner County line, easterly to a point five miles west of Milton, a distance of thirty-nine miles, all in Cavalier County.

7. A highway from a junction with State Highway 32 easterly to a junction with U. S. Highway 81, a distance of nineteen miles, all in Pembina County.

8. A highway from a junction with State Highway 3 easterly to the Pierce County line, a distance of twenty-five miles, all in Pierce County.

9. A highway from a junction with Highway No. 17 southerly to a junction with U. S. Highway 2, a distance of twenty-seven miles in Walsh and Nelson Counties.

10. A highway from Burnstad westerly to a junction with State Highway No. 3, a distance of six miles, all in Logan County.

11. A highway from a junction with State Highway 21 at New Leipzig southerly to the South Dakota state line, a distance of thirty miles, all in Grant County.

SECOND READING OF SENATE BILLS

Senate Bill No. 268. A Bill for an Act authorizing certain counties to discontinue the operation of county agricultural and training schools.

Was read the second time.

Senator O'Brien moved that Senate Bill No. 268 be indefinitely postponed, which motion was lost.

ROLL CALL

The question being on the final passage of Senate Bill No. 268, as amended, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hystad	Murphy
Becker	Kee	Paulson
Brooks	Kisse	Redlin
Erickstad	Klefstad	Roen
Foss	Larson	Thompson
Garaas	Lautenschlager	Van Horn
Gefreh	Livingston	Vendsel
Gronvold	Longmire	Wartner
Hernett	Morgan	Wenstrom
Holand		

Those voting in the negative were:

Andre	Johnson	O'Brien
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Berube	Krause	Ringsak
Erickson	Luick	Saumur
Fiedler	Miller	Schrock
Freed	Meidinger	Trenbeath
George	Mutch	Wadeson
Gilbertson	Nesvig	Yunker

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 275 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 275. A Bill for an Act to abolish the office of justice of the peace and to confer the jurisdiction of such office elsewhere, and to amend and reenact sections 27-0820, 27-0702, 33-0108, 40-1801, 29-0114, 29-0706, 11-1002, 11-1006, 58-0502, 58-0507, 40-1501, 40-1401, 40-1803, 40-1807, 40-1808, 40-1810, 40-1811, 40-1813, 40-1814, 40-1816, 40-1817, 40-1818, 40-1819, 33-0312, 33-1212, and 40-1805 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, relating to the jurisdiction and powers of police magistrate, county court, county court of increased jurisdiction, and creating a new chapter 27-18 of the North Dakota Revised Code of 1943, relating to the creation of the office of county justice and prescribing the compensation, jurisdiction and powers thereof, and providing for appeal, and amending and reenacting section 40-0708 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, providing for the office of police magistrate in villages, and eliminating the office of justice of the peace conformable to section 1 of this Act, and repealing sections 40-1802, 11-1003, and 33-0123 of the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Miller
Becker	Kee	Morgan
Brooks	Klefstad	Nesvig
Erickson	Krause	Saumur
Erickstad	Larson	Trenbeath
Foss	Lautenschlager	Wadeson
Freed	Livingston	Wartner
Gefreh	Longmire	Wenstrom
George	Luick	Yunker
Hernett	Meidinger	

Those voting in the negative were:

Andre	Johnson	Redlin
Berube	Kisse	Ringsak
Fiedler	Murphy	Schrock
Garaas	Mutch	Thompson
Gilbertson	O'Brien	Van Horn
Gronvold	Paulson	Vendsel
Hystad		

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 275 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 78. A Bill for an Act to amend and reenact Section 16-1710 of the North Dakota Revised Code of 1943 and Section 16-1703 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to salaries and mileage of precinct committeemen, and the petition placing precinct committeemen's names on ballot.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Klefstad	Paulson
Becker	Krause	Redlin
Erickson	Lautenschlager	Ringsak
Erickstad	Longmire	Saumur
Foss	Luick	Schrock
Freed	Miller	Van Horn
Gefreh	Morgan	Vendsel
George	Murphy	Wadeson
Gronvold	Mutch	Wartner
Holand	Nesvig	Wenstrom
Johnson	O'Brien	Yunker
Kee		

Those voting in the negative were:

Andre	Gilbertson	Livingston
Berube	Hernett	Meldinger
Brooks	Hystad	Thompson
Fiedler	Kisse	Trenbeath
Garaas	Larson	

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senator Holand 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.

Senate Bill No. 107. A Bill for an Act to amend and reenact section 49-0506 of the North Dakota Revised Code of 1943, relating to the filing by public utilities of rates, fares, schedules, classifications, contracts, rules, and regulations, with the public service commission, and the investigation thereof by the commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson

Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Those voting in the negative were:

Baeverstad	Meidinger	Saumur
George		

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 107 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 111. A Bill for an Act to amend sections 20-0201 and subsection one of section 20-0205 of the North Dakota Revised Code of 1943 and to provide for appointment of a state game and fish commissioner, deputy commissioner, chief warden, district deputy wardens, biologists and technicians and their removal and to repeal sections 20-0206 and 20-0208 of the North Dakota Revised Code of 1943 and section 20-0211 of the 1957 Supplement to North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand 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.

Senate Bill No. 7. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, new building and special projects for the State Training School at Mandan, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Thompson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 7 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 190. A Bill for an Act making an appropriation for the purpose of supplementing the appropriation made for the construction of a school for the blind in the initiated measure which was approved in June, 1958.

Which has been read.

Senator Trenbeath requested that the chair make a ruling as to the number of votes necessary to pass this measure.

The President ruled that a majority vote was all that was needed to pass Senate Bill No. 190.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 18; nays, 31; absent and not voting, 0.

Those voting in the affirmative were:

Berube	Gefreh	Longmire
Erickson	Gronvold	Luick
Erickstad	Hernett	Mutch
Foss	Holand	Saumur
Freed	Kee	Wartner
Garaas	Livingston	Wenstrom

Those voting in the negative were:

Andre	Krause	Redlin
Baeverstad	Larson	Ringsak

Becker	Lautenschlager	Roen
Brooks	Meidinger	Schrock
Fiedler	Miller	Thompson
George	Morgan	Trenbeath
Gilbertson	Murphy	Van Horn
Hystad	Nesvig	Vendsel
Johnson	O'Brien	Wadeson
Kisse	Paulson	Yunker
Klefstad		

So the bill was declared lost due to the lack of a constitutional majority.

Senator Holand moved that the vote by which Senate Bill No. 190 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 272. A Bill for an Act establishing a commission to work jointly with the state of Montana and the national park service for the purpose of investigating the historical significance of the area in northwestern North Dakota and northeastern Montana at the confluence of the Yellowstone and Missouri rivers for the purpose of determining the feasibility of preserving the historical sites of the area illustrative of the history of the United States and making an appropriation therefor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Freed	Livingston	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Vendsel
George	Meidinger	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Wenstrom
Holand	Murphy	Yunker

Absent and not voting:
Hernett

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 272 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 55. A Bill for an Act relating to purchase of a building for highway maintenance offices, providing for its maintenance and management, for transfer of certain land incident thereto, and making an appropriation, and amending section 54-2118 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 55 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 appropriate money for the construction of a children's psychiatric center to be administered by the state board of administration.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 3; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Mutch
Baeverstad	Johnson	Nesvig
Becker	Kee	O'Brien
Brooks	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand		

Those voting in the negative were:

Berube	Ringsak	Schrock
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So the bill passed and the title was agreed to.

Senator Holand 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.

Senate Bill No. 199. A Bill for an Act providing for an appropriation for armory and military construction purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Saumur
Erickson	Krause	Schrock
Erickstad	Larson	Ringsak
Fiedler	Lautenschlager	Roen
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 199 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 290. A Bill for an Act establishing a revolving fund for the purpose of making loans to counties and nonprofit corporations for the construction of nursing homes and homes for the aged, providing for the administration of such loan program, and authorizing the establishment and operation of county nursing homes and homes for the aged and the levying of a tax therefor, and making an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson

Gilbertson
Gronvold
Hernett
Holand

Morgan
Murphy
Mutch

Wartner
Wenstrom
Yunker

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 290 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 86. A Bill for an Act to establish a geriatrics hospital for the care of the aged to be maintained under the administration of the state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 24; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	O'Brien
Becker	Kee	Ringsak
Brooks	Kisse	Saumur
Erickson	Krause	Thompson
Erickstad	Longmire	Vendsel
Garaas	Miller	Wenstrom
Gefreh	Mutch	Yunker
Gronvold		

Those voting in the negative were:

Berube	Klefstad	Paulson
Fiedler	Larson	Redlin
Foss	Lautenschlager	Roen
Freed	Livingston	Schrock
George	Luick	Trenbeath
Gilbertson	Meidinger	Van Horn
Hystad	Morgan	Wadeson
Johnson	Murphy	Wartner

So the bill passed and the title was agreed to.

Senator Gronvold moved that the vote by which Senate Bill No. 86 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

Senator Erickstad requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1. A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State government, and for all of the subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts,

insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Luick	Trenbeath
Freed	Meidinger	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:

Gronvold	Hernett	Longmire
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 1 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 142. A Bill for an Act relating to chemical tests of intoxication for drivers of motor vehicles and providing for suspension of operator's license upon refusal to submit to proper test and to amend and reenact section 39-0101 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 61 and to amend and reenact section 39-0801 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to intoxicating liquor and persons under the influence of intoxicating liquor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 10; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Wadeson

Gefreh	Miller	Wartner
George	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Those voting in the negative were:

Berube	Klefstad	Ringsak
Brooks	Morgan	Schrock
Gilbertson	Nesvig	Vendsel
Johnson		

Absent and not voting:

Gronvold	Longmire
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 142 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 166. A Bill for an Act to promote development, utilization and marketing of wheat grown in North Dakota; declaring public policy and purpose; creating the North Dakota State Wheat Commission and prescribing its powers, authority and duties; providing funds by the levy of an excise tax and appropriation of the proceeds; and declaring an emergency, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Johnson	Mutch
Becker	Kee	O'Brien
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Trenbeath
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Hernett	Miller	Wenstrom
Holand	Morgan	Yunker

Those voting in the negative were:

Andre	Gronvold	Paulson
Berube	Hystad	Thompson
Garaas	Murphy	Van Horn
Gilbertson	Nesvig	

Absent and not voting:

Longmire	Wartner
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Senator Freed: I want to explain my vote on Senate Bill No. 166. I voted for the bill. The reason I voted for the bill is that I believe in advertising. A few years ago we had in the Senate here a cigarette bill. That cigarette bill was advertised all over the world. We banned the sale of cigarettes in North Dakota. However, that created such a big demand for candy cigarettes all over the world that inside of a few months the manufacturers and today they

are working the clock around making candy cigarettes. I am sure that if we advertise our good North Dakota wheat we won't have any surplus.

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Holand 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. 266. A Bill for an Act to create the North Dakota Seed Potato Act, defining terms and providing for the formation, regulations and administration of the Act, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Kee	O'Brien
Brooks	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Ringsak
Fiedler	Larson	Roen
Foss	Lautenschlager	Saumur
Freed	Livingston	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Wadeson
Gilbertson	Miller	Yunker
Gronvold	Morgan	

Those voting in the negative were:

Berube	Hystad	Murphy
Garaas	Johnson	Schrock

Absent and not voting:

Longmire	Vendsel	Wenstrom
Van Horn	Wartner	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 266 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 144. A Bill for an Act to amend and reenact subsection 3 of section 39-0467 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to allocation of motor vehicle registration tax proceeds for counties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 23; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Gefreh	Kisse
Baeverstad	George	Klefstad
Becker	Gronvold	Krause

Berube	Hernett	Paulson
Erickstad	Holand	Thompson
Fiedler	Hystad	Trenbeath
Foss	Johnson	Vendsel
Freed	Kee	

Those voting in the negative were:

Brooks	Meidinger	Ringsak
Erickson	Miller	Roen
Garaas	Murphy	Saumur
Gilbertson	Mutch	Schrock
Larson	Nesvig	Wadeson
Lautenschlager	O'Brien	Wenstrom
Livingston	Redlin	Yunker
Luick		

Absent and not voting:

Longmire	Van Horn	Wartner
Morgan		

So the bill was declared lost.

Senator Brooks moved that the vote by which Senate Bill No. 144 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Trenbeath: Mr. President. Due to the commotion in regard to the potatoes to be given to the legislators I erred in my vote on Senate Bill No. 144. I request this statement be placed in the journal changing my vote from aye to nay.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 20, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 7
 Senate Bill No. 29
 Senate Bill No. 36
 Senate Bill No. 42
 Senate Bill No. 55
 Senate Bill No. 78
 Senate Bill No. 86
 Senate Bill No. 107
 Senate Bill No. 108
 Senate Bill No. 111
 Senate Bill No. 135
 Senate Bill No. 139
 Senate Bill No. 157
 Senate Bill No. 158
 Senate Bill No. 165
 Senate Bill No. 178
 Senate Bill No. 191
 Senate Bill No. 193
 Senate Bill No. 199
 Senate Bill No. 201
 Senate Bill No. 220
 Senate Bill No. 233
 Senate Bill No. 235
 Senate Bill No. 249
 Senate Bill No. 267
 Senate Bill No. 268
 Senate Bill No. 272

Senate Bill No. 275
 Senate Bill No. 290
 Senate Bill No. 292

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.
 Senate Chamber
 Bismarck, February 20, 1959

Mr. Speaker: I have the honor to return:
 House Bill No. 546
 House Bill No. 640
 House Concurrent Resolution "E"
 House Concurrent Resolution "D 1"
 Which the President has signed.

VIC GILBREATH, Secretary.
 Senate Chamber
 Bismarck, February 20, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 176.

VIC GILBREATH, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, February 20, 1959

Mr. President: I have the honor to return:
 Senate Bill No. 175

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber
 Bismarck, February 20, 1959

Mr. President: I have the honor to transmit:

House Bill No. 504
 House Bill No. 552
 House Bill No. 657
 House Bill No. 660
 House Bill No. 668
 House Bill No. 697
 House Bill No. 701
 House Bill No. 713
 House Bill No. 718
 House Bill No. 723
 House Bill No. 736
 House Bill No. 740
 House Bill No. 746
 House Bill No. 750
 House Bill No. 767
 House Bill No. 769
 House Bill No. 776
 House Bill No. 781
 House Bill No. 784
 House Bill No. 793
 House Bill No. 800
 House Bill No. 808
 House Bill No. 815
 House Bill No. 821

House Bill No. 822
 House Bill No. 827
 House Bill No. 831
 House Bill No. 833
 House Bill No. 838
 House Bill No. 846
 House Bill No. 849
 House Bill No. 850
 House Bill No. 853
 House Bill No. 861
 House Bill No. 862
 House Bill No. 863
 House Bill No. 864
 House Bill No. 865

House Concurrent Resolution "L"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 20, 1959

Mr. President: I have the honor to inform you that the House has acceded to the request of the Senate to return the message naming the Conference Committee, Senators Baeverstad, Redlin and Mutch, on Senate Bill No. 115.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Bismarck, February 20, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1
 Senate Bill No. 142
 Senate Bill No. 166
 Senate Bill No. 266

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "CC". A concurrent resolution providing for the amendment of Article 56 of the Amendments to the Constitution of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 39; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Baeverstad	Hernett	Mutch
Becker	Holand	O'Brien
Berube	Hystad	Paulson
Erickson	Kee	Redlin
Erickstad	Kisse	Ringsak
Fiedler	Krause	Roen
Foss	Larson	Saumur
Freed	Lautenschlager	Thompson
Garaas	Livingston	Van Horn

Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker

Those voting in the negative were:

Andre	Klefstad	Nesvig
Johnson	Murphy	Schrock

Absent and not voting:

Brooks	Trenbeath	Wartner
Longmire		

So the resolution was declared adopted.

Senate Concurrent Resolution "JJ". A concurrent resolution authorizing and directing the state historical society to accept the old Fort Totten site from the Federal Government if it is offered to the state.

Was read the second time.

Senator Erickstad moved that Senate Concurrent Resolution "JJ" be adopted, which motion prevailed.

MOTIONS

Senator Wenstrom moved that House Concurrent Resolution "H" be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Wenstrom moved that House Concurrent Resolution "H" be placed on the calendar for final action, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "H". A concurrent resolution endorsing and approving the Bureau of Reclamation project plan report on the Garrison Diversion Unit and supporting and urging early enactment of desirable and needed modifying and confirming legislation authorizing the construction thereof.

Was read the second time.

Senator Wenstrom moved that House Concurrent Resolution "H" be adopted, which motion prevailed.

Senator Wenstrom moved that the vote by which House Concurrent Resolution "H" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 20, 1959

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "CC"

Senate Concurrent Resolution "JJ"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 20, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 20, 1959

Mr. President: I have to honor to transmit:

House Bill No. 501

House Bill No. 672

House Bill No. 690

House Bill No. 714

House Bill No. 756

House Bill No. 805

House Bill No. 836

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 20, 1959

Mr. President: I have the honor to return:

Senate Concurrent Resolution "B"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-SIXTH DAY

Bismarck, February 20, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Robert H. Strutz, Evangelical United Brethren, Mandan:

Thou Who hast made us heirs of a great heritage and trustees of priceless things, help us never to forget the price that was paid for them . . . We pray Thy blessings upon this body as they deal with the problems of our day . . . Guide in every decision that is made and help each one to give a good account of this day . . . Amen.

Roll Call: All Senators present except Senators Larson, Longmire, Paulson, Schrock, and Wartner.

A quorum was declared by the President.

FIRST READING OF HOUSE BILLS

House Bill No. 695. A Bill for an Act to create and enact section 63-0117 of the North Dakota Revised Code of 1943, relating to the establishment of emergency areas for the control of leafy spurge, and declaring an emergency.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 703. A Bill for an Act to amend and reenact section 12-2120 of the North Dakota Revised Code of 1943, relating to Sunday hours of theaters.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 730. A Bill for an Act to amend and reenact Sections 12-5313, 12-5314 and 12-5315 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the suspension of the imposition of sentence, when authorized, placing the defendant under the control of

board of pardons, sponsor of defendant, and when probation may be terminated.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 747. A Bill making an appropriation jointly to the North Dakota legislative research committee and the North Dakota superintendent of public instruction for the purpose of making a survey of elementary and secondary education in North Dakota and maintaining the necessary expenses connected therewith.

Was read the first time and referred to the Committee on Education.

House Bill No. 759. A Bill for an Act to amend and reenact section 47-1945 of the North Dakota Revised Code of 1943, relative to constructive notice of execution of recorded instruments and admissibility in evidence without further proof.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 761. A Bill for an Act to amend and reenact section 47-1919 of the North Dakota Revised Code of 1943, relating to notice and effect of recorded instruments.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 762. A Bill for an Act to amend and reenact section 47-1908 of the North Dakota Revised Code of 1943, relating to when an instrument shall be deemed recorded.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 763. A Bill for an Act to amend and reenact section 47-1941 of the North Dakota Revised Code of 1943, relating to record title, effect of unrecorded conveyance, and priority of first deposited, accepted and recorded conveyance; and to provide for legal notice to persons claiming under unrecorded instruments, for limitation of actions; defenses and counterclaims, and for validation of the record of instruments not entitled to be recorded.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 785. A Bill for an Act to provide a limitation of ten years upon the commencement of an action or proceeding to foreclose a real estate mortgage and to repeal Subsection 3 of Section 28-0115 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 786. A Bill for an Act to provide a limitation of ten years upon the commencement of an action or proceeding to cancel or enforce any contract for the sale or conveyance of real estate.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 820. A Bill for an Act to amend and reenact Subsection 3 of Section 15-5001, Sections 15-5002, 15-5003, 15-5004 and Subsection 2 of Section 15-5006 of the North Dakota Revised Code of 1943 to conform with Chapter 132, Session Laws of 1955, relating to trade and correspondence schools.

Was read the first time and referred to the Committee on Education.

House Bill No. 826. A Bill for an Act to amend Chapter 57-24 of the North Dakota Revised Code of 1943 by adding thereto section 57-2431 relating to collection of real estate taxes imposed on leasehold interests in exempt real property.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 857. A Bill for an Act to amend and reenact subsection 2 of section 57-3915 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the limitation of time within which collection of sales and use taxes may be enforced.

Was read the first time and referred to the Committee on Finance and Taxation.

House Concurrent Resolution "H1". A concurrent resolution requesting the state board of higher education to study scales at the institutions of higher learning.

Was read the first time and referred to the Committee on Education.

House Concurrent Resolution "O1". A concurrent resolution requesting the governor to authorize by proclamation the taking of fish from the Missouri River by the use of spears.

Was read the first time and referred to the Committee on Natural Resources.

House Concurrent Resolution "T1". A concurrent resolution urging the State Board of Administration to provide adequate quarters for the offices of the legislative research committee at such time as additional space becomes available in the Capitol building.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 504. A Bill for an Act making an appropriation to the State Historical Society for salary, Clerk-hire and miscellaneous expenses and maintenance of state parks.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 552. A Bill for an Act to amend and reenact subsection 1 of section 15-4007 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the financial effort required for emergency assistance from the state equilization fund.

Was read the first time and referred to the Committee on Education.

House Bill No. 657. A Bill for an Act to amend and reenact section 15-3409 of the 1957 Supplement to the North

Dakota Revised Code of 1943, relating to transportation or maintenance of pupils.

Was read the first time and referred to the Committee on Education.

House Bill No. 660. A Bill for an Act creating a National Statuary Hall Commission in North Dakota for the purpose of placing a statue of Four Bears in the National Statuary Hall in Washington, D.C. and making an appropriation.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 668. A Bill for an Act to amend and reenact section 15-4213 of the North Dakota Revised Code of 1943, and section 15-4208 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to maintenance of county agricultural and training schools.

Was read the first time and referred to the Committee on Education.

House Bill No. 697. A Bill for an Act to require school districts to provide special instruction and services for handicapped, educable children, providing aid for employment of personnel and for purchase or rental of supplies and equipment, providing aid for transporting or boarding such children and to authorize school districts to provide special instruction and services for trainable and exceptional children and for their transportation or board and lodging, and to repeal chapter 15-59 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Education.

House Bill No. 701. A Bill for an Act to amend and reenact section 57-0228 of the North Dakota Revised Code of 1943 relating to computation of property taxes, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 713. A Bill for an Act to make an appropriation for the preparation of a record of those who rendered military service during World War II and the Korean hostilities and to provide for distribution thereof.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 718. A Bill for an Act to create and enact section 34-01093 of the 1957 Supplement, relating to qualifications to hold office in labor union or labor organization.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 723. A Bill for an Act authorizing and directing the legislative research committee to study existing mental health facilities in North Dakota for the purpose of reorganizing and coordinating the same and authorizing necessary expenditures for professional assistance in making the study and to make an appropriation.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 736. A Bill for an Act to amend and reenact subsection 4 of section 12-2115 of the North Dakota

Revised Code of 1943 relating to acts of Sabbath breaking and to amend and reenact section 12-2116 of the North Dakota Revised Code of 1943 relating to punishment for Sabbath breaking.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 740. A Bill for an Act levying a special excise tax on the sale of special fuels sold for agricultural, heating or railroad purposes; providing that special fuel dealers be licensed, bonded, collect the tax, make returns and remit the tax to the state auditor; providing that the state auditor administer the tax; providing penalties; and providing for allocation and distribution of the tax among the counties for farm to market roads.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 746. A Bill for an Act to create and enact subsection 7 of section 57-2304 of the North Dakota Revised Code of 1943 relating to the abatement of assessments and refund of taxes.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 750. A Bill for an Act to require the retirement from state employment of persons more than seventy years of age.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 767. A Bill for an Act to amend and reenact sections 11-1015, 54-0609, 58-0602, and 58-0701 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 23-1410 of the North Dakota Revised Code of 1943, relating to the mileage to be paid to state, county and township officials.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 769. A Bill for an Act to amend and reenact sections 57-0904 and 57-4505 of the North Dakota Revised Code of 1943 relating to the duties of the township board of equalization and the neglect of duty of county, township, or district officers in the administration of tax laws.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 776. A Bill for an Act to adopt a uniform law on boating safety, operation, registration, equipment and enforcement and to provide a penalty and to repeal section 20-0126 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 781. A Bill for an Act authorizing the state livestock sanitary board to provide by regulation for the quarantine of livestock feedlots; providing for the licensing of quarantined livestock feedlots; and making an appropriation.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 784. A Bill for an Act to amend and reenact sections 40-4602, 40-4604, 40-4609, and 40-4620 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to a tax levy for a city employees' pension fund and for the city's share of federal social security; membership fees and assessments; requirements for and amounts of retirement pay; and refunds to employees upon termination of employment or upon retirement from pension fund.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 793. A Bill for an Act to amend and reenact Section 52-1003 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to public employees under Federal Social Security.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 800. A Bill for an Act authorizing cities, counties, towns, villages, park districts or public bodies or any combination thereof, by resolution of their respective legislative bodies, to create airport authorities; granting to such airport authorities all powers necessary or incidental to the planning, promoting, acquisition, development, construction, improvement, enlargement, operation and maintenance of one or more public airports and defining its powers and duties; providing that counties may levy tax for airport purposes; and provide reciprocity with adjoining states and political subdivisions.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 805. A Bill for an Act to amend and reenact sections 57-1201, 57-1204, 57-1207, and subsection 3 of section 57-0212 of the North Dakota Revised Code of 1943 relating to equalization of assessments by the county board of equalization.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 808. A Bill for an Act to assist in the assessment and collection of personal property taxes on billboards used for advertising purposes.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 815. A Bill for an Act to amend and reenact section 57-15101 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the levy for advertising purposes.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 821. A Bill for an Act to amend and reenact section 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to special fuel taxes.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 822. A Bill for an Act relating to county zoning and planning and providing for the submission of plans for the establishment of zoning and planning dis-

districts adjacent to cities, and for division of costs, and declaring an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 827. A Bill for an Act to amend and reenact sections 40-2201, 40-2208 and 40-2209 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to defraying expense of improvements by special assessments, creation of improvement districts, size and form thereof, and regulations governing the same, to amend and reenact sections 40-2217 and 40-2218 of the North Dakota Revised Code of 1943, relating to protests against improvements, and hearings thereon, and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 831. A Bill for an Act to amend and reenact Section 48-0102 of the North Dakota Revised Code of 1943, relating to contractors bonds.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 833. A Bill for an Act to amend and reenact section 49-0301 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provision of services by public utilities, the obtaining of certificates of public convenience and necessity, and the extension of pipeline gathering systems to oil and gas pools.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 838. A Bill for an Act to amend and reenact sections 65-0601, 65-0602, 65-0603 and 65-0604 of the North Dakota Revised Code of 1943, and to create and enact Section 65-06041 of the North Dakota Revised Code of 1943, relating to workmen's compensation for volunteer firemen and volunteer civil defense trainees, definitions, granting of protection and rights, termination of protection and rights of volunteer civil defense trainees, and reimbursement to fund by state for excess liabilities to volunteer civil defense trainees.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 846. A Bill for an Act to amend and reenact section 57-0504 of the North Dakota Revised Code of 1943 relating to the certification of mileage and valuation of railroads for the purposes of taxation and the payment of taxes on railroad property, providing a penalty thereon.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 849. A Bill for an Act to create and enact section 15-42171 of the North Dakota Revised Code of 1943 relating to tuition charges in county agricultural and training schools.

Was read the first time and referred to the Committee on Education.

House Bill No. 850. A Bill for an Act to amend and reenact section 15-2529, subsection 13 of section 15-2908,

section 15-3213 and subsection 5 of section 15-5122 of the North Dakota Revised Code of 1943, relating to reports of school districts and providing for publication of financial statements.

Was read the first time and referred to the Committee on Education.

House Bill No. 853. A Bill for an Act to amend and reenact subsection 3 of section 39-0617 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to repeal subsection 4 of section 39-0617 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to age requirement for obtaining drivers licenses.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 861. A Bill for an Act to provide for the regulation of participation and eligibility in school activities, functions and athletic events by local school boards and requiring certain organizations to file annual audit.

Was read the first time and referred to the Committee on Education.

House Bill No. 862. A Bill for an Act reappropriating any unexpended balance remaining in the appropriation made pursuant to chapter 82 of the North Dakota Session Laws of 1957 for extraordinary expenses of law enforcement.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 863. A Bill for an Act providing for a separate special fund to carry on certain functions of the high school correspondence study division, making a standing appropriation of all income and collections of that division, and making an appropriation to such fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 864. A Bill for an Act to amend and reenact Section 54-3902 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to Korean Conflict Adjusted Compensation Bonds, purpose of issue and use of proceeds.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 865. A Bill for an Act to make a deficiency appropriation for the payment of general expenses of the Thirty-sixth Legislative Assembly, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution "L". A concurrent resolution providing for the repeal of Article 56 of the Amendments to the Constitution of the state of North Dakota and the amendment of section 1 of Article 60 of the Amendments to the Constitution and Section 186 of Article 12 of the Constitution of the state of North Dakota.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 501. A Bill for an Act making an appropriation for the general maintenance, plant improvements,

and new buildings of the state institutions of higher learning of the State of North Dakota, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 672. A Bill for an Act to amend and reenact section 63-0301 of the North Dakota Revised Code of 1943 relating to weeds and grasses on highways, streets, and alleys, and to repeal sections 63-0305 and 63-0306 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 690. A Bill for an Act to amend and reenact subsection 7 of section 57-3822 of the North Dakota Revised Code of 1943 relating to dividends and liquidating distributions deductions allowed in computing net income.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 714. A Bill for an Act to amend and reenact sections 15-0401, 15-0407, 15-0409, 15-0410, 15-0411, 15-0412 and 15-0420 of the North Dakota Revised Code of 1943 and to repeal section 15-0408 of the North Dakota Revised Code of 1943 and to create and enact section 15-0422 of the North Dakota Revised Code of 1943, relating to the leasing of original grant school lands.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 756. A Bill for an Act permitting employers, at their option to carry private Workmen's Compensation Insurance; specifying the terms and conditions under which the same may be done; providing for action of the Workmen's Compensation Bureau upon all controversial claims; permitting appeals from decisions of the Workmen's Compensation Bureau; Providing for liability of company or association insuring compensation, and requiring notice of election by employer to secure private insurance.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 836. A Bill for an Act to amend and reenact section 64-0218 of the North Dakota Revised Code of 1943, relating to form of license for coin-weighing machines, scales, and public gasoline pumps, license displayed, unlicensed machine confiscated, and penalty assessed in lieu thereof.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-SIXTH DAY AFTER RECESS
AND FORTY-NINTH DAY

Bismarck, February 23, 1959

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 176

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 175

Senate Bill No. 176

Senate Concurrent Resolution "B"

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 23, 1959

Mr. President: I have the honor to return:

Senate Bill No. 38

Senate Bill No. 40

Senate Bill No. 41

Senate Bill No. 64

Senate Bill No. 75

Senate Bill No. 76

Senate Bill No. 85

Senate Bill No. 87

Senate Bill No. 93

Senate Bill No. 95

Senate Bill No. 114

Senate Bill No. 122

Senate Bill No. 134

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 23, 1959

Mr. President: I have the honor to transmit:

House Bill No. 675

House Concurrent Resolution "H"

Which the speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 23, 1959

Mr. President: I have the honor to inform you that the House requests the return of House Bill No. 756, which was killed in the House.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 23, 1959

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 115.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Morgan moved that House Bill No. 597 be returned to the Senate from the Committee on Industry Business and Labor, which motion prevailed.

Senator Morgan moved that House Bill No. 597 be referred to the Committee on Agriculture, which motion prevailed.

Senator Holand moved that the Senate accede to the request of the House and that Senate Bill No. 115 and House Bill No. 756 be returned to the House, which motion prevailed.

Senator Holand moved that Senate Concurrent Resolutions "R", "V", "W", "Z", "AA", "EE", "GG", "HH", and "II" be returned to the Senate from the Legislative Research Resolutions Committee, which motion prevailed.

Senator Holand moved that these resolutions be referred to their respective committees, which motion prevailed.

The President referred said resolutions as follows:

Senate Concurrent Resolution "R" to the Committee on State and Federal Government.

Senate Concurrent Resolution "V" to the Committee on Industry, Business and Labor.

Senate Concurrent Resolution "W" to the Committee on Industry, Business and Labor.

Senate Concurrent Resolution "Z" to the Committee on Social Welfare and Veterans Affairs.

Senate Concurrent Resolution "AA" to the Committee on Agriculture.

Senate Concurrent Resolution "EE" to the Committee on State and Federal Government.

Senate Concurrent Resolution "GG" to the Committee on Transportation.

Senate Concurrent Resolution "HH" to the Committee on Finance and Taxation.

Senate Concurrent Resolution "II" to the Committee on Education.

Senator Longmire moved that House Bills No. 621, 632, and 682, be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that House Bill No. 632 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Longmire moved that House Bills No. 621 and 682 be re-referred to the Committee on Judiciary.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 23, 1959

Mr. Speaker: I have the honor to return House Bill No. 756, which the House requested.

VIC GILBREATH, Secretary.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "KK". A concurrent resolution authorizing the appointment of a temporary committee to make, promote and supervise plans for a Dakota Territory Centennial Celebration.

Was read the second time.

Senator Wenstrom moved that Senate Concurrent Resolution "KK" be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that Senate Concurrent Resolution "LL" be re-referred to the Committee on Transportation, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 567 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 571 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 583 has had the same under consideration and recommends that the same be amended as follows:

In line 19, after the word "year" insert the following words: "and not earlier than February 15"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 585 has had the same under consideration and recommends that the same be amended as follows:

In line 9, delete the words "October thirty-first" and insert in lieu thereof the words "November thirtieth"

In line 12, delete the word "August" and insert in lieu thereof the word "October"

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 599 has had the same under consideration and recommends that the same be amended as follows:

In line 17, delete the words "and not".

In line 18, delete the words "exceeding three lines".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 600 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 604 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 605 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 606 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 612 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 626 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 630 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 646 has had the same under consideration and recommends that the same be amended as follows:

In line 7 of the title of the bill, delete the period after the word "payments" and insert in lieu thereof the words "and authorizing a tax levy."

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 659 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 660 has had the same under consideration and recommends that the same do pass and further recommends that the same be re-referred to the Appropriations Committee.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 663 has had the same under consideration and recommends that the same be amended as follows:

In line 30, delete the period after the word "candles" and insert in lieu thereof a comma.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 677 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 681 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 688 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 689 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted.

Senator Brooks made the substitute motion that House Bill No. 689 be re-referred to the Committee on Finance and Taxation, which motion was lost.

The question being on the motion of Senator Baeverstad to adopt the committee report on House Bill No. 689, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 690 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted.

Senator Brooks made the substitute motion that House Bill No. 690 be re-referred to the Committee on Finance and Taxation, which motion was lost.

The question being on the motion of Senator Baeverstad to adopt the committee report on House Bill No. 690, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 692 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 693 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 738 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 740 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 743 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 744 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 749 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 755 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 778 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 780 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 792 has

had the same under consideration and recommends that the same be amended as follows:

In line 10 of the title of the bill, delete the period after the word "buildings" and insert in lieu thereof a comma and the words "and declaring an emergency."

Following line 33 add the following section:

SECTION 3. EMERGENCY.) An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval.

Number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 801 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 826 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution "N" has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "U" has had the same under consideration and recommends that the same be amended as follows:

In line 27, delete the word "Commission" and insert in lieu thereof the word "Commissioners".

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "I 1" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "T 1" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "Q 1" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Ringsak moved that the vote by which House Bills No. 689 and 690 were indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FORTY-NINTH DAY

Bismarck, February 23, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Edward R. Kimball, Evangelical Free, Bismarck:

Our loving Heavenly Father, we thank Thee that we may come into Thy presence. We thank Thee for these who represent us in government. We thank Thee for the order of government. Grant unto these who thus represent us of Thy wisdom and guidance. May Thy blessing rest upon them. In Jesus name we pray. Amen.

Roll call: All Senators present except Senator Murphy.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-fourth day after recess, forty-fifth day and forty-sixth day and recommends that the same be corrected as follows:

On page 557, after line 21 insert the following: "Senator Mutch moved that the absent Senators be excused, which motion prevailed."

On page 551, in line 15, delete the figure "42" and insert in lieu thereof the figure "142".

And when so corrected recommends that the same be approved.

SENATOR RINGSAK, Vice Chairman.

Senator Ringsak moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 175

Senate Bill No. 176

Senate Concurrent Resolution "B"

House Bill No. 675
House Concurrent Resolution "H"

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE HOUSE

A committee from the House was announced and said committee informed the Senate that the House was ready to receive the Senate in a joint memorial session.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MOTIONS

Senator George moved that Senate Memorial Resolution No. 2, which was adopted in the joint session this afternoon be printed in the journal, and not as a bill, which motion prevailed.

SENATE MEMORIAL RESOLUTION NO. 2

Introduced by Senate Memorial Resolutions Committee. A memorial resolution for deceased members of the Senate of the state of North Dakota.

- 1 WHEREAS, since the adjournment of the Thirty-
- 1a fifth
- 2 Legislative Assembly, God in His wisdom has seen fit
- 2a to
- 3 summon to eternal rest His servants and our former
- 4 colleagues:
- 5 Frank H. Beaton, who served in the twenty-fifth
- 6 session of the legislative assembly in the house of
- 6a repre-
- 7 sentatives and who, subsequently, served as a member
- 8 of the senate in the twenty-sixth to the twenty-ninth
- 8a leg-
- 9 islative assemblies, inclusive, from the tenth legislative
- 10 district, died March 30, 1957.
- 11 Oliver E. Bilden, who served in the twenty-fourth
- 12 session of the legislative assembly in the house of
- 12a repre-
- 13 sentatives and who, subsequently, served as a member
- 14 of the senate in the twenty-fifth to the thirty-fifth,
- 14a legis-
- 15 lative assemblies, inclusive, from the fifth legislative
- 16 district, died March 24, 1958.
- 17 J. C. Blaisdell, Jr., who served in the twenty-fourth
- 18 session of the legislative assembly in the house of
- 18a repre-
- 19 sentatives and who, subsequently, served as a member
- 20 of the senate in the twenty-fifth and twenty-sixth
- 20a legisla-
- 21 tive assemblies from the twenty-ninth legislative
- 21a district,
- 22 died February 28, 1958.
- 23 Clyde Kieley, who served in the thirty-fourth and
- 24 thirty-fifth legislative assemblies from the fourth legis-
- 25 lative district, died July 14, 1957.
- 26 Elias B. Lichty, who served in the thirtieth and
- 27 thirty-first legislative assemblies from the twenty-
- 28 second legislative district, died June 14, 1957.

29 John L. Miklethun, who served in the sixteenth to
30 the nineteenth legislative assemblies, inclusive, from
31 the sixteenth legislative district and in the twenty-third
32 legislative assembly from the fifteenth legislative dis-
33 trict, died July 31, 1955.

34 Fred Pathmann, who served in the nineteenth and
35 twentieth legislative assemblies from the forty-seventh
36 legislative district, died March 26, 1957.

37 John G. Plath, who served in the seventeenth to the
38 twenty-first legislative assemblies, inclusive, in the
39 house of representatives and who, subsequently, served
39a as a

40 member of the senate in the twenty-second and twenty-
40a third
41 legislative assemblies from the tenth legislative district,
42 died January 9, 1959.

43 O. T. Tofsrud, who served in the ninth and tenth
44 legislative assemblies from the thirty-fourth legisla-
45 tive district and in the eighteenth to the twenty-first legis-
46 lative assemblies, inclusive, from the forty-second
47 legislative district, died June 22, 1957.

48 Emil F. Torno, who served in the thirtieth to the
49 thirty-fifth legislative assemblies, inclusive, from the
50 thirty-fourth legislative district, died November 22,
50a 1958.

51 Syver Vinje, who served in the twenty-fourth and
52 twenty-fifth legislative assemblies from the eighth
52a legis-
53 lative district, died February 14, 1957.

54 WHEREAS, today, we as members of the senate
55 of the Thirty-sixth Legislative Assembly of the state
56 of North Dakota, pause to mourn the passing of our
57 former colleagues and to honor their memories; and

58 WHEREAS, these men rendered outstanding service
59 to the people of this state by their contribution to their
60 fellow men and their communities:

61 NOW, THEREFORE, BE IT RESOLVED BY THE
62 SENATE OF THE THIRTY-SIXTH LEGISLATIVE
63 ASSEMBLY OF THE STATE OF NORTH DAKOTA:

64 That we express our keen sorrow on their passing
65 and our appreciation, on behalf of the people of North
66 Dakota, of the loyal and devoted service of these, our
67 former colleagues.

68 BE IT FURTHER RESOLVED, that for the perpetua-
69 tion of their memory, this token of respect and sym-
70 pathy by their successors in trust be printed in the
71 Journal of the Senate and that duly enrolled copies of
72 this resolution be presented by the Secretary of State
73 to the surviving families of these deceased Senators.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 608 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Vice Chairman.

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 633 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Vice Chairman.

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that they have examined the following bill:

Senate Memorial Resolution No. 2

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Memorial Resolution No. 2

And the President signed the same in the presence of the Senate.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTIETH DAY

Bismarck, February 24, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Emmanuel S. Hedgebeth, First Congregational Christian Church, Bismarck:

Our Father, we pray that Thou wouldst be with the members of this body in their deliberations. Grant them the willingness to accept the cost of those things necessary for the benefit of our citizens, the courage to eliminate those things which are unnecessary, and the wisdom to discern between the two. In Christ's name we pray. Amen.

Roll Call: All Senators present except Senator Murphy. A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-sixth day after recess and the forty-ninth day and finds the same correct.

SENATOR RINGSAK, Vice Chairman.

Senator Ringsak moved that the report be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that it has examined the following bills:

Senate Bill No.	38
Senate Bill No.	64
Senate Bill No.	75
Senate Bill No.	76
Senate Bill No.	85
Senate Bill No.	87
Senate Bill No.	93
Senate Bill No.	95
Senate Bill No.	114
Senate Bill No.	122
Senate Bill No.	134

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 24, 1959

Mr. President: I have the honor to return:

Senate Bill No. 152

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 24, 1959

Mr. President: I have the honor to return:

Senate Bill No. 141

Senate Bill No. 192

Senate Bill No. 215

Senate Bill No. 227

Senate Bill No. 234

Senate Bill No. 262

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 24, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 175

Senate Bill No. 176

Senate Concurrent Resolution "B"

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, February 24, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 675

House Concurrent Resolution "H"

Which the President has signed.

VIC GILBREATH, Secretary.

MESSAGE FROM THE SENATE

Senate Chamber
Bismarck, February 24, 1959

Mr. Speaker: I have the honor to return Senate Bill 115, which the House requested.

VIC GILBREATH, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, February 24, 1959

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "KK"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 24, 1959

Mr. Speaker: I have the honor to inform you that the House requests the return of Senate Bill No. 152.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Freed moved that the President appoint a committee to escort former Senator M. J. Rashko to the rostrum, which motion prevailed.

The President appointed as such committee Senator Freed and former Senator Rashko was escorted to the rostrum and invited to address the Senate.

Mr. Rashko: Thank you, Mr. President. I assure you that I appreciate being called up here and I have sat in these seats for a good many sessions. I had my seat directly over to the left and C. P. Dahl, your Lieutenant Governor, was right to my left. We had hectic sessions in those days and as I look around I only recognize two faces here and it is with some sadness as I look over the various seats and find that some of these men have passed on. Senator Foss is still here and Senator Schrock. At that time we would not permit anyone from the House to sneak into the Senate, but I see George Saumur finally made it. I know that some of the men that served with me decided not to run again, others have gone to their eternal reward, and others I presume have gotten to the point where the constituents did not see eye to eye with the candidates.

I also understand you have many new improvements. We did not have the automatic voting machine that you have now.

I don't want to take much of your time but it has been a pleasure to be here and I know that you have some hectic days left. I hope, and I know that you will, in the spirit of bi-partisanship channel your efforts and best thinking to a constructive program, that will be a benefit to the state as a whole and a credit to yourselves.

Now, Mr. President, I want to present to you a necktie that advertises the Oregon Centennial. This is the one hundredth year of statehood in the State of Oregon, and I extend an invitation to you to visit Oregon this year. It is going to be the greatest show that is going to be staged in the United States in 1959. They are making elaborate arrangements. The exhibition ground covers 65 acres. I know you men all make money in North Dakota and go on vacations, and I urge you to visit Oregon, and at this time I present you, Mr. President, with this necktie.

Senator Freed moved that the remarks of former Senator Rashko be printed in the journal, which motion prevailed.

Senator Erickson moved that the President appoint a committee to escort former Senator Schroeder to the rostrum, which motion prevailed.

The President appointed as such committee Senator Erickson, and former Senator Schroeder was escorted to the rostrum and invited to address the Senate.

Mr. Schroeder: Thank you, Mr. President and Members of the Senate. My remarks will be very brief. It is very nice to have the privilege of coming to the rostrum and greeting you people. I will let you in on a little secret. About four months ago I had a slight feeling that I might occupy this rostrum officially but the people of North Dakota decided otherwise, and they made a very good choice. He is a great fellow. Being this is the time of the year that we have the March of Dimes I want to congratu-

late you, Mr. President, on your official capacity in the statewide drive for the March of Dimes, and I only wish at this time I would have brought some bulls from the southern part of the state so that we could have had a good sale of bulls to help the kitty along in the March of Dimes. We had that here at one time. It has been a pleasure to be here and I want to thank you very much.

Senator Erickson moved that the remarks of former Senator Schroeder be printed in the journal, which motion prevailed.

Senator Vendsel moved that the President of the Senate be granted the unanimous consent of the Senate to instruct the Secretary of the Senate to send an appropriate telegram to Senator Murphy expressing our sympathy in the untimely passing of his brother, which motion was carried by a rising vote, and the Secretary was so instructed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 547 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 548 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 549 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 550 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 552 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 556 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 558 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 568 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 570 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 575 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 609 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 611 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 649 has had the same under consideration and recommends that the same be referred to the Committee on Social Welfare and Veterans Affairs.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 650 has had the same under consideration and recommends that the same be amended as follows:

In line 65, after the word "nurses", insert the words "and licensed practical nurses".

Following line 67, insert subsection 4 to read as follows:

"4. Schools, Y.M.C.A. Clubs, athletic clubs, and similar organizations who furnish therapy and massage services to their players and members."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 668 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 680 has had the same under consideration and recommends that the same be amended as follows:

In line 8, delete the word "minimum" and insert in lieu thereof the word "maximum"

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 701 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 731 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 732 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 735 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 746 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 750 has had the same under consideration and recommends that the same be amended as follows:

In line 11, delete the words "over seventy years".

In line 12, delete the words "of age".

In line 13, delete the period and insert in lieu thereof the words "nor shall it apply to anyone employed by the legislature of the state of North Dakota."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 791 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 808 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 833 has had the same under consideration and recommends that the same be amended as follows:

In the title of the bill, delete the word "pools" at the end of line 6, and insert in lieu thereof the word "fields".

In line 32, delete the word "pool" and insert in lieu thereof the word "field".

In line 32, delete the period after the word "served" and insert in lieu thereof a comma, and after the comma insert the words "unless such oil or gas field borders within three miles of an oil or gas field presently being served."

At the end of line 32, delete the word "For", and delete all of lines 33, 34, 35, 36, 37, 38, 39, 40, 41 and the words "well presently served by the pipeline utility.", in line 42

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 839 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 840 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 846 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 849 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title of the engrossed bill after the word "schools" and before the period insert the following words: "and to repeal section 15-4217 of the North Dakota Revised Code of 1943"

In line 5 of the engrossed bill delete the words "IN COUNTIES"

In line 7 of the engrossed bill delete the word "may" and insert in lieu thereof the word "shall"

In line 15 of the engrossed bill after the comma delete the word "and"

In line 16 of the engrossed bill after the word "basis" and before the period insert the following words: "and money received from any other source"

After line 20 of the engrossed bill insert the following: "SECTION 2. REPEAL.) Section 15-4217 of the North Dakota Revised Code of 1943 is hereby repealed."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "EE" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "HH" has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "II" has had

the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution "E 1" has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution "H 1" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Concurrent Resolution "P 1" has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution "W 1" has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Meidinger moved that the amendments to House Bill No. 583 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 585 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 599 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 646 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 663 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 792 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Concurrent Resolution "U" be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that after the reading of House Bills No. 571, 600, 604, 605, 608, 612, 626, 630, 633, 659, 677, 681, 688, 692, 693, 738, 740, 743, 744, 749, 755, 778, 780, 801, 826, House Concurrent Resolutions "I 1", "N", "T 1" and

"Q 1", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MOTIONS

Senator Holand moved that Senate Concurrent Resolutions "HH" and "II" and House Concurrent Resolutions "E 1", and "W 1" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

Senator Holand moved that the Senate accede to the request of the House for the return of Senate Bill No. 152, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 571. A Bill for an Act to amend Section 57-3822 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 14 of this section relating to deductions for income tax purposes of expenses paid for child care by a female head of the family and to amend and reenact section 57-3823 of the North Dakota Revised Code of 1943 relating to items not deductible from net income for income tax purposes.

Which has been read.

Senator Holand moved that House Bill No. 571 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 600. A Bill for an Act to amend and reenact section 4-2242 of the North Dakota Revised Code of 1943 relating to the method of discontinuing soil conservation districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Redlin
Becker	Kisse	Ringsak
Berube	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Luick	Thompson
Gefreh	Meidinger	Trenbeath
George	Miller	Van Horn
Gronvold	Mutch	Vendsel
Holand		Wadeson

Absent and not voting:

Brooks	Kee	Nesvig
Erickson	Klefstad	Paulson
Erickstad	Livingston	Wartner
Garaas	Longmire	Wenstrom
Gilbertson	Morgan	Yunker
Hernett	Murphy	

So the bill passed and the title was agreed to.

House Bill No. 604. A Bill for an Act to amend and reenact sections 16-1013 and 16-1305 of the North Dakota

Revised Code of 1943 relating to the oath of election officers and authentication of reports and poll lists.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Redlin
Becker	Kisse	Ringsak
Berube	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Luick	Thompson
Freed	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Vendsel
Gronvold	Mutch	Wadson
Holand		

Absent and not voting:

Brooks	Kee	Nesvig
Erickson	Klefstad	Paulson
Garaas	Livingston	Wartner
Gilbertson	Longmire	Wenstrom
Hernett	Murphy	Yunker

So the bill passed and the title was agreed to.

House Bill No. 605. A Bill for an Act providing for registering absent voters' ballots on voting machines.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Roen
Erickstad	Krause	Ringsak
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Schrock
Freed	Longmire	Thompson
Garaas	Larson	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Erickson	Murphy	Vendsel
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So the bill passed and the title was agreed to.

House Bill No. 608. A Bill for an Act authorizing the State Board of Higher Education of the State of North Da-

kota to negotiate for and enter into a contract for the purchase of additional land for the use of the North Dakota Agricultural College at Fargo, North Dakota, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Erickson	Murphy
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 612. A Bill for an Act to amend and reenact sections 65-0509, 65-0511, and 65-0517 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to maximum and minimum benefits to be paid for total disability, for temporary partial disability, and for death, under the Workmen's Compensation Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickstad	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker

Absent and not voting:

Baeverstad	Livingston	Murphy
Erickson		

So the bill passed and the title was agreed to.

House Bill No. 626. A Bill for an Act to provide for the clearing of title record of ownership of state highway system right of way held in name of political subdivisions, departments or agencies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Larson	Thompson
Freed	Lautenschlager	Trenbeath
Garaas	Livingston	Van Horn
Gefreh	Longmire	Vendsel
George	Luick	Wadeson
Gilbertson	Meidinger	Wartner
Gronvold	Miller	Wenstrom
Hernett	Morgan	Yunker
Holand	Mutch	

Those voting in the negative were:

Ringsak	Roen
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Absent and not voting:

Baeverstad	Erickson	Murphy
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So the bill passed and the title was agreed to.

House Bill No. 630. A Bill for an Act to amend and re-enact Section 43-0424 of the North Dakota Revised Code of 1943 relating to minimum standard of schools of barbering.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson

Gronvold
Hernett
Holand
Johnson

Morgan
Nesvig
O'Brien

Wartner
Wenstrom
Yunker

Those voting in the negative were:

Andre
Berube

Hystad

Mutch

Absent and not voting:

Erickson

Murphy

So the bill passed and the title was agreed to.

House Bill No. 633. A Bill for an Act relating to bids on school district contracts and to amend and reenact section 15-4715 of the 1957 Supplement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre
Baeverstad
Becker
Berube
Brooks
Erickstad
Fiedler
Foss
Freed
Garaas
Gefreh
George
Gilbertson
Gronvold
Hernett
Holand

Hystad
Johnson
Kee
Kisse
Klefstad
Krause
Larson
Lautenschlager
Livingston
Longmire
Luick
Meidinger
Miller
Morgan
Mutch
Nesvig

O'Brien
Paulson
Redlin
Ringsak
Roen
Saumur
Schrock
Thompson
Trenbeath
Van Horn
Vendsel
Wadeson
Wartner
Wenstrom
Yunker

Absent and not voting:

Erickson

Murphy

So the bill passed and the title was agreed to.

The President requested the President Pro Tem to preside.

House Bill No. 659. A Bill for an Act to amend and reenact sub-sections (5) and (7) of Section 57-5203, Section 57-5204 and Section 57-5217 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the special fuel tax and exempting special fuel sold for heating, agricultural or railroad purposes and providing for the administration thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre
Baeverstad

Johnson
Kee

O'Brien
Paulson

Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:

Erickson	Freed	Murphy
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So the bill passed and the title was agreed to.

House Bill No. 677. A Bill for an Act to amend and reenact section 4-0901 of the 1957 Supplement to the North Dakota Revised Code of 1943 by amending subsection 6 and creating and enacting subsection 23, and to amend and reenact sections 4-0908, 4-0910, and 4-0911 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state seed department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:

Erickson	Freed	Murphy
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So the bill passed and the title was agreed to.

House Bill No. 681. A Bill for an Act to amend and reenact Section 40-4807 of the North Dakota Revised Code of 1943 relating to the limitations on expenditures to be made by planning commissions of municipalities and authorizing tax levies therefor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Kee	Paulson
Becker	Klefstad	Redlin
Berube	Larson	Roen
Brooks	Lautenschlager	Saumur
Erickstad	Livingston	Schrock
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Wenstrom
Gronvold	Mutch	Yunker
Holand	Nesvig	

Those voting in the negative were:

Gilbertson	Krause	Thompson
Johnson	Ringsak	Vendsel

Absent and not voting:

Erickson	Hernett	Murphy
Freed	Kisse	

So the bill passed and the title was agreed to.

The President returned to the chair.

House Bill No. 688. A Bill for an Act to create and enact subsection H of section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943, and to amend and reenact subparagraph 3 of subsection D, and amend and reenact subsection G of section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to deductions from and additions to benefits received under the old age and survivor insurance system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Erickson Murphy

So the bill passed and the title was agreed to.

House Bill No. 692. A Bill for an Act to amend and re-enact section 46-0603 of the North Dakota Revised Code of 1943 relating to the time when a newspaper can make application to place its name on ballot at a primary election for nomination as the official county newspaper.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Roen
Foss	Larson	Saumur
Freed	Lautenschlager	Schrock
Garaas	Livingston	Thompson
Gefreh	Longmire	Trenbeath
George	Luick	Van Horn
Gilbertson	Meidinger	Vendsel
Gronvold	Miller	Wadeson
Hernett	Morgan	Wartner
Holand	Mutch	Wenstrom
Hystad	Nesvig	Yunker

Those voting in the negative were:

Andre Brooks

Absent and not voting:

Erickson Murphy

So the bill passed and the title was agreed to.

House Bill No. 693. A Bill for an Act to amend and re-enact section 16-20171 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the disclosure of name of sponsor in political advertisements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
George	Luick	Van Horn
Gilbertson	Meidinger	Vendsel
Gronvold	Miller	Wadeson

Hernett	Morgan	Wartner
Holand	Mutch	Wenstrom
Hystad	Nesvig	Yunker

Those voting in the negative were:

Becker Gefreh

Absent and not voting:

Erickson Murphy

So the bill passed and the title was agreed to.

House Bill No. 738. A Bill for an Act to amend and re-enact section 57-3849 and subsection 3 of section 57-3842 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to filing and recording income tax liens and relating to time for filing of returns of information at the source.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hernett		

Absent and not voting:

Erickson Hernett Murphy

So the bill passed and the title was agreed to.

House Bill No. 740. A Bill for an Act levying a special excise tax on the sale of special fuels sold for agricultural, heating or railroad purposes; providing that special fuel dealers be licensed, bonded, collect the tax, make returns and remit the tax to the state auditor; providing that the state auditor administer the tax; providing penalties; and providing for allocation and distribution of the tax among the counties for farm to market roads.

Which has been read.

Senator Trenbeath moved that House Bill No. 740 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

House Bill No. 743. A Bill for an Act permitting the commissioner of insurance to approve forms of insurance policies other than the standard policy as provided in Section 26-0340 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Erickson	Murphy	Saumur
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So the bill passed and the title was agreed to.

House Bill No. 744. A Bill for an Act to amend and re-enact Section 18-0105 of the 1857 Supplement to the North Dakota Revised Code of 1943, providing for the reporting of fire losses to the state fire marshal by insurers authorized to transact fire insurance business in the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:

Erickson	Gefreh	Murphy
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So the bill passed and the title was agreed to.

House Bill No. 749. A Bill for an Act to amend and re-enact section 26-2519 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to expense fund assessments of benevolent societies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Krause	Paulson
Baeverstad	Larson	Redlin
Becker	Lautenschlager	Ringsak
Berube	Livingston	Roen
Erickstad	Longmire	Saumur
Foss	Luick	Thompson
Freed	Meidinger	Trenbeath
Hernett	Miller	Vendsel
Holand	Morgan	Wadeson
Hystad	Mutch	Wenstrom
Kee	Nesvig	Yunker
Kisse	O'Brien	

Those voting in the negative were:

Brooks	Gilbertson	Schrock
Fiedler	Gronvold	Van Horn
Garaas	Johnson	Wartner
George	Klefstad	

Absent and not voting:

Erickson	Gefreh	Murphy
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So the bill passed and the title was agreed to.

House Bill No. 755. A Bill for an Act to amend and re-enact subsection 8 of section 26-0335 of the North Dakota Revised Code of 1943, as amended, relating to provisions required in life insurance policies issued on other than standard forms; and repealing all acts or parts of acts in conflict herewith.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom

Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:
Erickson Murphy

So the bill passed and the title was agreed to.

House Bill No. 778. A Bill for an Act to amend and reenact section 65-0527 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to payment without probate proceedings of sums due the estate of a deceased workmen's compensation claimant.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:
Erickson Erickstad Murphy

So the bill passed and the title was agreed to.

House Bill No. 780. A Bill for an Act to amend and reenact section 4-1013 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to grade inspection fees and charges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn

George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:

Erickson	Erickstad	Murphy
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So the bill passed and the title was agreed to.

House Bill No. 801. A Bill for an Act relating to income taxation to create and enact section 57-38155 of the North Dakota Revised Code of 1943 to provide for retroactive and prospective nonrecognition of gain or loss on certain exchanges of property of a like kind, on certain exchanges by a corporation of its stock for property, on certain exchanges of property for the stock of a corporation, and on exchanges of the same kind of stock in the same corporation; and to create and enact subsection 7 of section 57-3818 of the North Dakota Revised Code of 1943 to provide that gross income shall not include certain stock dividends or stock rights already declared or to be declared.

Which has been read.

Senator Baeverstad moved that House Bill No. 801 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 826. A Bill for an Act to amend Chapter 57-24 of the North Dakota Revised Code of 1943 by adding thereto section 57-2431 relating to collection of real estate taxes imposed on leasehold interests in exempt real property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Longmire	Schrock
Foss	Larson	Trenbeath
Freed	Lautenschlager	Thompson
Garaas	Livingston	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Erickson	Murphy
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So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 24, 1959

Mr. President: I have the honor to return:

Senate Bill No. 175

Senate Bill No. 176

Senate Concurrent Resolution "B"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Brooks moved that the Senate reconsider the action by which House Bill No. 689 was indefinitely postponed, which motion prevailed.

Senator Brooks moved that the Senate reconsider the action by which House Bill No. 690 was indefinitely postponed, which motion prevailed.

Senator Holand moved that House Bills No. 689 and 690 be placed on the calendar, which motion prevailed.

Senator Klefstad moved that House Bill No. 767 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Klefstad moved that Senate Bill No. 767 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Holand moved that Senate Concurrent Resolution "EE" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 38

Senate Bill No. 64

Senate Bill No. 75

Senate Bill No. 76

Senate Bill No. 85

Senate Bill No. 87

Senate Bill No. 93

Senate Bill No. 95

Senate Bill No. 114

Senate Bill No. 122

Senate Bill No. 134

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Holand moved that the Senate recess until 1:30 p.m., February 25, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTIETH DAY AFTER RECESS
AND FIFTY-FIRST DAY

Bismarck, February 25, 1959

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 141
Senate Bill No. 192
Senate Bill No. 215
Senate Bill No. 227
Senate Bill No. 234
Senate Bill No. 262

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 539 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 565 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 572 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 573 has

had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 574 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 576 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 577 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 580 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted.

Senator Van Horn made the substitute motion that House Bill No. 580 be re-referred to the Committee on Agriculture, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 607 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 610 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 620 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 621 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 628 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 634 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 635 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 638 has had the same under consideration and recommends that the same be amended as follows:

In line 11 of the engrossed bill delete the word "duties" and insert the word "duties"

Delete all of lines 27 through 47 of the engrossed bill, both lines inclusive, and insert in lieu thereof the following language: "conduct hearings within the judicial district and away from the place where such commissioner maintains his office.))", in accordance with the amount allowed to the district court reporter. (((Mileage shall be at the rate fixed by law for county officials.)) The salary or per diem (((and))) or travel expenses, as the case may be, shall be paid (((by the county or shall be equitably apportioned among the several counties of the judicial district by the judge or judges thereof.))) from the moneys appropriated by the legislative assembly for such purpose. Such expenses and compensation shall be paid monthly (((by the county treasurers of such counties respectively, on bills duly made out and verified as other bills and accounts against the county are made out and verified, and upon the order of the judges of the judicial district.))) in the same manner as other state salaries are paid upon properly verified claims and upon the approval of a judge in the judicial district wherein such juvenile commissioner is located. (((In a judicial district having not less than two cities with a population in excess of twenty thousand each, as determined by the last federal census, the judges of said judicial district may provide for the employment of a reporter or

assistant at a monthly compensation to be fixed and approved by the judges of such judicial district, and not to exceed the amount fixed for the compensation of the juvenile commissioner.))”

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 647 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 648 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 652 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 653 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 654 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 655 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 664 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 678 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 694 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 700 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 714 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 728 has had the same under consideration and recommends that the same be amended as follows:

In line 40 after the word "be" delete the word "five" and insert in lieu thereof the words "twenty-five".

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 741 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 757 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 759 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 761 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 762 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 763 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 766 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 770 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 772 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 781 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 785 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 786 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 793 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 794 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions was referred House Bill No. 795 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions was referred House Bill No. 796 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 797 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 829 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Concurrent Resolution "S" has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution "V" has had the same under consideration and recommends that the same do pass, and further recommends that the same be re-referred to the Legislative Research Resolutions Committee.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution "W" has had the same under consideration and recommends that the same do pass, and further recommends that the same be re-referred to the Legislative Research Resolutions Committee.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Concurrent Resolution "Z" has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "AA" has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Concurrent Resolution "BB" has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Concurrent Resolution "L" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Concurrent Resolution "J 1" has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "O 1" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "V 1"

has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1959

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 38
- Senate Bill No. 64
- Senate Bill No. 75
- Senate Bill No. 76
- Senate Bill No. 85
- Senate Bill No. 87
- Senate Bill No. 93
- Senate Bill No. 95
- Senate Bill No. 114
- Senate Bill No. 122
- Senate Bill No. 134

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 25, 1959

Mr. Speaker: I have the honor to return:

- House Bill No. 567
- House Bill No. 606

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 25, 1959

Mr. Speaker: I have the honor to return Senate Bill No. 152, which the House requested.

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand moved that Senate Concurrent Resolutions "Z" and "AA" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-FIRST DAY

Bismarck, February 25, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain J. F. Vondracek, Salvation Army, Bismarck:

Our gracious heavenly Father, we come into Thy presence today with grateful hearts for Thy great love and manifold blessings. We are conscious of Thy abiding faithfulness to mankind. Grant to the members and officers of

this body a sacred moment of quietness before they take up the duties of this session. We pray that they may turn their thoughts heavenward and open their hearts to Thy Spirit so that greater wisdom will be theirs in every decision. May they have understanding in their thinking, love in their attitude and mercy in their judgment.

May each one present keep in the Spirit of this moment of prayer throughout this entire session and rely upon Thy counsel for the remainder of this day.

From this moment of heart-searching may there come a definite knowledge that Thou art in this place, and when evening draws nigh, may they feel Thy definite benediction "well done, good and faithful servant."

Grant us Thy presence this day for we pray in Christ's Name. Amen.

Roll Call: All Senators present except Senator Murphy.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fiftieth day and recommends that the same be corrected as follows:

On page 588, in line 9, delete the figure "P 1".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

COMMUNICATIONS

A communication was presented from Don L. Short, Member of Congress, acknowledging receipt of House Concurrent Resolution "G", and advising that he was contacting the Chairman of the House Public Works Committee in an effort to expedite their consideration and also that he was contacting the Corps of Engineers asking for a favorable report.

A communication was presented from C. S. Bjorlie, Secretary, Class B District 9, Principal, Model High School, Minot, North Dakota, relative to House Bill No. 861, which communication was referred to the Committee on Education.

PERSONAL PRIVILEGE

Senator Vendsel: I rise to a point of personal privilege. Members of the Senate, I rise at this time to pay honor and tribute to the memory of a great American. This man was a member of the group of hardy pioneers who settled this state and who helped to build our state into the great institution that it is today, and I feel it entirely appropriate that we of this generation recognize the contributions that the men of that era made to this state, and that it is incumbent upon us not to simply take for granted the things that they did for us, but to try our best to improve upon them and to leave something for posterity as they did for us.

I am speaking of none other than that great American, John Burke, who was our first Democratic governor. John Burke was born on February 25, 1859, and this is the hundredth anniversary of his birthday. This man had a colorful career in state and national politics. He started

out as county judge in Rolette County. He served one term in the North Dakota House of Representatives, one term in the North Dakota Senate, and served as Governor of this state for three successive terms, 1907 to 1912, inclusive. He was Treasurer of the United States in 1914 and 1915. Later in the years 1925 through 1937 he was justice of the supreme court of the state of North Dakota. He is the father of our present justice of the supreme court, Tom Burke, and I feel it entirely appropriate that we recognize and pay tribute to this great American.

MOTIONS

Senator Van Horn moved that the remarks of Senator Vendsel be printed in the journal, which motion prevailed.

Senator Baeverstad moved that House Bill No. 740 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Baeverstad moved that House Bill No. 740 be placed on the calendar, which motion prevailed.

FIRST READING OF A SENATE MEMORIAL RESOLUTION

Senators Ringsak and Erickstad introduced:

Senate Memorial Resolution No. 3. A resolution of condolence to Senator Rosamund O'Brien upon the loss of her mother.

Senator Ringsak moved that the rules be suspended and that Senate Memorial Resolution No. 3 be adopted, which motion was adopted by a rising vote of the Senate.

Senator Ringsak moved that Senate Memorial Resolution No. 3 be printed in the journal and not as a bill, which motion prevailed.

SENATE MEMORIAL RESOLUTION NO. 3

Introduced by Senators Ringsak and Erickstad

A resolution of condolence to Senator Rosamund O'Brien upon the loss of her mother.

1 WHEREAS, the Divine Ruler has called from our
2 midst Mrs. Halvor Thoe of Devils Lake, North Dakota,
3 the mother and companion of Senator Rosamund
3a O'Brien;
4 and

5 WHEREAS, Mrs. Thoe was one of North Dakota's
6 pioneers and had made immeasurable contributions to
6a the
7 welfare and development of this state; and

8 WHEREAS, her passing will be a great personal
9 loss to all who have come in contact with her in her
10 long lifetime;

11 NOW, THEREFORE, BE IT RESOLVED BY THE
12 SENATE OF THE THIRTY-SIXTH LEGISLATIVE
12a ASSEMBLY OF

13 THE STATE OF NORTH DAKOTA, assembled this
13a 25th day

14 of February, 1959, that we do hereby express and
14a extend

15 to Senator Rosamund O'Brien and her family our deep
16 sympathy and condolence in this hour of sorrow; and

17 BE IT FURTHER RESOLVED, that the Secretary of
 18 the Senate be instructed to prepare an enrolled copy
 19 of this resolution to be forwarded to Senator Rosamund
 20 O'Brien.

Senator O'Brien: Mr. President. I would like to express my heartfelt thanks to the Senate for this message of condolence. My mother passed away last night and the funeral will be in Devils Lake on Saturday. My parents were both pioneers of the State. My father lived to be ninety-two years old, and it might be of note to this body that my mother and father celebrated their sixty-sixth wedding anniversary on a farm in Ramsey County in 1952.

Senator Erickstad moved that the remarks of Senator O'Brien be printed in the journal, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to House Bill No. 650 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 680 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 750 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 833 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 849 be adopted, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "N". A concurrent resolution relating to governmental activities affecting the "business climate" of the State.

Which has been read.

Senator Holand moved that House Concurrent Resolution "N" be adopted, which motion prevailed.

House Concurrent Resolution "II". A concurrent resolution commending the North Dakota State Capitol Commission for the outstanding work and foresight in planning the state capitol building.

Which has been read.

Senator Longmire moved that House Concurrent Resolution "I 1" be adopted, which motion prevailed.

House Concurrent Resolution "T1". A concurrent resolution urging the State Board of Administration to provide adequate quarters for the offices of the legislative research committee at such time as additional space becomes available in the Capitol building.

Which has been read.

Senator Longmire moved that House Concurrent Resolution "T 1" be adopted, which motion prevailed.

House Concurrent Resolution "Q1". A concurrent resolution directing the board of administration to take immediate necessary action to improve the lighting in the legislative chambers.

Which has been read.

Senator Longmire moved that House Concurrent Resolution "Q 1" be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 25, 1959

Mr. President: I have the honor to return:

Senate Bill No. 63

Senate Bill No. 81

Senate Bill No. 155

Senate Bill No. 206

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 25, 1959

Mr. President: I have the honor to return:

Senate Bill No. 115

Which the House has amended as follows:

After line 29 of the bill insert the following language:
"Any purchaser who shall assign his claim for refund under the provisions of this Act shall file an annual report with the state auditor. Such report forms shall be furnished by the state auditor in substantially the same form as is prescribed in section 57-5002 of the 1957 Supplement to the North Dakota Revised Code of 1943."

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 25, 1959

Mr. President: I have the honor to return:

Senate Bill No. 56

Senate Bill No. 68

Senate Bill No. 70

Senate Bill No. 90

Senate Bill No. 101

Senate Bill No. 103

Senate Bill No. 105

Senate Bill No. 116

Senate Bill No. 117

Senate Bill No. 120

Senate Bill No. 121

Senate Bill No. 127

Senate Bill No. 180

Senate Bill No. 181

Senate Bill No. 286

Senate Concurrent Resolution "A"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

Senator Holand moved that after the reading of House Bills No. 740, 547, 548, 549, 550, 552, 556, 558, 568, 570, 575, 583, 585, 599, 609, 646, 663, 689, 690, 701, 731, 735, 746, 791, 792, 808, 839, 840, House Concurrent Resolutions "U" and "P 1", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

Senator Erickstad requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

MOTIONS

Senator Holand moved that House Bills No. 571 and 801 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 740. A Bill for an Act levying a special excise tax on the sale of special fuels sold for agricultural, heating or railroad purposes; providing that special fuel dealers be licensed, bonded, collect the tax, make returns and remit the tax to the state auditor; providing that the state auditor administer the tax; providing penalties; and providing for allocation and distribution of the tax among the counties for farm to market roads.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Becker	Johnson	Ringsak
Berube	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Klefstad	Schrock
Fiedler	Krause	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Meidinger	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Mutch	Wartner
Gronvold	Nesvig	Wenstrom
Hernett	O'Brien	Yunker

Those voting in the negative were:

Brooks	Larson	Longmire
Gilbertson	Livingston	Luick

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 547. A Bill for an Act authorizing the state board of higher education to enter into reciprocal agreements with other states' institutions of higher learning for higher education of North Dakota students and making an appropriation.

Which has been read.

Senator Meidinger moved that House Bill No. 547 be referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 548. A Bill for an Act to create and enact section 15-4733 of the North Dakota Revised Code of 1943, and to amend and reenact section 15-4106 of the North Dakota Revised Code of 1943, and to amend and reenact section 15-2509 and sub-section 1 of section 15-2908 of the

1957 Supplement to the North Dakota Revised Code of 1943, relating to the length of elementary and secondary school terms.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker

Absent and not voting:

Garaas	Livingston	Murphy
Klefstad		

So the bill passed and the title was agreed to.

House Bill No 549. A Bill for an Act to amend and reenact section 57-1605 of the North Dakota Revised Code of 1943 relating to the vote necessary to approve excess levies in school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Gilbertson	Johnson
------------	---------

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 550. A Bill for an Act providing for teacher qualification and the minimum curriculum that must be offered by each high school in this state by 1961 to be accredited by the department of public instruction, and for waivers of the conditions imposed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 552. A Bill for an Act to amend and re-enact subsection 1 of section 15-4007 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the financial effort required for emergency assistance from the state equalization fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson

George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Mutch	Thompson

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 556. A Bill for an Act to amend and reenact section 27-0909 of the North Dakota Revised Code of 1943, relating to the method of selection of jurors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 558. A Bill for an Act to provide that administrators, or executors, or guardians may obtain loans from the federal government or institutions guaranteed by the federal government, without court approval, upon harvested cereal crops which are a part of the estate being managed by the executor, administrator, or guardian.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock

Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:
Murphy

So the bill passed and the title was agreed to.

House Bill No. 568. A Bill for an Act to amend and re-enact section 32-0902 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to exemption of salary in garnishment proceedings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:
Murphy

So the bill passed and the title was agreed to.

House Bill No. 570. A Bill for an Act to amend and re-enact Section 15-2802 of the North Dakota Revised Code of 1943, relating to the number of rural members of school boards.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak

Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Trenbeath moved that the Senate do concur in the House amendments to Senate Bill No. 115, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 115 be deemed properly re-engrossed, as amended by the House, and placed on second reading and final action, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 115. A Bill for an Act to amend and re-enact section 57-5011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the assignment of refund claims on motor fuel tax.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

MOTIONS

Senator Baeverstad moved that the Senate reconsider the action by which House Bill No. 688 was passed, which motion prevailed.

Senator Baeverstad moved that House Bill No. 688 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 688. A Bill for an Act to create and enact subsection H of section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943, and to amend and reenact subparagraph 3 of subsection D, and amend and reenact subsection G of section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to deductions from and additions to benefits received under the old age and survivor insurance system.

Was read the second time.

Senator Baeverstad moved that House Bill No. 688 be indefinitely postponed, which motion prevailed.

House Bill No. 575. A Bill for an Act to amend and reenact Section 12-2209 of the North Dakota Revised Code of 1943 relating to the definition of adultery.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Larson	Thompson
Freed	Lautenschlager	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Mutch	

Those voting in the negative were:

Ringsak

Absent and not voting:

Erickstad	Murphy	Trenbeath
Livingston		

So the bill passed and the title was agreed to.

House Bill No. 583. A Bill for an Act relating to teachers employment and contracts, and amending and reenacting section 15-4727 of the 1957 Supplement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien

Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Absent and not voting:		
Erickstad	Murphy	Trenbeath
Livingston		

So the bill passed and the title was agreed to.

House Bill No. 585. A Bill for an Act relating to school attendance and to amend section 15-4701 of the 1957 Supplement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 16; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Kisse	Roen
Brooks	Klefstad	Saumur
Erickson	Krause	Thompson
Fiedler	Lautenschlager	Van Horn
Foss	Longmire	Vendsel
Garaas	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Yunker
Hernett	O'Brien	

Those voting in the negative were:

Becker	Johnson	Nesvig
Berube	Kee	Paulson
Freed	Larson	Ringsak
Gefreh	Morgan	Schrock
Gronvold	Mutch	Wenstrom
Hystad		

Absent and not voting:

Erickstad	Murphy	Trenbeath
Livingston		

So the bill passed and the title was agreed to.

House Bill No. 599. A Bill for an Act to amend and reenact section 16-1107 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to constitutional amendments and initiated and referred measures.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Erickstad	Murphy	Trenbeath
Livingston		

So the bill passed and the title was agreed to.

House Bill No. 609. A Bill for an Act to amend and reenact subsection 59 of section 40-0501 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the powers of municipalities to accept aid from and cooperate with the federal or any state government or any agency or municipality thereof in the establishment, construction and maintenance of public works projects, to give authority to municipalities having a population of more than thirty thousand according to the last federal census, to agree to hold such governments, agencies and municipalities harmless from liability arising from such projects and to pay the cost of lands, rights-of-way and easements required in connection therewith, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Erickstad	Murphy	Trenbeath
Livingston		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 646. A Bill for an Act to provide for an alternate firemen's relief association plan whereby firemen can participate in a disability pension and retirement pension program, and the surviving dependents of a deceased fireman can receive pension payments.

Which has been read.

Senator Longmire moved that the amendment to House Bill No. 646 be amended as follows:

Delete the numeral "7" and insert in lieu thereof the numeral "5".

Which motion prevailed.

Senator Longmire moved that House Bill No. 646 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 663. A Bill for an Act to amend and reenact Section 23-1501 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of fireworks; and to amend and reenact Section 23-1506 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the penalty for violations of Chapter 23-15 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Johnson	Redlin
Becker	Kee	Ringsak
Berube	Kisse	Roen
Brooks	Klefstad	Saumur
Erickson	Krause	Schrock
Fiedler	Larson	Trenbeath
Foss	Lautenschlager	Van Horn
Freed	Longmire	Vendsel
Garaas	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Mutch	

Those voting in the negative were:

Hystad	O'Brien	Thompson
Nesvig		

Absent and not voting:

Erickstad	Livingston	Murphy
Gefreh		

So the bill passed and the title was agreed to.

House Bill No. 689. A Bill for an Act to create and enact section 57-38153 of the North Dakota Revised Code of 1943 to provide capital gains income tax treatment for certain dividends received from regulated investment companies, and providing an effective date.

Which has been read.

Senator Brooks moved that House Bill No. 689 be indefinitely postponed, which motion prevailed.

House Bill No. 690. A Bill for an Act to amend and re-enact subsection 7 of section 57-3822 of the North Dakota Revised Code of 1943 relating to dividends and liquidating distributions deductions allowed in computing net income.

Which has been read.

Senator Brooks moved that House Bill No. 690 be indefinitely postponed, which motion prevailed.

House Bill No. 701. A Bill for an Act to amend and re-enact section 57-0228 of the North Dakota Revised Code of 1943 relating to computation of property taxes, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Erickstad	Murphy
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 731. A Bill for an Act to amend and re-enact section 53-0508 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to minors in certain places and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 30; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Thompson
Berube	Klefstad	Van Horn
Fiedler	Larson	Vendsel
Garaas	Morgan	Wadeson
Gefreh	Nesvig	Yunker
Gilbertson	Paulson	

Those voting in the negative were:

Baeverstad	Hystad	Miller
Becker	Johnson	Mutch
Brooks	Kee	O'Brien
Erickson	Kisse	Redlin
Erickstad	Krause	Ringsak
Foss	Lautenschlager	Roen
Freed	Livingston	Schrock
George	Longmire	Trenbeath
Gronvold	Luick	Wartner
Holand	Meidinger	Wenstrom

Absent and not voting:

Murphy Saumur

So the bill was declared lost.

House Bill No. 735. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-3804 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to allocation of income of residents and providing a credit for income taxes paid to another state or foreign country; providing an effective date; providing for refunds; and declaring an emergency.

Which has been read.

Senator Baeverstad moved that House Bill No. 735 be laid over one legislative day, which motion prevailed.

House Bill No. 746. A Bill for an Act to create and enact subsection 7 of section 57-2304 of the North Dakota Revised Code of 1943 relating to the abatement of assessments and refund of taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Freed Murphy Saumur

So the bill passed and the title was agreed to.

House Bill No. 791. A Bill for an Act to amend and reenact section 57-3902 of the 1957 Supplement to the North

Dakota Revised Code of 1943 relating to the imposing of a sales tax and the effective dates therefor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Freed	Murphy	Saumur
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So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following resolution:

Senate Memorial Resolution No. 3

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF A RESOLUTION

The Secretary announced that the President was about to sign:

Senate Memorial Resolution No. 3

And the President signed the same in the presence of the Senate.

Senator Holand moved that the Senate recess until 1:00 p.m., February 26, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-FIRST DAY AFTER RECESS AND
FIFTY-SECOND DAY

Bismarck, February 26, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 115

And find the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 41

Senate Bill No. 56

Senate Bill No. 68

Senate Bill No. 70

Senate Bill No. 90

Senate Bill No. 101

Senate Bill No. 103

Senate Bill No. 105

Senate Bill No. 115

Senate Bill No. 116

Senate Bill No. 117

Senate Bill No. 120

Senate Bill No. 121

Senate Bill No. 127

Senate Bill No. 180

Senate Bill No. 181

Senate Bill No. 286

Senate Concurrent Resolution "A"

And find the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 141

Senate Bill No. 192

Senate Bill No. 215
 Senate Bill No. 227
 Senate Bill No. 234
 Senate Bill No. 262

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 41
 Senate Bill No. 56
 Senate Bill No. 68
 Senate Bill No. 70
 Senate Bill No. 90
 Senate Bill No. 101
 Senate Bill No. 103
 Senate Bill No. 105
 Senate Bill No. 115
 Senate Bill No. 116
 Senate Bill No. 117
 Senate Bill No. 120
 Senate Bill No. 121
 Senate Bill No. 127
 Senate Bill No. 180
 Senate Bill No. 181
 Senate Bill No. 286
 Senate Concurrent Resolution "A"

And the President signed the same in the presence of the Senate.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 507 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 509 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 513 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 514 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 515 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 530 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 536 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 644 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 865 has had the same under consideration and recommends that the same be amended as follows:

In line 4 strike out the word "fifteen" and insert in lieu thereof the word "forty-six".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 792. A Bill for an Act to repeal Section 24-0235 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the giving of preference to North Dakota residents in bidding on contracts for road and bridge work and materials; and to amend and reenact Section 48-0206 of the 1957 Supplement to the North Dakota Revised Code of 1943, omitting the preference given to North Dakota residents in bidding for contracts for the construction, alteration, or repair of public buildings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock

Foss	Larson	Thompson
Freed	Lautenschlager	Trenbeath
Garaas	Livingston	Van Horn
Gefreh	Longmire	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Absent and not voting:		
Luick	Roen	Wartner
Murphy		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 808. A Bill for an Act to assist in the assessment and collection of personal property taxes on billboards used for advertising purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	O'Brien
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Brooks	Kee	Ringsak
Erickson	Kisse	Saumur
Erickstad	Klefstad	Schrock
Fiedler	Krause	Thompson
Foss	Larson	Trenbeath
Freed	Lautenschlager	Van Horn
Garaas	Livingston	Wadeson
Gefreh	Longmire	Wenstrom
George	Meidinger	Yunker
Gilbertson	Morgan	

Those voting in the negative were:

Gronvold	Nesvig	Vendsel
Miller		

Absent and not voting:

Luick	Roen	Wartner
Murphy		

So the bill passed and the title was agreed to.

House Bill No. 839. A Bill for an Act to amend and reenact Section 7-0413 of the North Dakota Revised Code of 1943, relating to loans to members of savings and loan associations or building and loan associations, and providing loan limitation equal to Federally chartered associations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien

Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Absent and not voting:

Luick	Murphy	Roen
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So the bill passed and the title was agreed to.

House Bill No. 840. A Bill for an Act to amend and reenact section 31-0116 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Compensation and mileage paid to witnesses in civil or criminal cases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Wadeson
Garaas	Longmire	Wartner
George	Meidinger	Wenstrom
Gilbertson	Miller	Yunker
Hernett	Morgan	

Those voting in the negative were:

Gefreh	Trenbeath	Vendsel
Gronvold	Van Horn	

Absent and not voting:

Luick	Murphy	Roen
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So the bill passed and the title was agreed to.

House Concurrent Resolution "U". A concurrent resolution urging the Governor of the State of North Dakota to appoint a commission to work with the village of Medora in the formulation, development and completion of a plan aimed at restoring the pioneer cattle town, and authorizing and directing the State's schools of higher learning to assist in the development of the plan.

Which has been read.

Senator Longmire moved that House Concurrent Resolution "U" be adopted, which motion prevailed.

House Concurrent Resolution "P1". A concurrent resolution memorializing the Congress of the United States to increase the exemptions on federal income tax.

Which has been read.

Senator Baeverstad moved that House Concurrent Resolution "P 1" be adopted, which motion prevailed.

House Bill No. 571. A Bill for an Act to amend Section 57-3822 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 14 of this section relating to deductions for income tax purposes of expenses paid for child care by a female head of the family and to amend and reenact section 57-3823 of the North Dakota Revised Code of 1943 relating to items not deductible from net income for income tax purposes.

Which has been read.

Senator Holand moved that House Bill No. 571 be indefinitely postponed, which motion prevailed.

House Bill No. 801. A Bill for an Act relating to income taxation to create and enact section 57-38155 of the North Dakota Revised Code of 1943 to provide for retroactive and prospective nonrecognition of gain or loss on certain exchanges of property of a like kind, on certain exchanges by a corporation of its stock for property, on certain exchanges of property for the stock of a corporation, and on exchanges of the same kind of stock in the same corporation; and to create and enact subsection 7 of section 57-3818 of the North Dakota Revised Code of 1943 to provide that gross income shall not include certain stock dividends or stock rights already declared or to be declared.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Larson	Thompson
Freed	Lautenschlager	Trenbeath
Garaas	Livingston	Van Horn
Gefreh	Longmire	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker

Absent and not voting:

Luick	Roen	Wartner
Murphy		

So the bill passed and the title was agreed to.

House Bill No. 646. A Bill for an Act to provide for an alternate firemen's relief association plan whereby firemen can participate in a disability pension and retirement pension program, and the surviving dependents of a deceased fireman can receive pension payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Absent and not voting:

Luick	Murphy	Roen
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So the bill passed and the title was agreed to.

MOTIONS

Senator Meidinger moved that a committee of one be appointed to escort David Nething, President of the Young Republicans, to the rostrum, which motion prevailed.

The President appointed as such committee Senator Meidinger and David Nething was escorted to the rostrum and invited to address the Senate.

Mr. Nething: Ladies and gentlemen of the Senate. This is really, I feel, a real true honor because the first time I came into these chambers was in 1944, and the President of the Senate then was the gentleman that is here right now, and the reason I was here was because Dad was an employee here and he brought me down to look over the things.

He was sponsored by Senator Foss from Barnes County, and I believe Senator Foss is still here doing the same good job he was doing at that time.

The words I would like to bring out today are not of partisan feeling. Instead, I would like to talk a little about political activity.

Political activity must be the call and the duty of all younger persons in our enlightened and dynamic age. This is true regardless of political affiliation. This activity is going to be stimulated by the people closely connected with politics. Included in this group are the state officials, the party officials and most important, the people that make the laws, you legislators.

Your stimulus as legislators, is going to effect the desire for these younger and newer individuals. To impress politics on individuals by simply trying to be "nice guys" will not create the atmosphere necessary to retain a life long influence on these persons.

Instead, it is vitally necessary for you to set out definite "party principles". After these principles have been set out to these "political freshmen", it is necessary to show them that "party principles" are of the utmost and must always be followed in order to perpetuate our great political system, regardless of the personal cost to you. Those of you who sacrifice principles for "shady and selfish politics" deserve never to be re-elected and deserve to have your people think of you for what you are. It will be much better to have your friends and neighbors point to you and say "there is a man of conviction and principles" instead of "a man without a party".

Our history will long remember and inscribe the deeds of the legislator who fought for principles. And furthermore the individuals, the new persons, you brought into politics will never forsake you.

Senator Erickson moved that the remarks of Mr. Nething be printed in the journal, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 569 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 589 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 590 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 594 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary, to whom was referred House Bill No. 676 has had the same under consideration and recommends that the same be amended as follows:

In line 26 delete the word "seventy" and in line 27 delete the words "third birthday" and insert in lieu thereof the words "attaining the age of seventy-three years".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 716 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 725 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 729 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 779 has had the same under consideration and recommends that the same be amended as follows:

In line 19 delete the words "the payment of" and insert in lieu thereof the word "workmen's".

In line 20 following the word "compensation" insert the word "coverage", and following the word "for" delete the word "injured".

In line 26 delete the word "the payment of" and insert in lieu thereof the word "workmen's".

In line 27 following the word "compensation" insert the word "coverage".

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 790 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 831 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 832 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 844 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution "O" has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Brooks moved that the Senate reconsider the action by which House Bill No. 731 was indefinitely postponed, which motion prevailed.

Senator Garaas moved that House Bill No. 731 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 731. A Bill for an Act to amend and reenact section 53-0508 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to minors in certain places and providing a penalty.

Was read the second time.

Senator Garaas moved that House Bill No. 731 be amended as follows:

In line 7 of the bill delete the words "or bowling"

In line 8 of the bill delete the word "alley"

In line 9 delete the word "bowling"

In line 12 delete the triple parentheses

In line 13 delete the semi-colon after the word "guardian" and insert in lieu thereof a period, and insert triple parentheses before the word "provided", as follows "(((

In line 20 of the bill following the triple parentheses, strike out the balance of the line

Strike out all of lines 21 through 24, both lines inclusive
Renumber the lines accordingly.

Which motion prevailed.

Senator Garaas moved that the rules be suspended and that House Bill No. 731 be placed upon the calendar for second reading and final action, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Saumur
Erickson	Klefstad	Thompson
Erickstad	Krause	Trenbeath
Fiedler	Larson	Van Horn
Foss	Lautenschlager	Vendsel
Freed	Livingston	Wadeson
Garaas	Longmire	Wartner
Gefreh	Meidinger	Wenstrom
George	Miller	Yunker
Gilbertson	Morgan	

Those voting in the negative were:

Gronvold	O'Brien	Roen
Hystad	Ringsak	Schrock

Absent and not voting:

Luick	Murphy
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So the bill passed and the title was agreed to.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-SECOND DAY

Bismarck, February 26, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Edwin Volk, St. Mary's Catholic, Bismarck:

Let us pray. Almighty and everlasting God, who alone workest great wonders, pour down upon Thy servants here assembled and upon the flocks committed to their charge the spirit of Thy saving grace, and that they may truly please Thee pour down upon them the continual dew of Thy blessing. Through our Lord Jesus Christ who lives and reigns forever and ever. Amen.

Roll Call: All Senators present except Senator Murphy.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fiftieth day after recess and fifty-first day and recommends that the same be corrected as follows:

On page 623, line 56, delete the figure "48" and insert in lieu thereof the figure "45"

On page 614, line 7, delete the word "thinks" and insert in lieu thereof the word "thanks".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 672 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert the following in lieu thereof:

"For an Act to amend and reenact sections 63-0305 and 63-0306 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the cutting or destroying of weeds and grasses along highways, roads, streets and alleys, and to repeal sections 63-0301, 63-0302, 63-0303, and 63-0304 of the North Dakota Revised Code of 1943 relating to the cutting or destroying of such weeds and grasses.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. AMENDMENT.) Section 63-0305 of the
 1a 1957
 2 Supplement to the North Dakota Revised Code of 1943
 2a is
 3 hereby amended and reenacted to read as follows:
 4 63-0305. (((LANDOWNERS ALONG COUNTY
 5 AND TOWNSHIP HIGHWAYS TO DESTROY NOX-
 5a IOUS WEEDS. From
 6 and after the passage and approval of this Act, it shall
 7 be the duty of landowners, owning land adjoining
 7a regularly
 8 traveled county and township highways as designated
 8a by the
 9 township board of supervisors in organized townships,
 9a the
 10 board of county commissioners in unorganized town-
 10a ships,
 11 and the board of county commissioners in the case of
 11a county
 12 highways, to cut and destroy all weeds and grasses
 12a along
 13 such regularly traveled highways adjoining their lands,
 14 including weeds and grasses growing within the public
 15 right-of-way bordering such highways and their lands,
 15a and
 16 such cutting shall be done not later than the tenth day
 17 of July of each year.))) WEEDS AND GRASSES ON
 17a HIGHWAYS,
 18 STREETS AND ALLEYS; WHO TO DESTROY; WHEN
 18a TO BE DESTROYED.)
 19 1. The governing body of each city and village shall
 20 cut or destroy, or cause to be cut or destroyed,
 21 all weeds and grasses growing along all streets
 22 and alleys within the jurisdiction of such city
 23 or village.
 24 2. It shall be the duty of landowners, owning land
 25 adjoining any county or township highways, roads,
 26 streets or alleys as designated by the township
 27 board of supervisors in organized townships,
 28 the board of county commissioners in unorganized

29 townships, and the board of county commissioners
30 in the case of county highways or roads, to cut
31 or destroy all weeds and grasses along such
31a county
32 or township highways, roads, streets and alleys
33 adjoining their lands, including weeds and grasses
34 growing within the public right-of-way bordering
35 such highways, roads, streets or alleys and their
36 lands.
37 The cutting or destroying of all such weeds and grasses
38 shall be accomplished between September fifteenth and
39 October first of each year. The provisions of this
40 section shall not apply in the case of highways under
41 the jurisdiction of the state highway department.
42 SECTION 2. AMENDMENT.) Section 63-0306 of the
42a 1957
43 Supplement to the North Dakota Revised Code of 1943
43a is
44 hereby amended and reenacted to read as follows:
45 63-0306. FAILURE TO DESTROY WEEDS;
46 EXPENSE CERTIFIED AS TAX AGAINST LAND.) If
47 any landowner or his tenant shall fail to cut the weeds
48 and grasses along county and township highways, as
49 provided in section 63-0305, between September
49a fifteenth
50 and October first, (((unless by special permission from
51 the township board of supervisors or board of county
52 commissioners,))) it shall be the duty of the township
53 board or board of county commissioners, as the case
53a may
54 be to cause such weeds and grasses to be cut between
55 October first and (((November first))) October fif-
55a teenth
56 of each year, and the expense of cutting such weeds
56a and
57 grasses (((in each organized township or county)))
57a shall
58 be certified to the county auditor by the clerk thereof,
59 and all of such charges in organized and unorganized
60 townships or counties shall be charged against the
60a land of
61 the landowner thus failing to cut such weeds and
61a grasses
62 and shall become a part of the taxes to be levied against
63 such land for the ensuing year and shall be collected in
64 the same manner as other real estate taxes are col-
64a lected,
65 and placed to the credit of the respective subdivisions
66 entitled thereto. (((This Act))) Sections 63-0305 and
67 63-0306 shall not apply to any state (((or federal
68 highways))) highway. The amount charged against the
69 adjoining owner shall not exceed the sum of \$15.00
70 per running mile, a running mile being defined as one
71 side of such highway for a distance of one mile.
72 SECTION 3. REPEAL.) Sections 63-0301, 63-0302,
73 63-0303 and 63-0304 of the North Dakota Revised Code
73a of
74 1943 are hereby repealed."

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wartner moved that the amendments to House Bill No. 638 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 728 be adopted, which motion prevailed.

Senator Holand moved that after the reading of House Bills No. 539, 565, 572, 573, 574, 576, 577, 607, 610, 620, 621, 628, 634, 635, 647, 648, 650, 652, 654, 655, 664, 678, 680, 694, 700, 714, 741, 750, 757, 759, 761, 762, 763, 766, 770, 772, 781, 785, 786, 793, 794, 795, 796, 797, 829, 833, 849, Senate Concurrent Resolutions "S", "BB", House Concurrent Resolutions "J 1", "O 1" and "V 1", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 26, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 115.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 26, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 600
 House Bill No. 604
 House Bill No. 605
 House Bill No. 608
 House Bill No. 612
 House Bill No. 626
 House Bill No. 630
 House Bill No. 633
 House Bill No. 659
 House Bill No. 677
 House Bill No. 681
 House Bill No. 692
 House Bill No. 693
 House Bill No. 738
 House Bill No. 743
 House Bill No. 744
 House Bill No. 749
 House Bill No. 755
 House Bill No. 778
 House Bill No. 780
 House Bill No. 826

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 26, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 611
 House Bill No. 653

House Bill No. 668
 House Bill No. 732
 House Bill No. 846
 House Concurrent Resolution "L"
 House Concurrent Resolution "H 1"

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 26, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 141
 Senate Bill No. 192
 Senate Bill No. 215
 Senate Bill No. 227
 Senate Bill No. 234
 Senate Bill No. 262

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 26, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 41
 Senate Bill No. 56
 Senate Bill No. 68
 Senate Bill No. 70
 Senate Bill No. 90
 Senate Bill No. 101
 Senate Bill No. 103
 Senate Bill No. 105
 Senate Bill No. 115
 Senate Bill No. 116
 Senate Bill No. 117
 Senate Bill No. 120
 Senate Bill No. 121
 Senate Bill No. 127
 Senate Bill No. 180
 Senate Bill No. 181
 Senate Bill No. 286
 Senate Concurrent Resolution "A"

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 539. A Bill for an Act to provide for the regulation of revolving charge account agreements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 2; absent and not voting, 12.

Those voting in the affirmative were:

Andre	Gilbertson	Redlin
Becker	Gronvold	Ringsak
Berube	Hernett	Roen

Brooks	Holand	Saumur
Erickson	Hystad	Schrock
Erickstad	Johnson	Thompson
Fiedler	Kee	Trenbeath
Foss	Lautenschlager	Van Horn
Freed	Livingston	Wadeson
Garaas	Meidinger	Wartner
Gefreh	Morgan	Yunker
George	Mutch	

Those voting in the negative were:
Krause Miller

Absent and not voting:
Baeverstad Longmire O'Brien
Kisse Luick Paulson
Klefstad Murphy Vendsel
Larson Nesvig Wenstrom

So the bill passed and the title was agreed to.

House Bill No. 565. A Bill for an Act to provide for disinterment and removal of bodies in cemeteries under certain circumstances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 6; absent and not voting, 10.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Becker	Holand	O'Brien
Berube	Hystad	Redlin
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Klefstad	Schrock
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Yunker

Those voting in the negative were:

Gilbertson	Johnson	Ringsak
Gronvold	Krause	Thompson

Absent and not voting:

Baeverstad	Luick	Paulson
Fiedler	Murphy	Vendsel
Larson	Nesvig	Wenstrom
Longmire		

So the bill passed and the title was agreed to.

House Bill No. 572. A Bill for an Act creating a factor's lien upon merchandise, and the proceeds of the sale thereof, and providing procedures with respect thereto.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Redlin
Becker	Kee	Ringsak
Berube	Kisse	Roen
Brooks	Klefstad	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Hernett		

Those voting in the negative were:

Krause

Absent and not voting:

Fiedler	Larson	Paulson
Garaas	Luick	Vendsel
Johnson	Murphy	

So the bill passed and the title was agreed to.

House Bill No. 573. A Bill for an Act to amend and re-enact Section 7-0416 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to loans made by building and loan associations and removing the limitation of one hundred thousand dollars on loans made upon any one piece of property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Redlin
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Larson	Thompson
Freed	Lautenschlager	Trenbeath
Garaas	Livingston	Van Horn
Gefreh	Longmire	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker

Absent and not voting:

Luick	Paulson	Vendsel
Murphy		

So the bill passed and the title was agreed to.

House Bill No. 574. A Bill for an Act to permit building and loan associations to lend funds or purchase land for residential development purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Redlin
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Larson	Thompson
Freed	Lautenschlager	Trenbeath
Garaas	Livingston	Van Horn
Gefreh	Longmire	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker

Absent and not voting:

Luick	Paulson	Vendsel
Murphy		

So the bill passed and the title was agreed to.

Senator Brooks moved that the title to House Bill No. 574 be amended as follows:

In line 2, delete the words "or purchase land"

Which motion prevailed.

House Bill No. 576. A Bill for an Act to amend and re-enact Sections 43-1014 and 43-1015 of the North Dakota Revised Code of 1943 relating to license fees of embalmers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Trenbeath
Freed	Lautenschlager	Van Horn
Garaas	Livingston	Wadeson
Gefreh	Longmire	Wartner
George	Meidinger	Wenstrom
Gilbertson	Miller	Yunker
Gronvold	Morgan	

Those voting in the negative were:

Schrock	Thompson
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Absent and not voting:

Luick	Murphy	Vendsel
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So the bill passed and the title was agreed to.

House Bill No. 577. A Bill for an Act creating a board of examiners in watchmaking, prescribing the power and duties of the board, providing for the regulation, supervision and licensing of watchmakers as defined in the Act, prescribing penalties for violation of provisions of this Act.

Which has been read.

Senator Erickstad moved that House Bill No. 577 be laid over one legislative day, which motion prevailed.

The President requested the President Pro Tem to preside.

House Bill No. 607. A Bill for an Act to create and enact section 57-4135 of the North Dakota Revised Code of 1943 providing that a credit of a percentage of the motor vehicle fuel tax be given to retail dealers purchasing from bulk dealers, and allowing a deduction of such credits from the amount of tax due the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Thompson
Fiedler	Livingston	Trenbeath
Foss	Longmire	Van Horn
Garaas	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad	O'Brien	

Those voting in the negative were:

Andre	Gilbertson	Schrock
Gefreh	Johnson	

Absent and not voting:

Freed	Luick	Murphy
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So the bill passed and the title was agreed to.

House Bill No. 610. A Bill for an Act to amend and re-enact section 40-4911 of the North Dakota Revised Code of 1943 relating to meetings of the board of park commissioners of municipalities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson

Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker

Absent and not voting:

Freed	Luick	Murphy
Livingston		

So the bill passed and the title was agreed to.

House Bill No. 620. A Bill for an Act promoting the sale of North Dakota dairy products; creating a North Dakota dairy products promotion commission and providing for its objectives, powers and duties, its collection and disbursement of funds, the assessment of butterfat produced and sold in the state of North Dakota, the administration of this Act, and prescribing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Gefreh	Livingston	Trenbeath
George	Longmire	Vendsel
Gilbertson	Luick	Wartner
Gronvold	Meidinger	Wenstrom
Hernett	Mutch	Yunker
Holand	O'Brien	

Those voting in the negative were:

Andre	Hystad	Nesvig
Berube	Johnson	Thompson
Brooks	Miller	Van Horn
Garaas	Morgan	Wadeson

Absent and not voting:

Freed	Murphy
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So the bill passed and the title was agreed to.

House Bill No. 621. A Bill for an Act authorizing either registered or certified mail where the term "registered mail" appears in the laws of this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:

Freed	George	Murphy
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So the bill passed and the title was agreed to.

The President returned to the chair.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 26, 1959

Mr. President: I have the honor to return:

Senate Bill No. 69
 Senate Bill No. 77
 Senate Bill No. 91
 Senate Bill No. 246

Which the House has amended as follows:

Senate Bill No. 69:

Line 4 of the Bill, delete the following language: "DISTRICTS HAVING MORE THAN ONE POLLING PLACE;"

Renumber the lines accordingly.

Senate Bill No. 77:

In the 4th line of the title delete the word "from" and insert in lieu thereof the word "as"

In the 4th line of the title delete the word "retirement" and insert in lieu thereof the word "benefit"

In line 36 of the bill delete the word "from" and insert in lieu thereof the word "as"

In line 37 of the bill delete the word "retirement" and insert in lieu thereof the word "benefit"

In line 37 after the word payments delete the "period" and insert the following language: "or as North Dakota Old Age and Survivors Insurance System payments."

In the last line of title strike the period, insert a comma and the following language "or as North Dakota Old Age and Survivors Insurance System payments."

Renumber the lines accordingly.

Senate Bill No. 91:

In line 3 of the title after the word "enacting" insert the following language: "an additional"

In line 3 of the title delete the numeral "21"

In line 3 of the bill after the word "enacting" insert the following language: "an additional"

In line 3 of the bill delete the numeral "21"

Renumber the lines accordingly.

Senate Bill No. 246:

Insert a period after the word "funds" in line seven, and strike all of lines eight and nine.

Insert a period after the first word "funds" in line 3 of the title and strike the rest of the line and all of line 4.

GERALD L. STAIR, Chief Clerk.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 26, 1959

Mr. President: I have the honor to return:

Senate Bill No. 67

Senate Bill No. 71

Senate Bill No. 72

Senate Bill No. 84

Senate Bill No. 129

Senate Bill No. 130

Senate Bill No. 185

Senate Bill No. 186

Senate Bill No. 195

Senate Bill No. 225

Senate Bill No. 228

Senate Concurrent Resolution "H"

Senate Concurrent Resolution "P"

Which the House has passed unchanged,

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 26, 1959

Mr. President: I have the honor to return:

Senate Bill No. 136

Senate Bill No. 173

Senate Bill No. 223

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 26, 1959

Mr. President: I have the honor to return:

Senate Bill No. 38

Senate Bill No. 64

Senate Bill No. 75

Senate Bill No. 76

Senate Bill No. 85

Senate Bill No. 87

Senate Bill No. 93

Senate Bill No. 95

Senate Bill No. 114

Senate Bill No. 122

Senate Bill No. 134

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 628. A Bill for an Act relating to liquefied petroleum gas, establishing standards of weights and measures therefor, providing for the testing of weighing and measuring devices used in the retail sale thereof, and the condemnation of inaccurate devices, prescribing duties and the authority of the department of weights and measures as to liquefied petroleum gas, and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Johnson

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 634. A Bill for an Act to create and enact subsection 18 of section 58-0601 of the North Dakota Revised Code of 1943, relating to the general powers and duties of township boards, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen

Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 635. A Bill for an Act to create and enact subsection C. of section 52-0921 relating to refunds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 647. A Bill for an Act to amend and reenact section 39-0712 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provisions governing repair of vehicles involved in reportable accidents, and providing a penalty for violation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin

Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 648. A Bill for an Act to amend and re-enact section 39-1132 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provisions governing equipment of vehicles and providing a penalty for violation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Morgan
Baeverstad	Hystad	Mutch
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Van Horn
Freed	Livingston	Vendsel
Garaas	Longmire	Wadeson
Gefreh	Luick	Wartner
George	Meidinger	Wenstrom
Gilbertson	Miller	Yunker
Hernett		

Those voting in the negative were:

Gronvold	Roen	Trenbeath
Nesvig	Saumur	

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 650. A Bill for an Act to protect the health, safety, and welfare of the people of the state of North Dakota; defining terms used in this Act; prescribing regulation for the practice of massage and the conduct of massage establishments; providing for the creation of a board of masseurs and defining the powers and duties of such board; providing for the inspection of all massage establishments and requiring the registration of all who practice massage; registration fee, appropriating the pro-

ceeds thereof to accomplish the purposes of this Act, and providing penalties for the violation of any provisions of this Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Brooks	Larson	Paulson
Erickson	Lautenschlager	Redlin
Erickstad	Livingston	Ringsak
Foss	Longmire	Roen
Freed	Luick	Saumur
Gilbertson	Meidinger	Schrock
Gronvold	Miller	Vendsel
Hernett	Morgan	Wadeson
Holand	Mutch	Wartner
Hystad	Nesvig	Wenstrom
Kee	O'Brien	Yunker

Those voting in the negative were:

Andre	Garaas	Klefstad
Baeverstad	Gefreh	Krause
Becker	George	Thompson
Berube	Johnson	Trenbeath
Fiedler	Kisse	Van Horn

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 652. A Bill for an Act authorizing affixing or including a written statement to the standard policy excluding loss or damage caused by nuclear reaction; provided, however, that insurers may assume coverage for loss or damage caused by nuclear reaction by endorsement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand		

Those voting in the negative were:

Baeverstad Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 654. A Bill for an Act to repeal subdivisions a and b of subsection 1 of section 18-1011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to territory to be annexed, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Mutch	Wenstrom
Holand		

Absent and not voting:

Foss Murphy Yunker

So the bill passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 655. A Bill for an Act to amend and reenact section 18-1001 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to territory to be annexed and petition, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson

Fiedler	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Herriett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 664. A Bill for an Act relating to the inclusion of land in and exclusion of land from an irrigation district and repealing sections 61-1003, 61-1004, 61-1006, 61-1007, 61-1008, 61-1009, 61-1010, 61-1011, 61-1013, 61-1014, 61-1015, 61-1017, 61-1018, 61-1019, 61-1020, 61-1021 and 61-1023 of the North Dakota Revised Code of 1943, repealing all acts and parts of acts in conflict with the provisions of this Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Ringsak
Berube	Kisse	Redlin
Brooks	Klefstad	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Hernett		

Absent and not voting:

Holand

Krause

Murphy

So the bill passed and the title was agreed to.

House Bill No. 678. A Bill for an Act to amend and reenact sections 36-0507, 36-0508, and 36-0511 of the North Dakota Revised Code of 1943, and sections 36-0501, 36-0503, 36-0504, 36-0505, 36-0506, 36-0509, 36-0510, 36-0512, and 36-0513 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to changing the name of "livestock sales rings" to "livestock auction markets", and to repeal section 36-0503 of the 1957 Supplement to the North Dakota Revised Code of 1943, as amended by section 20 of chapter 231 of the 1957 Session Laws of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Klefstad	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Roen
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker

Absent and not voting:

Garaas	Murphy	Thompson
Hernett	Saumur	Vendsel
Kisse		

So the bill passed and the title was agreed to.

House Bill No. 680. A Bill for an Act relating to absence of teachers due to sickness.

Which has been read.

Senator Schrock moved that House Bill No. 680 be amended as follows:

In line 8, delete the word "maximum" and insert in lieu thereof the word "minimum".

Which motion prevailed.

Senator Schrock moved that House Bill No. 680 be placed on the calendar, which motion prevailed.

House Bill No. 694. A Bill for an Act to amend and reenact section 24-1201 and subsections 1 and 2 of section 39-0309 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to injuries to highways and authority of highway patrol.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Schrock
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel

Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Mutch	

Absent and not voting:

Berube	Murphy	Thompson
Kisse	Saumur	

So the bill passed and the title was agreed to.

House Bill No. 700. A Bill for an Act authorizing municipalities in certain cases to levy special assessments for water and sewer improvements upon benefited properties which were not assessed at the time of construction thereof, prescribing the procedure for and the limitations upon the levy of such assessments, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Berube	Murphy
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So the bill passed and the title was agreed to and the emergency clause was declared carried.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 714. A Bill for an Act to amend and reenact sections 15-0401, 15-0407, 15-0409, 15-0410, 15-0411, and 15-0420 of the North Dakota Revised Code of 1943 and to repeal section 15-0408 of the North Dakota Revised Code of 1943 and to create and enact section 15-0422 of the North Dakota Revised Code of 1943, relating to the leasing of original grant school lands, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Berube	Murphy	Vendsel
Livingston		

So the bill passed and the title was agreed to.

House Bill No. 741. A Bill for an Act prohibiting the location on public-controlled land of commercial facilities for serving motor vehicle users of controlled-access facilities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Absent and not voting:

Livingston	Murphy	Vendsel
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So the bill passed and the title was agreed to.

House Bill No. 750. A Bill for an Act to require the retirement from state employment of persons more than seventy years of age.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 9; nays, 38; absent and not voting, 2.

Those voting in the affirmative were:

Erickson	Kee	Nesvig
Erickstad	Longmire	Wadeson
Gilbertson	Mutch	Wartner

Those voting in the negative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Livingston	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wenstrom
Gronvold	Miller	Yunker
Hernett	Morgan	

Absent and not voting:

Murphy	Vendsel
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So the bill was declared lost.

Senator Yunker moved that the vote by which House Bill No. 750 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 757. A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 47-19A11 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to marketable record title and providing for a limitation upon the non-application of said chapter to conditions subsequent; and providing for an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Mutch	

Absent and not voting:

Murphy Vendsel

So the bill passed and the title was agreed to.

House Bill No. 759. A Bill for an Act to amend and reenact section 47-1945 of the North Dakota Revised Code of 1943, relative to constructive notice of execution of recorded instruments and admissibility in evidence without further proof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Mutch	

Absent and not voting:

Murphy Vendsel

So the bill passed and the title was agreed to.

House Bill No. 761. A Bill for an Act to amend and reenact section 47-1919 of the North Dakota Revised Code of 1943, relating to notice and effect of recorded instruments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner

Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:
Becker Murphy

So the bill passed and the title was agreed to.

House Bill No. 762. A Bill for an Act to amend and reenact section 47-1908 of the North Dakota Revised Code of 1943, relating to when an instrument shall be deemed recorded.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 763. A Bill for an Act to amend and reenact section 47-1941 of the North Dakota Revised Code of 1943, relating to record title, effect of unrecorded conveyance, and priority of first deposited, accepted and recorded conveyance; and to provide for legal notice to persons claiming under unrecorded instruments, for limitation of actions; defenses and counterclaims, and for validation of the record of instruments not entitled to be recorded.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen

Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Klefstad Murphy

So the bill passed and the title was agreed to.

House Bill No. 766. A Bill for an Act to amend and re-enact sections 57-1522 and 57-15221 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to tax levy limitations in unorganized townships and provide for transfer of funds for special roads and bridges; and to repeal section 57-15191 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to levies for surfacing highways in unorganized townships.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Ringsak
Berube	Kee	Redlin
Brooks	Kisse	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Klefstad Murphy

So the bill passed and the title was agreed to.

House Bill No. 770. A Bill for an Act to amend and re-enact section 40-0408 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the changing from a commission system of city government.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Klefstad Murphy

So the bill passed and the title was agreed to.

House Bill No. 772. A Bill for an Act to amend and reenact section 10-2210 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to service of process on foreign corporation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 781. A Bill for an Act authorizing the state livestock sanitary board to provide by regulation for the quarantine of livestock feedlots; providing for the licensing of quarantined livestock feedlots; and making an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 785. A Bill for an Act to provide a limitation of ten years upon the commencement of an action or proceeding to foreclose a real estate mortgage and to repeal Subsection 3 of Section 28-0115 of the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Klefstad	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 786. A Bill for an Act to provide a limitation of ten years upon the commencement of an action or proceeding to cancel or enforce any contract for the sale or conveyance of real estate.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Johnson

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 793. A Bill for an Act to amend and reenact Section 52-1003 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to public employees under Federal Social Security.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner

Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 794. A Bill for an Act to amend and re-enact sections 40-4623 and 40-4625 of the North Dakota Revised Code of 1943 relating to employees' pension plan in cities and to repeal section 40-4624 of the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 795. A Bill for an Act pertaining to police pensions in cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel

George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 796. A Bill for an Act establishing a tax levy for a city having provided its employees with the federal social security plan.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 797. A Bill for an Act to create and enact subsection 70 of section 40-0501 of the North Dakota Revised Code of 1943, as amended, relating to powers of all municipalities as to employee pension system.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Krause	Redlin
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Klefstad	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath

Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:
Murphy

So the bill passed and the title was agreed to.

House Bill No. 829. A Bill for an Act to amend and re-enact section 64-0210 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to fee schedule for inspection of weighing and measuring devices.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Those voting in the negative were:
Mutch Nesvig

Absent and not voting:
Murphy

So the bill passed and the title was agreed to.

House Bill No. 833. A Bill for an Act to amend and re-enact section 49-0301 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provision of services by public utilities, the obtaining of certificates of public convenience and necessity, and the extension of pipeline gathering systems to oil and gas pools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson

Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 849. A Bill for an Act to create and enact section 15-42171 of the North Dakota Revised Code of 1943 relating to tuition charges in county agricultural and training schools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "S". A Senate concurrent resolution urging the proper observance of November 11, Veterans Day as a holiday.

Which has been read.

Senator Brooks moved that Senate Concurrent Resolution "S" be adopted, which motion prevailed.

Senate Concurrent Resolution "BB". A concurrent resolution to the Congress urging the passage of a point four

program to raise the standards of well-being of Indian citizens.

Which has been read.

Senator Livingston moved that Senate Concurrent Resolution "BB" be adopted, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "JI". A concurrent resolution memorializing Congress to establish and maintain the United States Maritime Service as a uniformed service.

Which has been read.

Senator Longmire moved that House Concurrent Resolution "J 1" be adopted, which motion prevailed.

House Concurrent Resolution "O1". A concurrent resolution requesting the governor to authorize by proclamation the taking of fish from the Missouri River by the use of spears.

Which has been read.

Senator Trenbeath moved that House Concurrent Resolution "O 1" be adopted, which motion prevailed.

House Concurrent Resolution "V-1". A concurrent resolution requesting the Corps of U. S. Army Engineers to study and investigate the most feasible means of protecting from erosion the banks of the Missouri River in the reaches thereof between the Oahe Reservoir and Garrison Dam.

Which has been read.

Senator Trenbeath moved that House Concurrent Resolution "V 1" be adopted, which motion prevailed.

Senator Baeverstad moved that House Bill No. 735 be placed on the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 735. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-3804 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to allocation of income of residents and providing a credit for income taxes paid to another state or foreign country; providing an effective date; providing for refunds; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath

Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Herrett	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MOTIONS

Senator Holand moved that House Concurrent Resolution "W 1" be returned to the Senate from the Legislative Research Resolutions Committee, which motion prevailed.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "W 1" be placed upon second reading and final action, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "W 1". A concurrent resolution expressing the policy of the legislative assembly in regard to the conduct of athletic events in public schools.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "W 1" be adopted.

Senator Brooks made the substitute motion that House Concurrent Resolution "W 1" be laid over one legislative day, and that the same be printed in the journal, which motion prevailed.

Senator Wartner moved that House Bill No. 638 be referred to the Committee on Judiciary, which motion prevailed.

Senator Brooks moved that the Senate reconsider its action in ordering that House Concurrent Resolution "W 1" be printed in the journal, which motion prevailed.

Senator Holand moved that the Senate recess until 1:30 p.m., February 27, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-SECOND DAY AFTER RECESS
AND FIFTY-THIRD DAY

Bismarck, February 27, 1959

The Senate convened at 1:30 p.m., the President Pro Tem presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 40
Senate Bill No. 67
Senate Bill No. 71
Senate Bill No. 72
Senate Bill No. 84
Senate Bill No. 129
Senate Bill No. 130
Senate Bill No. 185
Senate Concurrent Resolution "P"
Senate Concurrent Resolution "H"
And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 40
Senate Bill No. 67
Senate Bill No. 71
Senate Bill No. 72
Senate Bill No. 84
Senate Bill No. 129
Senate Bill No. 130
Senate Bill No. 185
Senate Concurrent Resolution "H"
Senate Concurrent Resolution "P"

And the President signed the same in the presence of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 527 has had the same under consideration and recommends that the same be re-referred to the Appropriations Committee.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 555 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 561 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 564 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 578 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 579 has had the same under consideration and recommends that the same be amended as follows:

In line one of the title, delete the comma and the word "subsection".

In line two of the title, delete the following: "7 of section 39-0902,"

Delete all of lines 12 through 23.

In line 27, delete the word "increase" and insert in lieu thereof the word "set".

In line 29, delete the words "increase the" and insert in lieu thereof the word "set".

In line 30, insert after the word "limitations", the following: "greater or less than".

In line 34, put a period after the word "commissioner" and delete the comma and the following words: "and such increase presumably shall".

Delete all of lines 35, 36 and 37.

In line 38, delete the word "ways".

In line 39, delete the word "through".

In line 39, delete the words "the permissible" and insert in lieu thereof the word "such".

In lines 39 and 40, delete the words "is increased" and insert in lieu thereof the words "limit is set".

In line 41, insert a period after the word "regulations".

In line 41, delete the comma and the following words "and also shall place and maintain upon each".

Delete all of lines 42, 43, 44 and 45.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 584 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 598 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title of the bill after the word "counties" delete the comma and insert the word "or" and after the word "municipalities" delete the comma and the word "health".

In line 2 of the title of the bill delete the words "districts and other political subdivisions".

In line 4 after the word "county" delete the comma and insert the word "or" and after the word "municipality" delete the comma and the words "health district or other political".

In line 5 delete the word "subdivision".

In line 8 after the word "county" delete the comma and insert the word "or" and after the word "municipality" delete the comma and the words "health district or other political".

In line 9 delete the word "subdivision".

In line 10 after the word "county" delete the comma and insert the word "or" and after the word "municipality" delete the comma and the words "health district or other".

In line 11 delete the words "political subdivision".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 613 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 614 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 615 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 616 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 623 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 645 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 683 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 684 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 705 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 719 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 721

has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 723 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 751 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 753 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 784 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 799 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 811 has had the same under consideration and recommends that the same be amended as follows:

In line 6 of the title delete the period and insert the following: "and declaring an emergency."

After the words "highway commissioner" in lines 18 and 19 of the amended bill, insert "or the board of county commissioners".

In line 20 of the amended bill, strike the words "he is" and insert in lieu thereof the words "they are".

At the end of the amended bill, add the following:

"SECTION 4. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 818 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 827 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 851 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 853 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted.

Senator Garaas made the substitute motion that House Bill No. 853 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Concurrent Resolution "P" has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title of the resolution after the word "to" delete the words "pay full costs" and insert in lieu thereof the words "give consideration to payment".

In line 3 of the title of the resolution after the word "patients," delete the following words "and recommending adoption of the" and insert in lieu thereof the words "based on a negotiated and realistic cost formula basis."

Delete all of line 4 in the title of the resolution.

In line 19 after the word "hospitalization" delete the following words "such as are allowed in the federal".

Delete all of line 20.

In line 21 delete the words "detriment of smaller hospitals".

In line 30 after the word "hereby" delete the words "directed to pay" and insert in lieu thereof the words "requested to give consideration to payment of".

In line 31 after the word "on" insert the following words "a negotiated and".

In line 32 after the word "basis" delete the comma and insert in lieu thereof a period and delete the remainder of the line and all of line 33.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution "Q" has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution "GG" has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wartner moved that the amendments to House Bill No. 676 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to House Bill No. 779 be adopted, which motion prevailed.

Senator Erickstad moved that the amendments to House Bill No. 865 be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Meidinger moved that the Senate do not concur in the House amendments to Senate Bill No. 69, which motion prevailed.

Senator Meidinger moved that the President appoint a Conference Committee on Senate Bill No. 69, which motion prevailed.

The President Pro Tem appointed as a Conference Committee on Senate Bill No. 69 Senators Meidinger, Baeverstad and Schrock.

Senator Baeverstad moved that the Senate do concur in the House amendments to Senate Bill No. 77, which motion prevailed.

Senator Baeverstad moved that the rules be suspended and that Senate Bill No. 77 be deemed properly re-engrossed and placed on second reading and final action, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 77. A Bill for an Act to amend and reenact Section 57-3818 of the North Dakota Revised Code of 1943, as amended, relating to the exemption from the state income tax of all income accruing from federal social security retirement payments.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended by the House, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Saumur
Erickson	Krause	Schrock
Erickstad	Larson	Ringsak
Fiedler	Lautenschlager	Roen
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 91, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 91 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 91. A Bill for an Act to amend and reenact section 57-0208 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 21 relating to the exemption of clothing, household goods, and musical instruments of certain persons from personal property taxation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	
Absent and not voting:		
Foss	Freed	

So the bill passed and the title was agreed to.

Senator Longmire moved that the Senate do not concur in the House amendments to Senate Bill No. 246, and that a Conference Committee be appointed, which motion prevailed.

The President Pro Tem appointed as a Conference Committee on Senate Bill No. 246 Senators Wartner, Longmire and Garaas.

MOTIONS

Senator Meidinger moved that the Senate reconsider the action by which the Senate did not concur in the House amendments to Senate Bill No. 69, which motion prevailed.

Senator Meidinger moved that the Conference Committee on Senate Bill No. 69 be discharged, which motion prevailed.

Senator Meidinger moved that the Senate do concur in the House amendments to Senate Bill No. 69, which motion prevailed.

Senator Meidinger moved that the rules be suspended and that Senate Bill No. 69 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 69. A Bill for an Act to amend and re-enact Section 15-2406 of the North Dakota Revised Code of 1943, relating to common school district elections.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Freed	Luick	Vendsel
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So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 27, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 548

House Bill No. 549

House Bill No. 550
 House Bill No. 552
 House Bill No. 556
 House Bill No. 558
 House Bill No. 568
 House Bill No. 570
 House Bill No. 575
 House Bill No. 609
 House Bill No. 701
 House Bill No. 740
 House Bill No. 746
 House Bill No. 791
 House Bill No. 801
 House Bill No. 808
 House Bill No. 839
 House Bill No. 840
 House Concurrent Resolution "N"
 House Concurrent Resolution "I 1"
 House Concurrent Resolution "P 1"
 House Concurrent Resolution "Q 1"
 House Concurrent Resolution "T 1"
 Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 27, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 583
 House Bill No. 585
 House Bill No. 599
 House Bill No. 646
 House Bill No. 663
 House Bill No. 731
 House Bill No. 792
 House Concurrent Resolution "U"
 Which the Senate has amended.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 27, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 569
 House Bill No. 571
 House Bill No. 688
 House Bill No. 689
 House Bill No. 690
 Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 27, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40
 Senate Bill No. 67
 Senate Bill No. 71
 Senate Bill No. 72
 Senate Bill No. 84
 Senate Bill No. 129
 Senate Bill No. 130
 Senate Bill No. 185

Senate Concurrent Resolution "H"
Senate Concurrent Resolution "P"

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-THIRD DAY

Bismarck, February 27, 1959

The Senate convened at 2:00 p.m., the President Pro Tem presiding.

Prayer by Chaplain John G. Holton, Christ Episcopal, Mandan:

We commend to thee, O Lord, all who are engaged in the government of this State; especially remembering today the Senate, grant to them integrity of purpose, and unflinching devotion to the cause of righteousness. May all their legislation be such as will promote our welfare, to the succour of the poor, the relief of the oppressed, the putting down of all social evils, and the redress of all social wrongs, to Thy glory and the good example of Thy people; through Jesus Christ our Lord.

Roll Call: All Senators present.

A quorum was declared by the President Pro Tem.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-first day after recess and fifty-second day and recommends that the same be corrected as follows:

On pages 635 to 665, inclusive, change the date to read "February 26, 1959".

On page 657, in line 44, delete the figure "43" and insert in lieu thereof the figure "44".

On page 657, in line 45, delete the figure "6" and insert in lieu thereof the figure "5".

On page 658, in line 5, insert the name "Vendsel" following the name "Morgan".

On page 658, in line 9, delete the name "Vendsel".

And when so corrected recommends that the same be approved.

SENATOR RINGSAK, Vice Chairman.

Senator Ringsak moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 27, 1959

Mr. President: I have the honor to return:

Senate Bill No. 9
Senate Bill No. 10
Senate Bill No. 11
Senate Bill No. 14
Senate Bill No. 16
Senate Bill No. 17

Senate Bill No. 18
 Senate Bill No. 19
 Senate Bill No. 26
 Senate Bill No. 27
 Senate Bill No. 28
 Senate Bill No. 66
 Senate Bill No. 107
 Senate Bill No. 109
 Senate Bill No. 125
 Senate Bill No. 132
 Senate Bill No. 137
 Senate Bill No. 140
 Senate Bill No. 154
 Senate Bill No. 162
 Senate Bill No. 172
 Senate Bill No. 184
 Senate Bill No. 199
 Senate Bill No. 200
 Senate Bill No. 210
 Senate Bill No. 212
 Senate Bill No. 218
 Senate Bill No. 232
 Senate Bill No. 241
 Senate Bill No. 250
 Senate Bill No. 251
 Senate Bill No. 252

Senate Concurrent Resolution "Q"
 Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 27, 1959

Mr. President: I have the honor to return:

Senate Bill No. 151
 Senate Bill No. 174
 Senate Bill No. 193
 Senate Bill No. 236

Senate Concurrent Resolution "L"

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 27, 1959

Mr. President: I have the honor to return:

Senate Bill No. 138

Which the House has amended as follows:

After line 23 of the bill insert the following language:
 "However, the provisions of this section shall not authorize the state or any political subdivisions thereof to obtain any rights or interest in or to the oil, gas or fluid minerals on or underlying any estate or right in lands subject to be taken for a public use."

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the rules be suspended and

that the reading of the amendments to House Bill No. 672 be dispensed with, which motion prevailed.

Senator Wadeson moved that the amendments to House Bill No. 672 be adopted.

Senator Nesvig made the substitute motion that House Bill No. 672 be indefinitely postponed.

Senator Holand requested a recorded roll call vote, which request was granted.

Senator Vendsel moved that the motion to indefinitely postpone House Bill No. 672 be laid on the table.

The President Pro Tem ruled Senator Vendsel out of order for lack of a second.

ROLL CALL

The question being on the motion of Senator Nesvig that House Bill No. 672 be indefinitely postponed, the roll was called and there were ayes, 15; nays, 34; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Klefstad	Paulson
Baeverstad	Lautenschlager	Ringsak
Gilbertson	Murphy	Schrock
Hystad	Nesvig	Thompson
Johnson	O'Brien	Van Horn

Those voting in the negative were:

Becker	Hernett	Morgan
Berube	Holand	Mutch
Brooks	Kee	Redlin
Erickson	Kisse	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Trenbeath
Foss	Livingston	Vendsel
Freed	Longmire	Wadeson
Garaas	Luick	Wartner
Gefreh	Meidinger	Wenstrom
George	Miller	Yunker
Gronvold		

So the motion was declared lost.

Senator Holand made the substitute motion that consideration of the amendments to House Bill No. 672 be laid over one legislative day, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 27, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 246 and the President has appointed as a Conference Committee,

Senators:

Wartner
Longmire
Garaas

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 27, 1959

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendments to Senate Bills No. 69, 77 and 91.

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand moved that after the reading of House Bills No. 507, 509, 513, 514, 515, 530, 536, 577, 589, 590, 594, 644, 680, 716, 725, 728, 729, 790, 831, 832, 844, House Concurrent Resolution "O", and "W 1", that the Senate recess until 12:30 p.m., February 28, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-THIRD DAY AFTER RECESS
AND FIFTY-FOURTH DAY

Bismarck, February 28, 1959

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 28, 1959

Mr. President: I have the honor to return:

Senate Bill No. 40
Senate Bill No. 41
Senate Bill No. 56
Senate Bill No. 67
Senate Bill No. 68
Senate Bill No. 70
Senate Bill No. 71
Senate Bill No. 72
Senate Bill No. 84
Senate Bill No. 90
Senate Bill No. 101
Senate Bill No. 103
Senate Bill No. 105
Senate Bill No. 115
Senate Bill No. 116
Senate Bill No. 117
Senate Bill No. 120
Senate Bill No. 121
Senate Bill No. 127
Senate Bill No. 129
Senate Bill No. 130
Senate Bill No. 141
Senate Bill No. 180
Senate Bill No. 181
Senate Bill No. 185
Senate Bill No. 192
Senate Bill No. 215
Senate Bill No. 227
Senate Bill No. 234
Senate Bill No. 262
Senate Bill No. 286

Senate Concurrent Resolution "A"

Senate Concurrent Resolution "H"

Senate Concurrent Resolution "P"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 91

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 69

Senate Bill No. 77

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 9

Senate Bill No. 10

Senate Bill No. 11

Senate Bill No. 14

Senate Bill No. 16

Senate Bill No. 17

Senate Bill No. 18

Senate Bill No. 19

Senate Bill No. 26

Senate Bill No. 27

Senate Bill No. 28

Senate Bill No. 66

Senate Bill No. 69

Senate Bill No. 77

Senate Bill No. 91

Senate Bill No. 186

Senate Bill No. 195

Senate Bill No. 225

Senate Bill No. 228

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 545 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 551 has had the same under consideration and recommends that the same be amended as follows:

In line 182, place quotation marks around the words "North Dakota"

In line 508, delete the word "eighteen" and insert in lieu thereof "twenty"

In line 512, after the word "twenty" insert "-two"

In line 515, delete the word "three" and insert in lieu thereof the word "five"

In line 518, delete the "six" in "twenty-six" and insert in lieu thereof the word "eight"

In line 521, delete the word "one" and insert in lieu thereof the word "three"

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 563 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 642 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 649 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 685 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 706 has had the same under consideration and recommends that the same be amended as follows:

In line 4, delete the word "fifty" and in lieu thereof insert the word "ninety-nine"

In line 14, after the word "authority" insert a comma and the following words "subject to the approval of the state game and fish department,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 708 has had the same under consideration and recommends that the same be amended as follows:

In line 6, delete the word "navigable"

In line 13, after the word "imprisonment" and the period, delete "The state game and fish commissioner, the" and all of lines 14, 15, 16 and 17, and in lieu thereof insert the following: "Enforcement of the provisions of this Act shall be within the jurisdiction of police officers, sheriffs and deputies, as well as state game and fish department enforcement personnel."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 713 has had the same under consideration and recommends that the same do pass, and further recommends that the same be re-referred to the Committee on Appropriations.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 769 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 771 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 776 has had the same under consideration and recommends that the same be amended as follows:

Delete lines 318 through 331 of the engrossed bill, both lines inclusive, and insert in lieu thereof the following language:

"SECTION 16. PENALTY.) Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 800 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 805 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 815 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 823 has had the same under consideration and recommends that the same be amended as follows:

In line 7 after the words "((one-half))" delete the words "ten percent" and insert in lieu thereof the words "one-fourth".

And when so amended recommends the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 864 has had the same under consideration and recommends that the same do pass.

SENATOR LIVINGSTON, Chairman.

Senator Livingston moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "M" has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A concurrent resolution" in the title of the resolution and insert the following language in lieu thereof:

"for amendment of sections 26, 29 and 35 of the Constitution of the state of North Dakota relating to the establishment of senatorial districts, representation from such senatorial districts in the House of Representatives, and the manner of reapportioning members elected to the House of Representatives after each federal decennial census.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

1 That the following proposed amendments to sections
 1a 26,
 2 29 and 35 of the Constitution of the state of North
 2a Dakota
 3 are agreed to and shall be submitted to the qualified
 4 electors of the state of North Dakota for approval or
 5 rejection at the primary election to be held in June,
 6 1960, in accordance with the provisions of section 202 of
 7 the Constitution of the state of North Dakota, as
 7a amended:

8 SECTION 1. AMENDMENT.) Section 26 of the
 8a Constitution
 9 of the state of North Dakota is hereby amended and
 9a reenacted
 10 to read as follows:

11 SECTION 26. The senate shall be composed of ((not
 12 less than thirty nor more than fifty))) forty-nine
 12a members.

13 SECTION 2. AMENDMENT.) Section 29 of the
 13a Constitution
 14 of the state of North Dakota is hereby amended and
 15 reenacted to read as follows:

16 SECTION 29. ((The legislative assembly shall fix
 16a the
 17 number of senators, and divide the state into as many
 18 senatorial districts as there are senators, which dis-
 18a tricts,
 19 as nearly as may be, shall be equal to each other in the
 20 number of inhabitants entitled to representation. Each
 20a district
 21 shall be entitled to one senator and no more, and shall
 21a be
 22 composed of compact and contiguous territory; and
 22a no por-
 23 tion of any county shall be attached to any other
 23a county,
 24 or part thereof, so as to form a district. The districts
 25 as thus ascertained and determined shall continue
 25 until
 26 changed by law.))) Each existing senatorial district as
 27 provided by law at the effective date of this amend-
 27a ment
 28 shall permanently constitute a senatorial district. Each
 29 senatorial district shall be represented by one senator
 29a and
 30 no more.

31 SECTION 3. AMENDMENT.) Section 35 of the
 31a Constitu-
 32 tion of the state of North Dakota is hereby amended
 32a and
 33 reenacted to read as follows:

34 SECTION 35. ((The members of the house of repre-
 35 sentatives shall be apportioned to and elected at large
 36 from each senatorial district. The legislative assembly
 37 shall, in the year 1895, and every tenth year cause an
 38 enumeration to be made of all the inhabitants of this
 38a state,

39 and shall at its first regular session after each such
40 enumeration, and also after each federal census, pro-
40a ceed to
41 fix by law the number of senators, which shall con-
41a stitute
42 the senate of North Dakota, and the number of rep-
42a resenta-
43 tives which shall constitute the house of representa-
43a tives
44 of North Dakota, within the limits prescribed by this
45 constitution, and at the same session shall proceed to re-
46 apportion the state into senatorial districts as pre-
46a scribed
47 by this constitution, and to fix the number of members
47a of
48 the house of representatives to be elected from the
48a several
49 senatorial districts; provided, that the legislative
50 assembly, may at any regular session, redistrict the
50a state,
51 into senatorial districts, and apportion the senators and
52 representatives respectively.))) Each senatorial dis-
52a trict
53 shall be represented in the House of Representatives by
53a at
54 least one representative except that any senatorial
54a district
55 comprised of more than one county shall be repre-
55a sented in
56 the House of Representatives by at least as many
56a represen-
57 tatives as there are counties in such senatorial district.
58 In addition the Legislative Assembly shall, at the first
59 regular session after each federal decennial census,
59a proceed
60 to apportion the balance of the members of the House
60a of
61 Representatives to be elected, from the several sena-
61a torial
62 districts, within the limits prescribed by this Con-
62a stitution,
63 according to the population of the several senatorial
63a dis-
64 tricts. If any Legislative Assembly whose duty it is to
65 make an apportionment shall fail to make the same as
65a herein
66 provided it shall be the duty of the Chief Justice of the
67 Supreme Court, Attorney General, Secretary of State,
67a and the
68 majority and minority leaders of the House of Repre-
68a senta-
69 tives within ninety days after the adjournment of the
70 legislature to make such apportionment and when so
70a made a
71 proclamation shall be issued by the Chief Justice an-
71a nouncing
72 such apportionment which shall have the same force
72a and
73 effect as though made by the Legislative Assembly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "R" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Wenstrom moved that the Senate do concur in the House amendments to Senate Bill No. 138, which motion prevailed.

Senator Wenstrom moved that the rules be suspended and that Senate Bill No. 138 be deemed properly re-engrossed and placed upon second reading and final action, as amended by the House, which motion prevailed.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 138

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 138. A Bill for an Act to amend and reenact Section 32-1503 of the North Dakota Revised Code of 1943 relating to the classification of the estates and rights in private property which may be taken for public use.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hernett	Murphy
Baeverstad	Holand	Mutch
Becker	Hystad	Nesvig
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Roen
Erickstad	Klefstad	Schrock
Fiedler	Krause	Thompson
Foss	Larson	Trenbeath
Freed	Lautenschlager	Van Horn
Garaas	Livingston	Wadeson
Gefreh	Luick	Wartner
George	Meidinger	Wenstrom
Gilbertson	Miller	Yunker
Gronvold	Morgan	

Absent and not voting:

Longmire	Ringsak	Vendsel
O'Brien	Saumur	

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE BILL

House Bill No. 507. A Bill for an Act making an appropriation to provide a State Contingency Fund to be placed at the disposal of the State Emergency Commission and to be used as provided by Sections 54-1601 of the 1957 Supplement to the North Dakota Revised Code of 1943, and 54-1602 to 54-1604, inclusive, and 54-1606, and also Section 54-1609 of the North Dakota Revised Code of 1943, and for civil defense.

Which has been read.

Senator Fiedler moved that House Bill No. 507 be laid over one legislative day, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 9
 Senate Bill No. 10
 Senate Bill No. 11
 Senate Bill No. 14
 Senate Bill No. 16
 Senate Bill No. 17
 Senate Bill No. 18
 Senate Bill No. 19
 Senate Bill No. 26
 Senate Bill No. 27
 Senate Bill No. 28
 Senate Bill No. 66
 Senate Bill No. 69
 Senate Bill No. 77
 Senate Bill No. 91
 Senate Bill No. 186
 Senate Bill No. 195
 Senate Bill No. 225
 Senate Bill No. 228

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Nesvig moved that a committee of one be appointed to escort former Senator Harvey Knudson to the rostrum, which motion prevailed.

The President appointed as such committee Senator Nesvig and former Senator Harvey Knudson was escorted to the rostrum and invited to address the Senate.

Mr. Knudson: Governor Dahl, Members of the Senate.

It is a long time since I had an opportunity to appear before you folks. In this particular position it seems that the only way you are given an opportunity to speak to the Senate is either by being elected Lieutenant Governor, or by being retired voluntarily, or by request.

The years I served in the House and Senate were one of the greatest privileges that I have had in my life—to serve in one of the few republics in the world—the republic that has been in existence for many years. The history of republics in the world is very sad. Most of them have fallen. Ours has continued to exist. I hope that everything that has been done here in the past in these legislative sessions, and what is being done in this session, will propagate the permanency of this form of government.

Under a republican form of government the representatives are elected by a democratic process and are responsible to the people. The constitution guarantees certain individual liberties. We should keep in mind always that those individual liberties are of the most importance and transcend all other matters that may come before any legislative body, for when we have lost our individual liberties then we will have lost our republic.

One can't help but go back somewhat to events, elections, victories and defeats. There was a politician at one time who had run for re-election and had been defeated; and the newspaper men, of course, wished to have information from him as to what he thought was the principal reason for his defeat. He gave it a moment's thought and then said "I just did not get enough votes". That was probably my position—I just did not get enough votes.

And along the same line my brother was defeated for the House, and a few weeks after election he came over and said, "Harvey, you lost, I lost, and Coya lost." We are fortunate that we are living in the United States, that we are accorded the privilege of coming back to the place where we were working and can be recognized by this body as a friend, as another citizen and as a fellow American. In many other countries when a candidate is defeated for office they either take him out and shoot him before a firing squad, as they did recently in Cuba, or send them to the salt mines as they do in Russia.

I appreciate the opportunity of being with you this afternoon and to have the privilege of making these remarks. Thank you.

Senator Holand moved that the remarks of former Senator Harvey Knudson be printed in the journal, which motion prevailed.

MOTIONS

Senator Livingston moved that House Bill No. 723 be re-referred to the Committee on Appropriations, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 27, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as conference committee on Senate Bill No. 246,

Representatives:

Baldwin

Beede

Powell

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1959

Mr. President: I have the honor to transmit:

House Bill No. 552

House Bill No. 556

House Bill No. 558

House Bill No. 600

House Bill No. 604

House Bill No. 605
 House Bill No. 608
 House Bill No. 612
 House Bill No. 626
 House Bill No. 630
 House Bill No. 633
 House Bill No. 659
 House Bill No. 677
 House Bill No. 681
 House Bill No. 692
 House Bill No. 693
 House Bill No. 738
 House Bill No. 743
 House Bill No. 744
 House Bill No. 749
 House Bill No. 755
 House Bill No. 778
 House Bill No. 780
 House Bill No. 826

Which the speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 509. A Bill for an Act making an appropriation for the purpose of refunding money erroneously paid into or credited to the General Fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gilbertson	Meidinger	Wartner
Gronvold	Miller	Wenstrom
Hernett	Morgan	Yunker

Absent and not voting:

Garaas	Ringsak	Vendsel
O'Brien		

So the bill passed and the title was agreed to.

House Bill No. 513. A Bill for an Act making an appropriation to provide funds for the arrest and return of fugitives from justice.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Baeverstad	Holand	Murphy
Becker	Hystad	Mutch
Berube	Johnson	Nesvig
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Livingston	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gilbertson	Meidinger	Wartner
Gronvold	Miller	Wenstrom

Absent and not voting:

O'Brien	Vendsel	Yunker
Ringsak		

So the bill passed and the title was agreed to.

House Bill No. 514. A Bill for an Act making an appropriation for the payment of the premiums for Boys' and Girls' Club Work at County Achievement Fairs; and providing the manner of disbursement for such funds and making reports.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Baeverstad	Holand	Murphy
Becker	Hystad	Mutch
Berube	Johnson	Nesvig
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Roen
Fiedler	Krause	Saumur
Foss	Larson	Schrock
Freed	Lautenschlager	Thompson
Garaas	Livingston	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gilbertson	Meidinger	Wartner
Gronvold	Miller	Wenstrom

Absent and not voting:

O'Brien	Vendsel	Yunker
Ringsak		

So the bill passed and the title was agreed to.

House Bill No. 515. A Bill for an Act making an appropriation for inquest and burial of penal inmates, and action to release insane.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Absent and not voting:

O'Brien	Ringsak	Vendsel
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So the bill passed and the title was agreed to.

House Bill No. 530. A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Murphy	

Absent and not voting:

O'Brien	Vendsel
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So the bill passed and the title was agreed to.

House Bill No. 536. A Bill for an Act making a deficiency appropriation to compensate the University of North Dakota for services rendered in an actuarial study of OASIS.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett		

Absent and not voting:

Luick	O'Brien	Vendsel
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So the bill passed and the title was agreed to.

House Bill No. 577. A Bill for an Act creating a board of examiners in watchmaking, prescribing the power and duties of the board, providing for the regulation, supervision and licensing of watchmakers as defined in the Act, prescribing penalties for violation of provisions of this Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Hystad	Paulson
Becker	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker

Those voting in the negative were:

Andre	Garaas	Klefstad
Berube	Johnson	

Absent and not voting:

Luick	O'Brien
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So the bill passed and the title was agreed to.

Senator Krause moved that the vote by which House Bill No. 577 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 589. A Bill for an Act to amend and re-enact section 52-0413 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the lien of a judgment obtained in an action brought for the recovery of delinquent or defaulted unemployment compensation contributions and restricting the priority of such judgment lien to the same priority held by other judgments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett		

Absent and not voting:

Luick	O'Brien	Vendsel
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So the bill passed and the title was agreed to.

House Bill No. 590. A Bill for an Act to amend and re-enact section 65-0426 of the North Dakota Revised Code of 1943, relating to the lien of a judgment obtained in an action brought for recovery of delinquent or defaulted workmen's compensation premiums and restricting the priority of such judgment lien to the same priority held by other judgments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig

Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett		

Absent and not voting:

Luick	O'Brien	Vendsel
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So the bill passed and the title was agreed to.

House Bill No. 594. A Bill for an Act to exempt from civil or criminal liability any peace officer, merchant or merchant's employee who takes into custody or detains any person who he has probable cause to believe has committed larceny of goods held for sale.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Gronvold	Mutch
Becker	Hernett	Paulson
Brooks	Hystad	Redlin
Erickson	Kee	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Trenbeath
Freed	Livingston	Wadeson
Foss	Longmire	Wartner
Garaas	Miller	Wenstrom
Gefreh	Meidinger	Yunker
George	Morgan	

Those voting in the negative were:

Baeverstad	Kisse	Ringsak
Berube	Klefstad	Schrock
Gilbertson	Krause	Thompson
Holand	Murphy	Van Horn
Johnson	Nesvig	Vendsel

Absent and not voting:

Luick	O'Brien
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So the bill passed and the title was agreed to.

House Bill No. 644. A Bill for an Act making an appropriation to the office of the adjutant general to cover expenses incurred for the inauguration of elected state officials.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Gefreh	Longmire	Vendsel
Garaas	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Luick O'Brien

So the bill passed and the title was agreed to.

House Bill No. 680. A Bill for an Act relating to absence of teachers due to sickness.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Klefstad	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Baeverstad Krause Mutch
Brooks

Absent and not voting:

Luick O'Brien

So the bill passed and the title was agreed to.

House Bill No. 716. A Bill for an Act to amend and reenact section 30-1604 of the North Dakota Revised Code of 1943 relating to the descent and distribution of real property subject to homestead estate, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Luick O'Brien

So the bill passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 725. A Bill for an Act to amend and reenact section 52-0307 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to administrative use; regulations governing; and section 52-0308 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to advances from the federal unemployment account; regulations governing.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

O'Brien.

So the bill passed and the title was agreed to.

House Bill No. 728. A Bill for an Act to amend and re-enact sections 6-0608 of the 1957 Supplement to the North Dakota Revised Code of 1943, and 6-0611 of the North Dakota Revised Code of 1943, relating to the examination of credit unions and to the annual election of the supervisory committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

O'Brien

So the bill passed and the title was agreed to.

House Bill No. 729. A Bill for an Act to amend and re-enact Section 29-2618 of the 1943 Revised Code of North Dakota relating to evidence in aggravation or mitigation of punishment; how presented.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

O'Brien

So the bill passed and the title was agreed to.

House Bill No. 790. A Bill for an Act to regulate the issuance of car warranties, to require a license, bond, approval of car warranty contract form and the filing of rate schedules and to authorize the revocation of license upon breach of warranty contracts, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

O'Brien

So the bill passed and the title was agreed to.

House Bill No. 831. A Bill for an Act to amend and reenact Section 48-0102 of the North Dakota Revised Code of 1943, relating to contractors bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson

Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:
O'Brien

So the bill passed and the title was agreed to.

House Bill No. 832. A Bill for an Act to amend and reenact Section 48-0207 of the North Dakota Revised Code of 1943, relating to allowance and payment of estimates upon public construction; and providing for the repeal of Section 48-0214 of the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:
O'Brien

So the bill passed and the title was agreed to.

House Bill No. 844. A Bill for an Act to amend and reenact section 30-2610 of the North Dakota Revised Code of 1943, relating to undertaking on appeal from a county court.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson

Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:
O'Brien

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "O". A concurrent resolution urging Congress to retain the present two percent interest rate applying to loans made to rural electrical cooperative associations or corporations.

Which has been read.

Senator Hernett moved that House Concurrent Resolution "O" be adopted, which motion prevailed.

House Concurrent Resolution "W 1". A concurrent resolution expressing the policy of the legislative assembly in regard to the conduct of athletic events in public schools.

Which has been read.

Senator Holand moved that House Concurrent Resolution "W 1" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 28, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 539
House Bill No. 565
House Bill No. 572
House Bill No. 573
House Bill No. 576
House Bill No. 607
House Bill No. 610
House Bill No. 620
House Bill No. 621
House Bill No. 628
House Bill No. 634
House Bill No. 635
House Bill No. 647
House Bill No. 648
House Bill No. 652
House Bill No. 654
House Bill No. 655
House Bill No. 664
House Bill No. 678
House Bill No. 694
House Bill No. 700
House Bill No. 714
House Bill No. 735
House Bill No. 741
House Bill No. 757
House Bill No. 759
House Bill No. 761
House Bill No. 762

House Bill No. 763
House Bill No. 766
House Bill No. 770
House Bill No. 772
House Bill No. 781
House Bill No. 785
House Bill No. 786
House Bill No. 793
House Bill No. 794
House Bill No. 795
House Bill No. 796
House Bill No. 797
House Bill No. 829

House Concurrent Resolution "J 1"
House Concurrent Resolution "O 1"
House Concurrent Resolution "V 1"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 28, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 574
House Bill No. 650
House Bill No. 833
House Bill No. 849

Which the Senate has amended.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 28, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 613
House Bill No. 750
House Bill No. 851

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 28, 1959

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "S"
Senate Concurrent Resolution "BB"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 28, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 138.

VIC GILBREATH, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 246 has had the same under consideration and recommends:

That the House recede from its amendments to Senate Bill No. 246 and that the bill be amended as follows:

In line 3 of the title after the word "and" delete the words "other funds not".

In line 4 of the title delete the words "raised by taxation." and insert in lieu thereof the following words: "net receipts from student activities not otherwise allocated."

In line 8 of the bill after the word "and" delete the following words "other funds not raised by taxation" and insert in lieu thereof the following words "net receipts from student activities not otherwise allocated".

Renumber the lines accordingly.

For the Senate:

George Longmire
Aloys Wartner, Jr.
John O. Garaas

For the House:

Ralph Beede
Murray A. Baldwin
Rex Powell

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 246 be deemed properly reengrossed and placed on second reading and final action, as amended by Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 246. A Bill for an Act to provide for the erection on the campus of the University of an assembly hall, the cost to be paid from donated funds and other funds not raised by taxation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Baeverstad	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Roen
Erickson	Krause	Ringsak
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Thompson
Freed	Larson	Trenbeath
Garaas	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad		

Absent and not voting:

Becker Gefreh O'Brien

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

- Senate Concurrent Resolution "B"
- Senate Memorial Resolution 2
- Senate Memorial Resolution 3

Were delivered to the Secretary of State at the hour of 4:35 o'clock p.m., February 25, 1959.

SENATOR ERICKSON, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

- Senate Bill No. 38
- Senate Bill No. 40
- Senate Bill No. 41
- Senate Bill No. 56
- Senate Bill No. 64
- Senate Bill No. 67
- Senate Bill No. 68
- Senate Bill No. 70
- Senate Bill No. 71
- Senate Bill No. 72
- Senate Bill No. 75
- Senate Bill No. 76
- Senate Bill No. 84
- Senate Bill No. 85
- Senate Bill No. 87
- Senate Bill No. 90
- Senate Bill No. 93
- Senate Bill No. 95
- Senate Bill No. 101
- Senate Bill No. 103
- Senate Bill No. 105
- Senate Bill No. 114
- Senate Bill No. 115
- Senate Bill No. 116
- Senate Bill No. 117
- Senate Bill No. 120
- Senate Bill No. 121
- Senate Bill No. 122
- Senate Bill No. 127
- Senate Bill No. 129
- Senate Bill No. 130
- Senate Bill No. 134

Were delivered to the Governor for his approval at the hour of 12:50 o'clock p.m., February 28, 1959.

SENATOR ERICKSON, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

- Senate Bill No. 141
- Senate Bill No. 175
- Senate Bill No. 176
- Senate Bill No. 180
- Senate Bill No. 181
- Senate Bill No. 185
- Senate Bill No. 192
- Senate Bill No. 215
- Senate Bill No. 227
- Senate Bill No. 234

Senate Bill No. 262

Senate Bill No. 286

Were delivered to the Governor for his approval at the hour of 12:50 o'clock p.m., February 28, 1959.

SENATOR ERICKSON, Chairman.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-FOURTH DAY

Bismarck, February 28, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Herman G. Johnson, Mandan:

Holy Father, we pause now to offer unto Thee our sincere praise for the abundant mercies bestowed upon us. We thank Thee for Thy Son, our Lord Jesus Christ, in Whom all blessings are made possible for us. We thank Thee for Thy Holy Word, wherein we find direction for our lives. And we thank Thee for the Holy Spirit, sent to be our Teacher and Guide.

We thank Thee also for Thy blessings upon us as a people and nation. We appreciate this great land of liberty and freedom, and these orderly arrangements of government.

Bless, then, our lives today. Bless us in the exercise of our duties, both to God and to men. Guide this Senate today in their deliberations and in the decisions they must make. We are stewards only, and so help us to be faithful and sincere, as those who must give account of their stewardships. We all recognize our need of Thy wisdom and guidance.

Bless the Officers of this Senate, these employees, and these members. Help each one to do their duty, and faithfully serve.

Thou hast said that we should do all to the Glory of God. Help us to so commit ourselves to Thee and to Thy Holy Will, that all we do may be to Thy Glory.

And this we ask in Jesus Name. Amen.

Roll call: All Senators present except Senator O'Brien.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-second day after recess and fifty-third day and recommends that the same be corrected as follows:

On page 677, line 43, delete the words "to declare" and insert in lieu thereof the word "declaring".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 9

Senate Bill No. 10
 Senate Bill No. 11
 Senate Bill No. 14
 Senate Bill No. 16
 Senate Bill No. 17
 Senate Bill No. 18
 Senate Bill No. 19
 Senate Bill No. 26
 Senate Bill No. 27
 Senate Bill No. 28
 Senate Bill No. 66
 Senate Bill No. 69
 Senate Bill No. 77
 Senate Bill No. 91
 Senate Bill No. 186
 Senate Bill No. 195
 Senate Bill No. 225
 Senate Bill No. 228

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, February 28, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 246.

VIC GILBREATH, Secretary.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the rules be suspended and that the reading of the amendments to House Bills No. 579, 598 and 811 be dispensed with, which motion prevailed.

Senator Luick moved that the amendments to House Bill No. 579 be adopted, which motion prevailed.

Senator Livingston moved that the amendments to House Bill No. 598 be adopted, which motion prevailed.

Senator Livingston moved that Senate Bill No. 598 be further amended as follows:

In line 1, after the word "county" delete the comma and insert in lieu thereof the word "or";

In line 1, after the word "municipality" delete the comma and the words "health district";

In line 2, delete the words "or other political subdivision".

Re-number the lines accordingly.

Which motion prevailed.

Senator Luick moved that the amendments to House Bill No. 811 be adopted, which motion prevailed.

Senator Livingston moved that the amendments to House Concurrent Resolution "P" be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 28, 1959

Mr. President: I have the honor to return:

Senate Bill No. 73

Senate Bill No. 83

Senate Bill No. 102
 Senate Bill No. 169
 Senate Bill No. 231
 Senate Bill No. 270
 Senate Bill No. 276
 Senate Bill No. 288
 Senate Bill No. 291
 Senate Concurrent Resolution "I"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1959

Mr. President: I have the honor to return:

Senate Bill No. 123
 Senate Bill No. 201

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1959

Mr. President: I have the honor to return:

Senate Bill No. 82

Which the House has amended as follows:

On line one of the title of the bill, delete the word "employees" and insert in lieu thereof the word "employers".

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1959

Mr. President: I have the honor to inform you that the House does concur with the Senate amendments to the following House Bills No. 583, 585, 599, 646, 663, 731, 792 and House Concurrent Resolution "U".

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1959.

Mr. President: I have to honor to transmit:

House Bill No. 609

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1959

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 138.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that after the reading of House Bills No. 555, 561, 564, 578, 584, 614, 615, 616, 623, 645, 676, 683, 684, 705, 719, 721, 751, 753, 779, 784, 799, 818, 827, 853, 865, Senate Concurrent Resolution "GG" and House Concurrent Resolution "Q", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President Pro Tem presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 555. A Bill for an Act to amend and re-enact section 20-0607 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the taking of minnows, other than for resale, by the use of a dip net, minnow trap, or minnow seine.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 1; absent and not voting, 10.

Those voting in the affirmative were:

Andre	Holand	Morgan
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Brooks	Kee	Paulson
Erickson	Kisse	Saumur
Fiedler	Klefstad	Thompson
Foss	Krause	Trenbeath
Garaas	Larson	Van Horn
Gefreh	Lautenschlager	Wadeson
George	Livingston	Wartner
Gilbertson	Longmire	Wenstrom
Gronvold	Luick	Yunker
Hernett	Miller	

Those voting in the negative were:

Freed

Absent and not voting:

Berube	O'Brien	Roen
Erickstad	Redlin	Schrock
Meidinger	Ringsak	Vendsel
Murphy		

So the bill passed and the title was agreed to.

House Bill No. 561. A Bill for an Act to amend and re-enact section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943, section 2 of chapter 163 of the North Dakota Session Laws of 1953, relating to eligibility to apply for a license to hunt big game.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson

Garaas	Livingston	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Absent and not voting:		
Freed	O'Brien	Vendsel
Meidinger		

So the bill passed and the title was agreed to.

House Bill No. 564. A Bill for an Act to amend and re-enact section 20-0505 of the North Dakota Revised Code of 1943 relating to the displaying of red, yellow, or orange on clothing worn by all persons hunting big game.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Garaas	Livingston	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Freed	O'Brien	Vendsel
Meidinger		

So the bill passed and the title was agreed to.

House Bill No. 578. A Bill for an Act to provide for the levy of special assessments on certain state property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson

Foss	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Freed	Meidinger	O'Brien
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So the bill passed and the title was agreed to.

House Bill No. 584. A Bill for an Act to amend and reenact section 40-1008 of the North Dakota Revised Code of 1943 relating to the city manager plan of local government for cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Murphy	

Absent and not voting:

O'Brien	Ringsak
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So the bill passed and the title was agreed to.

House Bill No. 614. A Bill for an Act to amend and reenact section 23-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to compensation of members of the health council.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Becker	Kee	Redlin
Brooks	Kisse	Ringsak
Erickstad	Larson	Roen

Erickson	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Trenbeath
Freed	Luick	Vendsel
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Wenstrom
Gilbertson	Murphy	Yunker
Gronvold	Mutch	

Those voting in the negative were:

Berube	Klefstad	Thompson
Hystad	Krause	Van Horn
Johnson		

Absent and not voting:

O'Brien

So the bill passed and the title was agreed to.

House Bill No. 615. A Bill for an Act to amend and re-enact section 39-1204 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to width, height and length limitations on vehicles and exceptions thereto.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	Mutch
Becker	Johnson	Nesvig
Berube	Kee	Paulson
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Gefreh	Longmire	Vendsel
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Hernett	Morgan	Yunker

Those voting in the negative were:

Garaas	Luick	Van Horn
Gronvold	Redlin	Wadeson

Absent and not voting:

O'Brien

So the bill passed and the title was agreed to.

Senator Roen moved that the vote by which House Bill No. 615 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 616. A Bill for an Act to amend and re-enact section 39-1205 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to weight limitations for vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Vendsel
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Wenstrom
Hernett	Murphy	Yunker

Those voting in the negative were:

Gilbertson	Kisse	Redlin
Gronvold	Luick	Van Horn

Absent and not voting:

O'Brien

So the bill passed and the title was agreed to.

Senator Luick moved that the vote by which House Bill No. 616 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 623. A Bill for an Act to provide for use of yield right-of-way signs and to amend and reenact subsection 49 of section 39-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to through highways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

O'Brien

So the bill passed and the title was agreed to.

House Bill No. 645. A Bill for an Act to amend and reenact section 20-0310 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to licenses to hunt big game and special permits to hunt deer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand		Yunker

Those voting in the negative were:

Brooks	Krause	Schrock
Garaas	Miller	

Absent and not voting:

Freed	Kee	O'Brien
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So the bill passed and the title was agreed to.

Senator Nesvig moved that the vote by which House Bill No. 645 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 676. A Bill for an Act to amend and reenact subsection 1 of section 27-1701 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to retirement of Supreme Court judges and District Court judges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel

George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Those voting in the negative were:
 Baeverstad Gronvold

Absent and not voting:
 Kee O'Brien

So the bill passed and the title was agreed to.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 552
 House Bill No. 556
 House Bill No. 558
 House Bill No. 600
 House Bill No. 604
 House Bill No. 605
 House Bill No. 608
 House Bill No. 609
 House Bill No. 612
 House Bill No. 626
 House Bill No. 630
 House Bill No. 633
 House Bill No. 659
 House Bill No. 677
 House Bill No. 681
 House Bill No. 692
 House Bill No. 693
 House Bill No. 738
 House Bill No. 743
 House Bill No. 744
 House Bill No. 749
 House Bill No. 755
 House Bill No. 778
 House Bill No. 780
 House Bill No. 826

And the President signed the same in the presence of the Senate.

VIC GILBREATH, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 552
 House Bill No. 556
 House Bill No. 558
 House Bill No. 600
 House Bill No. 604
 House Bill No. 605
 House Bill No. 608
 House Bill No. 609
 House Bill No. 612
 House Bill No. 626
 House Bill No. 630
 House Bill No. 633

House Bill No. 659
House Bill No. 677
House Bill No. 681
House Bill No. 692
House Bill No. 693
House Bill No. 738
House Bill No. 743
House Bill No. 744
House Bill No. 749
House Bill No. 755
House Bill No. 778
House Bill No. 780
House Bill No. 826

Which the President has signed.

VIC GILBREATH, Secretary.

Senator Holand moved that the Senate do now recess until 1:00 p.m., March 2, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-FOURTH DAY AFTER RECESS AND
FIFTY-SIXTH DAY

Bismarck, March 2, 1959

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bill:

Senate Bill No. 246

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 73
Senate Bill No. 83
Senate Bill No. 102
Senate Bill No. 107
Senate Bill No. 132
Senate Bill No. 137
Senate Bill No. 140
Senate Bill No. 154
Senate Bill No. 162
Senate Bill No. 169
Senate Bill No. 172
Senate Bill No. 184
Senate Bill No. 199
Senate Bill No. 200
Senate Bill No. 210
Senate Bill No. 212
Senate Bill No. 218
Senate Bill No. 231
Senate Bill No. 232
Senate Bill No. 241
Senate Bill No. 246
Senate Bill No. 250
Senate Bill No. 251
Senate Bill No. 270
Senate Bill No. 276
Senate Bill No. 288
Senate Bill No. 291

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 73
 Senate Bill No. 83
 Senate Bill No. 102
 Senate Bill No. 107
 Senate Bill No. 132
 Senate Bill No. 137
 Senate Bill No. 140
 Senate Bill No. 154
 Senate Bill No. 162
 Senate Bill No. 169
 Senate Bill No. 172
 Senate Bill No. 184
 Senate Bill No. 199
 Senate Bill No. 200
 Senate Bill No. 210
 Senate Bill No. 212
 Senate Bill No. 218
 Senate Bill No. 231
 Senate Bill No. 232
 Senate Bill No. 241
 Senate Bill No. 246
 Senate Bill No. 250
 Senate Bill No. 251
 Senate Bill No. 270
 Senate Bill No. 276
 Senate Bill No. 288
 Senate Bill No. 291

And the President signed the same in the presence of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 502 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 506 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 508 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 510 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 511 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 512 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 520 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 521 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 523 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 524 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 525 has had the same under consideration and recommends that the same be amended as follows:

In line 4 strike out the figure "\$779,500.00" and insert in lieu thereof the figure "\$780,500.00".

In line 9 strike out the figure "\$14,000.00" and insert in lieu thereof the figure "\$15,000.00".

In line 22 strike out the figure "\$779,500.00" and insert in lieu thereof the figure "\$780,500.00".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 533 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 547 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 580 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted.

Senator Garaas made the substitute motion that House Bill No. 580 be placed on the calendar, which motion was lost.

The question was on the motion of Senator Wadeson to adopt the committee report on House Bill No. 580, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 582 has had the same under consideration and recommends that the same be amended as follows:

In line 42 delete the word "drinking".

In line 43 delete the word "driver".

In line 44 delete the words "..... Chem. Test%".

In line 45 delete the words "Blood Alcohol"

In line 46 delete the words "..... Alcohol Infl."

In line 47 delete the words "Report Form".

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 586 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 602 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 622 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 627 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 629 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 631 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 641 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 643 has had the same under consideration and recommends that the same be amended as follows:

In line 7, after the words "county seat at", insert the words "any hour between the hours of", and after the words "two o'clock p.m.", insert the words "and eight o'clock p.m."

In line 9, following the word "election," insert the sentence, "The exact hour shall be set by the existing county committee chairman."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 662 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 667 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title of the bill, delete the word "and".

In line 4 of the title of the bill, delete the period and insert in lieu thereof a comma and the words "and declaring an emergency."

Following line 27, insert the following section:

"SECTION 3. EMERGENCY.) An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 671 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 682 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 695 has had the same under consideration and recommends that the same be amended as follows:

In line 4, of the title of the bill after the word "spurge" delete the comma and insert the following words "and perennial pepper grass,"

In line 4, after the word "spurge" insert the following words "and perennial pepper grass"

In line 5, after the word "spurge" delete the ";" and insert the following words "and perennial pepper grass;"

In line 8, after the word "spurge" insert the following words "and perennial pepper grass"

In line 9, delete the word "shall" and insert in lieu thereof the word "may", and after the word "spurge" insert the following words "and perennial pepper grass"

In line 15, after the word "spurge" insert the following words "and perennial pepper grass"

In line 17, after the word "spurge" insert the following words "and perennial pepper grass"

In line 26, after the words "spurge" insert the following words "and perennial pepper grass"

In line 29, after the words "spurge" insert the following words "and perennial pepper grass"

In line 32, after the word "spurge" insert the following words "and perennial pepper grass"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 696 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 702 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 703 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 707 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 718 has had the same under consideration and recommends that the same be amended as follows:

In line 3 after the word "involving" delete the words "moral turpitude or".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 730 has had the same under consideration and recommends that the same be amended as follows:

In the last line of the title following the word "terminated", delete the "period" and insert in lieu thereof a "comma" and the following words "and declaring an emergency."

Following line "59" insert:

"SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 737 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 745 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 767 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title of the bill, delete the numbers "11-1015,".

In line 5 of the title of the bill, delete the comma and the word "county".

Delete lines 1 through 16.

Renumber the sections and the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 810 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 821 has had the same under consideration and a majority recommends that the same be indefinitely postponed.

H. B. Baeverstad
Edwin C. Becker
O. S. Johnson
Raymond Andre
Duane Mutch
Dan Kisse

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same do pass.

Lloyd M. Erickson
Clark Van Horn
Isak Hystad
Fred Krause, Jr.
Bronald Thompson

Senator Erickson moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Erickson that the report of the minority be substituted for that of the majority, which resulted in a tie vote. The President voted aye and the motion was declared carried.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 822 has had the same under consideration and recommends that the same be amended as follows:

Delete all of lines 62, 63 and 64 and insert in lieu thereof the following words:

"SECTION 4.) Any county, city or township proceeding under this chapter may jointly or severally apply for, accept and expend loans, grants, contributions and any other form of financial assistance from the federal government, the state, county or other public body, or from any source, public or private, for the purposes of this chapter, and may enter into and carry out contracts in connection therewith.

SECTION 5.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 836 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 838 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 843 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 857 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 862 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "T" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution "W" has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 2, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 509
House Bill No. 513
House Bill No. 514
House Bill No. 515
House Bill No. 530
House Bill No. 536
House Bill No. 577
House Bill No. 589
House Bill No. 590
House Bill No. 594
House Bill No. 644
House Bill No. 716
House Bill No. 725
House Bill No. 729
House Bill No. 790
House Bill No. 831
House Bill No. 832
House Bill No. 844
House Concurrent Resolution "O"
House Concurrent Resolution "W 1"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 2, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 680
House Bill No. 728

Which the Senate has amended.

VIC GILBREATH, Secretary.

MONDAY, MARCH 2, 1959

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Senate Chamber
Bismarck, March 2, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 642

House Bill No. 649

House Bill No. 769

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 2, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 73

Senate Bill No. 83

Senate Bill No. 102

Senate Bill No. 107

Senate Bill No. 132

Senate Bill No. 137

Senate Bill No. 140

Senate Bill No. 154

Senate Bill No. 162

Senate Bill No. 169

Senate Bill No. 172

Senate Bill No. 184

Senate Bill No. 199

Senate Bill No. 200

Senate Bill No. 210

Senate Bill No. 212

Senate Bill No. 218

Senate Bill No. 231

Senate Bill No. 232

Senate Bill No. 241

Senate Bill No. 246

Senate Bill No. 250

Senate Bill No. 251

Senate Bill No. 270

Senate Bill No. 276

Senate Bill No. 288

Senate Bill No. 291

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "A"

Senate Concurrent Resolution "H"

Senate Concurrent Resolution "P"

Were delivered to the Secretary of State at the hour of 12:40 o'clock p.m., March 2, 1959.

SENATOR ERICKSON, Chairman.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 2, 1959

Mr. President: I have the honor to inform you that the

House has adopted the report of the Conference Committee on Senate Bill No. 246.

67 Ayes
41 Nays
5 Absent

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 2, 1959

Mr. President: I have the honor to inform you that the House wishes to withdraw its request for the return of Senate Bill No. 138.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 2, 1959

Mr. President: I have the honor to transmit:

Senate Bill No. 9
Senate Bill No. 10
Senate Bill No. 11
Senate Bill No. 14
Senate Bill No. 16
Senate Bill No. 17
Senate Bill No. 18
Senate Bill No. 19
Senate Bill No. 26
Senate Bill No. 27
Senate Bill No. 28
Senate Bill No. 66
Senate Bill No. 69
Senate Bill No. 77
Senate Bill No. 91
Senate Bill No. 186
Senate Bill No. 195
Senate Bill No. 225
Senate Bill No. 228

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 2, 1959

Mr. President: I have the honor to transmit:

House Bill No. 539
House Bill No. 548
House Bill No. 549
House Bill No. 550
House Bill No. 568
House Bill No. 570
House Bill No. 575
House Bill No. 576
House Bill No. 583
House Bill No. 585
House Bill No. 610
House Bill No. 620
House Bill No. 621
House Bill No. 647
House Bill No. 648
House Bill No. 652
House Bill No. 694
House Bill No. 701

House Bill No. 740
 House Bill No. 746
 House Bill No. 791
 House Bill No. 808
 House Bill No. 839
 House Bill No. 840
 House Concurrent Resolution "N"
 House Concurrent Resolution "I 1"
 House Concurrent Resolution "Q 1"
 House Concurrent Resolution "T 1"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Erickstad moved that after the reading of House Bills No. 545, 563, 685, 771, 800, 805, 815 and 864, that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-SIXTH DAY

Bismarck, March 2, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain John R. Heidinger, Messiah Lutheran, Mandan:

Almighty God, our heavenly Father, who art our ruler and governor, teach us to look upon our task as a sacred trust from Thee, that we may consider Thy will in all our deliberations, and serve Thee in all of our actions, through Jesus Christ, Thy Son, our Lord. Amen.

Roll call: All Senators present except Senator Ringsak.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-third day after recess and fifty-fourth day and recommends that the same be corrected as follows:

On page 715, in line 3, after the word "president" insert the words "pro tem".

On page 709, in line 16, delete the letter "Q 1" and insert in lieu thereof the letter "O 1".

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the rules be suspended and that the reading of the amendments to Senate Concurrent Resolution "M" be dispensed with, which motion prevailed.

Senator Longmire moved that the amendments to Senate Concurrent Resolution "M" be adopted, which motion prevailed.

Senator Gefreh moved that the amendments to House Bill No. 551 be amended as follows:

In line 1 delete the word "quotation" and insert in lieu thereof the words "triple parentheses".

Which motion prevailed.

Senator Gefreh moved that the amendments to House Bill No. 551 be adopted, which motion prevailed.

Senator Luick moved that the amendments to House Bill No. 672 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 706 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 708 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 776 be adopted, which motion prevailed.

Senator Livingston moved that the amendments to House Bill No. 823 be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that after the reading of House Bills No. 579, 598, 811 and House Concurrent Resolution "P", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 2, 1959

Mr. President: I have the honor to return:

Senate Bill No. 12

Senate Bill No. 25

Senate Bill No. 60

Senate Bill No. 61

Senate Bill No. 106

Senate Bill No. 161

Senate Bill No. 168

Senate Bill No. 202

Senate Bill No. 211

Senate Bill No. 271

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 2, 1959

Mr. President: I have the honor to return:

Senate Bill No. 96

Senate Bill No. 243

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 2, 1959

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 252.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 2, 1959

Mr. President: I have the honor to return:

Senate Bill No. 3

Senate Bill No. 6

Senate Bill No. 133
 -Senate Bill No. 189
 Senate Bill No. 222

Which the House has amended as follows:

Amendments to Senate Bill No. 3:

Line 12, change the figure "\$9,245.00" to the figure "\$10,500.00".

Line 14, change the figure "\$6,314.00" to the figure "\$6,958.00".

Line 18, change the total figure "\$521,696.00" to the figure "\$523,595.00".

Amendments to Senate Bill No. 6:

Line 34, change the figure "\$150,000.00" to the figure "\$225,000.00".

Line 37, change the total figure of "\$5,592,918.00" to the figure "\$5,667,918.00".

Amendments to Senate Bill No. 133:

In line 21 after the word "ambulance" insert a "comma"

In line 21 delete the word "or"

In line 21 after the word "wrecker" insert the following: a "comma" and the words "or civil defense vehicle"

Renumber lines accordingly.

Amendments to Senate Bill No. 189:

Line 6, delete the words "from August 1" and insert in lieu thereof "prior"

Renumber the lines accordingly.

Amendments to Senate Bill No. 222:

In the title, in line 7, after the word "vehicles" delete the period, insert a comma and the following language: "and providing for an effective date of January 1, 1960."

After line 122, add the following section:

"SECTION 6.) This enactment shall become effective the first day of January, 1960."

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 683. A Bill for an Act providing for the regulating of the taking of turtles within this state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock

Freed	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand		

Absent and not voting:

Baeverstad	Livingston	Yunker
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So the bill passed and the title was agreed to.

House Bill No. 684. A Bill for an Act to amend and re-enact section 20-0407 of the North Dakota Revised Code of 1943 relating to the use of blinds in hunting.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand		

Absent and not voting:

Baeverstad	Livingston	Yunker
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So the bill passed and the title was agreed to.

House Bill No. 705. A Bill for an Act to amend and re-enact section 40-4201 of the North Dakota Revised Code of 1943 relating to time for filing a claim against a municipality for damages arising from defective streets, sidewalks, or bridges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Mutch
Becker	Hystad	Nesvig
Berube	Johnson	O'Brien
Brooks	Kee	Paulson
Erickson	Kisse	Redlin

Erickstad	Klefstad	Ringsak
Fiedler	Krause	Roen
Foss	Larson	Saumur
Freed	Lautenschlager	Schrock
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom

Those voting in the negative were:

Thompson

Absent and not voting:

Baeverstad Livingston Yunker

So the bill passed and the title was agreed to.

House Bill No. 719. A Bill for an Act to amend and reenact section 37-1503 of the North Dakota Revised Code of 1943, and to amend and reenact subsection 3 of section 37-1510 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the qualifications of the members of the board of trustees of the soldiers' home, and admittance to the soldiers' home.

• Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre,	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	

Absent and not voting:

Baeverstad Yunker

So the bill passed and the title was agreed to.

House Bill No. 721. A Bill for an Act providing for a board of review to reexamine all disallowed claims for adjusted compensation under the provisions of chapter 37-23 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand		

Absent and not voting:

Baeverstad	Luick	Yunker
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So the bill passed and the title was agreed to.

House Bill No. 751. A Bill for an Act to require hunters to display identification of all members of the party in automobile while hunting on property of another, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 15; nays, 33; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Krause	Roen
Fiedler	Murphy	Saumur
Freed	Nesvig	Schrock
Garaas	Redlin	Van Horn
Gilbertson	Ringsak	Wenstrom

Those voting in the negative were:

Baeverstad	Holand	Meidinger
Becker	Hystad	Miller
Berube	Johnson	Morgan
Brooks	Kee	Mutch
Erickson	Kisse	O'Brien
Erickstad	Klefstad	Paulson
Foss	Larson	Thompson
Gefreh	Lautenschlager	Trenbeath
George	Livingston	Vendsel
Gronvold	Longmire	Wadeson
Hernett	Luick	Wartner

Absent and not voting:

Yunker

So the bill was declared lost.

Senator Morgan moved that the vote by which House Bill No. 751 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 753. A Bill for an Act to amend section 11-2805 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 11 thereto in order to include among the powers and duties of the board of county park commissioners the right to exercise the power of eminent domain.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Miller
Baeverstad	Hystad	Morgan
Brooks	Johnson	Murphy
Erickstad	Kee	O'Brien
Fiedler	Kisse	Paulson
Foss	Klefstad	Redlin
Freed	Larson	Saumur
Garaas	Lautenschlager	Trenbeath
Gefreh	Livingston	Vendsel
George	Longmire	Wadeson
Gilbertson	Luick	Wartner
Gronvold	Meidinger	Wenstrom
Hernett		

Those voting in the negative were:

Becker	Mutch	Schrock
Berube	Nesvig	Thompson
Erickson	Ringsak	Van Horn
Krause	Roen	

Absent and not voting:
Yunker

So the bill passed and the title was agreed to.

House Bill No. 779. A Bill for an Act to amend and re-enact section 65-0105 of the North Dakota Revised Code of 1943 and to create and enact section 65-04271 of the North Dakota Revised Code of 1943 relating to workmen's compensation insurance; unlawfully employing uninsured workers; penalty therefor; injunction to restrain unlawful employment of uninsured workers; injunction to restrain employment when premiums are delinquent; injunction to restrain employment for failure to comply with safety rules and regulations; application for injunction; procedure.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson

Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom

Absent and not voting:

Yunker

So the bill passed and the title was agreed to.

House Bill No. 784. A Bill for an Act to amend and reenact sections 40-4602, 40-4604, 40-4609, and 40-4620 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to a tax levy for a city employees' pension fund and for the city's share of federal social security; membership fees and assessments; requirements for and amounts of retirement pay; and refunds to employees upon termination of employment or upon retirement from pension fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom

Absent and not voting:

Yunker

So the bill passed and the title was agreed to.

House Bill No. 799. A Bill for an Act to amend and reenact section 40-0112 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the audit and allowance of claims and accounts against municipalities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the negative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom

Absent and not voting:

Yunker

So the bill passed and the title was agreed to.

House Bill No. 818. A Bill for an Act to amend and re-enact section 54-0202 of the North Dakota Revised Code of 1943 relating to the State Flag.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom

Absent and not voting:

Yunker

So the bill passed and the title was agreed to.

House Bill No. 827. A Bill for an Act to amend and re-enact sections 40-2201, 40-2208 and 40-2209 of the 1957 Supplement to the North Dakota Revised Code of 1943,

relating to defraying expense of improvements by special assessments, creation of improvement districts, size and form thereof, and regulations governing the same, to amend and reenact sections 40-2217 and 40-2218 of the North Dakota Revised Code of 1943, relating to protests against improvements, and hearings thereon, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Becker	Hystad	Nesvig
Berube	Johnson	O'Brien
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Roen
Foss	Longmire	Saumur
Freed	Larson	Schrock
Garaas/	Lautenschlager	Trenbeath
Gefreh	Livingston	Thompson
George	Luick	Vendsel
Gilbertson	Meidinger	Wadeson
Gronvold	Miller	Wartner
Hernett	Morgan	Wenstrom

Those voting in the affirmative were:

Andre	Murphy	Van Horn
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Absent and not voting:

Yunker

So the bill passed and the title was agreed to and the emergency clause was declared carried.

House Bill No. 853. A Bill for an Act to amend and reenact subsection 3 of section 39-0617 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to repeal subsection 4 of section 39-0617 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to age requirement for obtaining drivers licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 7; nays, 41; absent and not voting, 1.

Those voting in the affirmative were:

Garaas	Hernett	Larson
Gefreh	Holand	Livingston
Gilbertson		

Those voting in the negative were:

Andre	Kee	Paulson
Baeverstad	Kisse	Redlin
Becker	Klefstad	Ringsak
Berube	Krause	Roen
Brooks	Lautenschlager	Saumur
Erickson	Longmire	Schrock

Erickstad	Luick	Thompson
Fiedler	Meidinger	Trenbeath
Foss	Miller	Van Horn
Freed	Morgan	Vendsel
George	Murphy	Wadeson
Gronvold	Mutch	Wartner
Hystad	Nesvig	Wenstrom
Johnson	O'Brien	

Absent and not voting:

Yunker

So the bill was declared lost.

House Bill No. 865. A Bill for an Act to make a deficiency appropriation for the payment of general expenses of the Thirty-sixth Legislative Assembly, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	

Absent and not voting:

Freed Yunker

So the bill passed and the title was agreed to and the emergency clause was declared carried.

**SECOND READING OF A SENATE
CONCURRENT RESOLUTION**

Senate Concurrent Resolution "GG". A concurrent resolution directing the legislative research committee to study the equities of the present formula for the distribution of motor vehicle license fees to counties, and to study methods to insure that motor vehicle registration certificates are credited to the proper county.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "GG" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

**SECOND READING OF A HOUSE
CONCURRENT RESOLUTION**

House Concurrent Resolution "Q". A concurrent resolution commending the North Dakota State Highway Department.

Which has been read.

Senator Luick moved that House Concurrent Resolution "Q" be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 507. A Bill for an Act making an appropriation to provide a State Contingency Fund to be placed at the disposal of the State Emergency Commission and to be used as provided by Sections 54-1601 of the 1957 Supplement to the North Dakota Revised Code of 1943, and 54-1602 to 54-1604, inclusive, and 54-1606, and also Section 54-1609 of the North Dakota Revised Code of 1943, and for civil defense.

Which has been read.

Senator Fiedler moved that House Bill No. 507 be referred to the Committee on Appropriations, which motion prevailed.

House Bill No. 545 A Bill for an Act to amend and reenact sections 20-1302, 20-1303, 20-1304, 20-1305, 20-1309, 20-1402, 20-1403, 20-1404, 20-1405, 20-1406, and 20-1410 of the North Dakota Revised Code of 1943, relating to proof of kill for the collection of bounties on predatory animals and birds, and to penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Gilbertson Longmire

So the bill passed and the title was agreed to.

House Bill No. 563. A Bill for an Act to amend and reenact section 20-0201 of the North Dakota Revised Code of 1943, relating to the term of office of the state game and fish commissioner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Kee	O'Brien
Becker	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Foss	Krause	Roen
Freed	Larson	Saumur
Gefreh	Lautenschlager	Schrock
George	Livingston	Trenbeath
Gilbertson	Luick	Van Horn
Gronvold	Meidinger	Wadeson
Hernett	Miller	Wartner
Holand	Morgan	Wenstrom
Johnson	Mutch	Yunker

Those voting in the negative were:

Andre	Fiedler	Nesvig
Berube	Garaas	Paulson
Brooks	Hystad	Thompson
Erickson	Murphy	Vendsel

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

House Bill No. 685. A Bill for an Act to amend and reenact sections 20-0332 and 20-0404 of the North Dakota Revised Code of 1943 and sections 20-0502 and 20-0603 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to possession of game lawfully taken outside the state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

House Bill No. 771. A Bill for an Act to provide authorization for the issuance to non-residents of a short term fishing license; to provide for a resident family fishing license; and to amend and reenact section 20-0312 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the schedule of fees for hunting and fishing licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Kisse	Ringsbak
Brooks	Klefstad	Roen
Erickstad	Krause	Saumur
Erickson	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Gefreh Murphy

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

House Bill No. 800. A Bill for an Act authorizing cities, counties, towns, villages, park districts or public bodies or any combination thereof, by resolution of their respective legislative bodies, to create airport authorities; granting to such airport authorities all powers necessary or incidental to the planning, promoting, acquisition, development, construction, improvement, enlargement, operation and maintenance of one or more public airports and defining its powers and duties; providing that counties may levy tax for airport purposes; and provide reciprocity with adjoining states and political subdivisions.

Which has been read.

Senator Larson moved that House Bill No. 800 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 805. A Bill for an Act to amend and reenact sections 57-1201, 57-1204, 57-1207, and subsection 3 of section 57-0212 of the North Dakota Revised Code of 1943 relating to equalization of assessments by the county board of equalization.

Which has been read.

Senator Vendsel moved that House Bill No. 805 be placed at the foot of the calendar.

Senator Brooks made the substitute motion that House Bill No. 805 be indefinitely postponed, which motion was declared carried.

Senator Garaas requested a roll call vote, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Brooks to indefinitely postpone House Bill No. 805, the roll was called and there were ayes, 30; nays, 18; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hernett	Meidinger
Berube	Holand	Miller
Brooks	Johnson	Morgan
Erickson	Kee	Mutch
Erickstad	Kisse	Ringsak
Foss	Klefstad	Saumur
Freed	Larson	Trenbeath
Gefreh	Lautenschlager	Wadeson
George	Longmire	Wartner
Gilbertson	Luick	Wenstrom

Those voting in the negative were:

Andre	Livingston	Roen
Baeverstad	Murphy	Schrock
Fiedler	Nesvig	Thompson
Garaas	O'Brien	Van Horn
Hystad	Paulson	Vendsel
Krause	Redlin	Yunker

Absent and not voting:

Gronvold

So the motion was declared carried.

Senator Brooks moved that the vote by which House Bill No. 805 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 815. A Bill for an Act to amend and reenact section 57-15101 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the levy for advertising purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 25; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Kee	Miller
Erickson	Klefstad	O'Brien
Erickstad	Larson	Saumur
Foss	Lautenschlager	Trenbeath
Gefreh	Livingston	Wadeson
George	Longmire	Wartner
Hernett	Luick	Wenstrom
Holand	Meidinger	

Those voting in the negative were:

Andre	Johnson	Redlin
Baeverstad	Kisse	Ringsak
Berube	Krause	Roen
Brooks	Morgan	Schrock

Fiedler	Murphy	Thompson
Freed	Mutch	Van Horn
Garaas	Nesvig	Vendsel
Gilbertson	Paulson	Yunker
Hystad		

Absent and not voting:

Gronvold

So the bill was declared lost.

Senator Schrock moved that the vote by which House Bill No. 815 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 864. A Bill for an Act to amend and reenact Section 54-3902 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to Korean Conflict Adjusted Compensation Bonds, purpose of issue and use of proceeds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Gronvold

So the bill passed and the title was agreed to.

House Bill No. 579. A Bill for an Act to amend and reenact section 24-0114, subsection 7 of section 39-0902, and section 39-0907 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 39-0903, subsection 18 of section 40-0501 and subsection 14 of section 40-0502 of the North Dakota Revised Code of 1943 relating to the regulation of speed limits by the highway commissioner, superintendent of state highway patrol and local authorities.

Which has been read.

Senator Luick moved that House Bill No. 579 be amended as follows:

ReNUMBER the sections accordingly.

Which motion prevailed.

Senator Luick moved that the rules be suspended and that House Bill No. 579 be placed upon second reading and final action, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 579, as amended from the floor, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Johnson	Mutch
Becker	Kee	Nesvig
Berube	Kisse	O'Brien
Brooks	Klefstad	Paulson
Erickson	Krause	Ringsak
Erickstad	Larson	Roen
Foss	Lautenschlager	Saumur
Freed	Livingston	Schrock
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Hernett	Morgan	Wenstrom
Holand	Murphy	Yunker
Hystad		

Those voting in the negative were:

Andre	Redlin	Vendsel
Fiedler	Van Horn	

Absent and not voting:

Gronvold

So the bill passed and the title was agreed to.

MOTIONS

Senator Klefstad moved that Senate Bill No. 800 be placed at the head of the calendar, which motion prevailed.

Senator Erickstad moved that Senate Bill No. 252 be returned to the House as requested, which motion prevailed.

Senator Holand moved that the Senate recess until 1:30 p.m., March 3, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-SIXTH DAY AFTER RECESS
AND FIFTY-SEVENTH DAY

Bismarck, March 3, 1959

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 12
Senate Bill No. 25
Senate Bill No. 60
Senate Bill No. 61
Senate Bill No. 106
Senate Bill No. 109
Senate Bill No. 125
Senate Bill No. 161
Senate Bill No. 168
Senate Bill No. 202
Senate Bill No. 211
Senate Bill No. 271

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following resolution:

Senate Concurrent Resolution "M"

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 539
House Bill No. 548
House Bill No. 549
House Bill No. 550
House Bill No. 568
House Bill No. 570
House Bill No. 575

House Bill No. 576
House Bill No. 583
House Bill No. 585
House Bill No. 610
House Bill No. 620
House Bill No. 621
House Bill No. 647
House Bill No. 648
House Bill No. 652
House Bill No. 694
House Bill No. 701
House Bill No. 740
House Bill No. 746
House Bill No. 791
House Bill No. 808
House Bill No. 839
House Bill No. 840
House Concurrent Resolution "N"
House Concurrent Resolution "I 1"
House Concurrent Resolution "Q 1"
House Concurrent Resolution "T 1"

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 12
Senate Bill No. 25
Senate Bill No. 60
Senate Bill No. 61
Senate Bill No. 106
Senate Bill No. 109
Senate Bill No. 125
Senate Bill No. 161
Senate Bill No. 168
Senate Bill No. 202
Senate Bill No. 211
Senate Bill No. 271

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1959

Mr. Speaker: I have the honor to return Senate Bill No. 252, which the House requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 3, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 555
House Bill No. 561
House Bill No. 564
House Bill No. 578
House Bill No. 584
House Bill No. 614
House Bill No. 615
House Bill No. 616

House Bill No. 623

House Bill No. 645

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 3, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 676

Which the Senate has amended.

VIC GILBREATH, Secretary,

Senate Chamber

Bismarck, March 3, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 12

Senate Bill No. 25

Senate Bill No. 60

Senate Bill No. 61

Senate Bill No. 106

Senate Bill No. 109

Senate Bill No. 125

Senate Bill No. 161

Senate Bill No. 168

Senate Bill No. 202

Senate Bill No. 211

Senate Bill No. 271

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 3, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 539

House Bill No. 548

House Bill No. 549

House Bill No. 550

House Bill No. 568

House Bill No. 570

House Bill No. 575

House Bill No. 576

House Bill No. 583

House Bill No. 585

House Bill No. 610

House Bill No. 620

House Bill No. 621

House Bill No. 647

House Bill No. 648

House Bill No. 652

House Bill No. 694

House Bill No. 701

House Bill No. 740

House Bill No. 746

House Bill No. 791

House Bill No. 808

House Bill No. 839

House Bill No. 840

House Concurrent Resolution "N"

House Concurrent Resolution "I 1"
 House Concurrent Resolution "Q 1"
 House Concurrent Resolution "T 1"
 Which the President has signed.

VIC GILBREATH, Secretary.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 293. A Bill for an Act providing an appropriation for improvement of the lighting system in the senate chambers.

Was read the first time and referred to the Committee on Appropriations.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Foss moved that the Senate concur in the House amendments to Senate Bill No. 3, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 3 be deemed properly reengrossed and placed upon second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the School for the Deaf at Devils Lake, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
George	Miller	Wadson
Gefreh	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Gilbertson	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Lautenschlager Livingston

So the bill passed and the title was agreed to.

Senator Foss moved that the Senate do not concur in the House amendments to Senate Bill No. 6 and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 6, Senators Foss, Fiedler and Hernett.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 82, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 82 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 82. A Bill for an Act to provide for reimbursement to certain employees from the workmen's compensation fund for judgments rendered against them involving employee's injuries.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Longmire	Thompson
Freed	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Vendsel
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Absent and not voting:

Lautenschlager	Livingston	Wadeson
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So the bill passed and the title was agreed to.

Senator Luick moved that the Senate do concur in the House amendments to Senate Bill No. 133, which motion prevailed.

Senator Luick moved that the rules be suspended and that Senate Bill No. 133 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 133. A Bill for an Act to amend and reenact section 39-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 60 of such section relating to a definition of an authorized emergency vehicle and to amend and reenact sections 39-1003 and 39-1026 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to operation of authorized emergency vehicles.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Lautenschlager

So the bill passed and the title was agreed to.

Senator Foss moved that the Senate do concur in the House amendments to Senate Bill No. 189, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 189 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 189. A Bill for an Act making an appropriation to pay expenses of county reorganization committees, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Holand	Mutch	Wartner

Absent and not voting:

Hernett

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Luick moved that the Senate do concur in the House amendments to Senate Bill No. 222, which motion prevailed.

Senator Luick moved that the rules be suspended and that Senate Bill No. 222 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 222. A Bill for an Act to amend and re-enact subsection 9 of section 39-1601; paragraph 2 of section 39-1605; subsections 2, 3 and 4 of section 39-1614; subsection 2 b. of section 39-1620; and section 39-1624 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to financial responsibility of drivers and owners of motor vehicles.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Frickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Hernett

So the bill passed and the title was agreed to.

Senator Mutch moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-SEVENTH DAY

Bismarck, March 3, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Robert A. Feehan, St. Mary's Catholic, Bismarck:

Let us pray. Almighty God, let the light of Thy divine wisdom direct the deliberations of the Congress, and shine forth in all the proceedings and laws framed for our rule and government; so that they may tend to the preservation of peace, the promotion of national happiness, the increase of industry, sobriety and useful knowledge, and may they perpetuate to us the blessings of equal liberty. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-fourth day after recess and fifty-sixth day and recommends that the same be corrected as follows:

On page 749, following line 32 insert the following: "Senator Brooks moved that the vote by which House Bill No. 805 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed."

And when so corrected recommends that the same be approved.

SENATOR RINGSAK, Vice Chairman.

Senator Ringsak moved that the report be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 504 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 517 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 526 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 531 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 532 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 638 has had the same under consideration and recommends that the same be amended as follows:

Delete all of the Senate amendments as printed on page 605 of the Senate Journal and adopted by the Senate on

page 642 of the Senate Journal, and amend the bill as follows:

In line 11 of the bill delete the underscoring under the word "duties" to read "duties"

Delete lines 27 through 47 of the bill, both lines inclusive, and insert in lieu thereof the following language: "conduct hearings within the judicial district and away from the place where such commissioner maintains his office.))", in accordance with the amount allowed to the district court reporter. (((Mileage shall be at the rate fixed by law for county officials.))) The salary or per diem (((and))) or travel expenses, as the case may be, shall be paid by the county for which he is appointed or shall be (((equitably))) apportioned by the judge among the several counties of the judicial district (((by the judge or judges thereof))) as are served by such juvenile commissioner. Such compensation shall be paid monthly by the county (((treasurers))) treasurer of (((such))) the respective counties (((respectively, on bills duly made out and))) upon properly verified claims (((as other bills and accounts against the county are made out and verified and upon the order of the judges of the judicial district.))) and upon approval of the judge as other claims against the county are allowed and paid. (((In a judicial district having not less than two cities with a population in excess of twenty thousand each, as determined by the last federal census, the judges of said judicial district may provide for the employment of a reporter or assistant at a monthly compensation to be fixed and approved by the judges of such judicial district, and not to exceed the amount fixed for the compensation of the juvenile commissioner.)))"

In line 52 following the word "discretion" insert the words "subject to approval of the county commissioners of the county or counties concerned".

In line 66 following the word "court" insert the words "subject to approval of the county commissioners of the county or counties concerned".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 657 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 660 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 691 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 698 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 710 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title of the bill after the number "1943" and before the comma insert the following words: "and to amend and reenact section 15-3503 of the North Dakota Revised Code of 1943"

After line 17 of the bill insert the following words: "SECTION 2. AMENDMENT.) Section 15-3503 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

15-3503. TOILET ROOMS; CONSTRUCTION.) All toilet rooms constructed in any public school building shall have (((outside))) ventilation (((and windows))) permitting free access of air (((and light)))."

Renumber sections accordingly.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 711 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that after the reading of House Bills No. 502, 506, 508, 510, 511, 512, 520, 521, 523, 524, 533, 547, 586, 602, 622, 627, 629, 631, 662, 671, 696, 702, 703, 707, 737, 745, 810, 821, 836, 838, 843, 857, 862, House Concurrent Resolution "T", House Concurrent Resolution "W", Senate Concurrent Resolution "M", House Bills No. 551, 672, 706, 708, 776 and 823, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 6 and the President has appointed as a Conference Committee:

Senators
Foss
Fiedler
Hernett

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 3, 1959

Mr. President: I have the honor to inform you that the Senate concurred in the House amendments to Senate Bills No. 3, 82, 133, 189 and 222.

VIC GILBREATH, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1959

Mr. President: I have the honor to return:

Senate Bill No. 73
Senate Bill No. 83
Senate Bill No. 102
Senate Bill No. 107
Senate Bill No. 132
Senate Bill No. 137
Senate Bill No. 140
Senate Bill No. 154
Senate Bill No. 162
Senate Bill No. 169
Senate Bill No. 172
Senate Bill No. 184
Senate Bill No. 199
Senate Bill No. 200
Senate Bill No. 210
Senate Bill No. 212
Senate Bill No. 218
Senate Bill No. 231
Senate Bill No. 232
Senate Bill No. 241
Senate Bill No. 246
Senate Bill No. 250
Senate Bill No. 251
Senate Bill No. 270
Senate Bill No. 276
Senate Bill No. 288
Senate Bill No. 291

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1959

Mr. President: I have the honor to return:

Senate Bill No. 78
Senate Bill No. 112

Senate Bill No. 255

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 712 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 726 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 733 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 783 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 804 has had the same under consideration and recommends that the same be amended as follows:

In line 11, after the word "domain," insert the following words: "or for any other reason,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 820 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 842 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom

was referred House Bill No. 850 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "A 1" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that Senate Bill No. 293 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Holand moved that Senate Bill No. 293 be not printed as a bill but that the same be printed in the journal, and that the rules be suspended and that Senate Bill No. 293 be placed on second reading and final action, which motion prevailed.

SENATE BILL NO. 293

Introduced by Committee on Delayed Bills

A BILL

For an Act providing an appropriation for improvement of the lighting system in the senate chambers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. APPROPRIATION.) There is hereby
2 appropriated out of any money in the general fund of
3 this state not otherwise appropriated the sum of three
4 thousand dollars or so much thereof as may be necessary
5 to the state board of administration for the improvement
6 of the lighting system in the senate chamber to be
7 accomplished prior to January 1, 1961.

SECOND READING OF A SENATE BILL

Senate Bill No. 293. A Bill for an Act providing an appropriation for improvement of the lighting system in the senate chambers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Redlin
Brooks	Kee	Roen
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel

Gefreh	Luick	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Berube	Meidinger	Ringsak
Kisse	Paulson	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which Senate Bill No. 293 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 632 has had the same under consideration and a majority recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act to amend and reenact subsection 2 of section 11-1010 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries of County Officers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 2 of section 11-1010 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

11-1010 SALARIES OF COUNTY OFFICERS.)

2. The county auditor, county treasurer, sheriff, county superintendent of schools, register of deeds, county judge, state's attorney, and clerk of the district court each shall receive the following annual salary, payable monthly, for official services rendered:

- a. (((Three thousand four hundred))) Three thousand seven hundred sixty dollars in counties having a population not exceeding six thousand;
- b. (((Three thousand five hundred))) Three thousand eight hundred sixty-five dollars in counties having a population exceeding six thousand and not exceeding eight thousand;
- c. (((Three thousand six hundred))) Three thousand nine hundred sixty dollars in counties having a population exceeding eight thousand population plus additional compensation (((seventy dollars))) seventy-five dollars per year for each one thousand additional population or major fraction thereof, but not to exceed the total sum of (((four thousand six hundred))) four thousand nine hundred sixty dollars;
- d. In counties having a population in excess of twenty-five thousand the sum of (((five thousand))) five thousand three hundred sixty dollars;

The salaries provided in this subsection shall be the only salaries paid to such officers by the county (((and the salary provided for the county superintendent shall

be full compensation for services rendered as superintendent of schools and as secretary of the school district reorganization committee)))”

G. A. Klefstad
H. W. George
Phillip Berube
Lloyd M. Erickson
Clayton Paulson
Guy Larson
Elton W. Ringsak
Duane Mutch

SENATOR KLEFSTAD, Chairman.

And when so amended recommends the same do pass.

Senator Klefstad moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same do pass.

John O. Garaas
Raymond Andre
Leland Roen

Senator Garaas moved that the report of the minority be substituted for that of the majority.

The question was on the motion of Senator Garaas that the report of the minority be substituted for that of the majority, which motion was lost.

The question being on the motion of Senator Klefstad that the report of the majority be adopted on House Bill No. 632, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 597 has had the same under consideration and a majority recommends that the same do pass.

Harry Wadeson
Clayton Paulson
Clark Van Horn
Kenneth Morgan
Jerome Nesvig
A. W. Luick
Selmer Gilbertson

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same be indefinitely postponed.

Lloyd M. Erickson
Leland Roen
Phillip Berube
Rolland Redlin
Edwin C. Becker
Dan Kisse

Senator Erickson moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Erickson that the report of the minority be substituted for that of the majority, which motion was lost.

The question being on the motion of Senator Wadeson that the report of the majority on House Bill No. 597 be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 697 has had the same under

consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted.

Senator Longmire made the substitute motion that House Bill No. 697 be placed on the calendar, which motion was lost.

The question was on the motion of Senator Meidinger that the committee report on House Bill No. 697 be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 747 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 861 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Senator Krause moved that the vote by which House Bill No. 861 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the rules be suspended and that the reading of the amendments to House Bills No. 525, 582, 643, 667, 695, 718, 730, 767, and 822 be dispensed with, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 525 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to House Bill No. 582 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 643 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 667 be adopted, which motion prevailed.

Senator Wadson moved that the amendments to House Bill No. 695 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 718 be adopted.

Senator Vendsel made the substitute motion that House Bill No. 718 be indefinitely postponed.

Senator Vendsel: I wish to speak on the motion and I want my remarks recorded in the journal.

I offer the substitute motion to indefinitely postpone further consideration of House Bill No. 718 because I believe sincerely there is a basic principle involved. Now, I stand before you here with no legal training of any kind, but I say that I am proud to live in a country that has a constitution such as this country has, and the constitution is so designed, and has been admitted to protect the civil

rights of every citizen of this great country. I think all of us are aware of that. When a man is convicted of a crime and sent to the penitentiary, to the best of my knowledge his civil rights are taken away for the duration of that term in the correctional institution. Upon paying that debt to society and he is returned to participate in our society, his civil rights may, or may not, be restored to him. If a man's civil rights are restored, then under the basic concepts and precepts of our constitution he has a right to participate in society the same as you and I. This particular bill was introduced to fit a specific situation of which I am very aware, and was admitted as being introduced for that purpose by the first sponsor of that bill, being Rep. Dahlund. I use his name because it was an open hearing. He made his own statements. To deal with a situation in Minot where a man who is business agent for the carpenters union—I am not going to use his name—think everyone knows who it is. This man did serve time. Was convicted of a crime. Paid his debt to society and since that time has participated as a law-abiding citizen. Now, this bill was not introduced to correct any specific wrong-doing on his part, or the wrong-doing on the part of any labor leader in North Dakota that I know of. It was introduced to simply make it impossible for that individual to continue to hold his position as business agent of this union. I have known this individual who is under fire since I was this high. Not a particular friend of mine but I happen to know this individual. If the members of this labor union do not want him to head the union all they have to do is to vote him out of office. That is quite a good sized organization in the City of Minot, and I know a lot of people in that union because I have lived in that area all my life. Senator Livingston knows a lot of people. I have heard of no request for this bill. It is simply a case of spite. The man has been accused of no wrong-doing. Now, when a man has been returned to society after having paid his debt to society, is he to pay that debt twice by being refused an opportunity to participate on an equal basis with the rest of the citizens of this country. I believe he should not have to pay his debt twice. We continually talk about rehabilitating people. How can we talk about rehabilitating people when we enact this type of legislation? They have a strike against them before they begin to rehabilitate. We have attorneys in this state who have been in federal institutions and today they are practicing law. Do we need legislation to regulate them? I say we don't. They have paid their debt. We have men who have served on city councils, township boards, that have served time in this institution down southwest of this city. Today they are respected citizens of their communities.

I realize I am going to be criticized for having taken this position on this bill, but I am proud of having taken this position. I am willing to stand by them. My remarks are my own remarks and nobody else's. I only hope—I only wish that the attorneys in this body who are obligated to defend the rights of individuals would try to recognize and help me explain what I am trying to say to this body. I feel it is incumbent upon them.

The question was on the substitute motion of Senator Vensel that further consideration of House Bill No. 718 be indefinitely postponed, which motion was declared lost.

Senator Wartner requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Vendsel that House Bill No. 718 be indefinitely postponed, the roll was called and there were ayes, 9; nays, 40; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Berube	Miller	Van Horn
Garaas	Murphy	Vendsel

Those voting in the negative were:

Baeverstad	Johnson	Nesvig
Becker	Kee	O'Brien
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
George	Longmire	Trenbeath
Gefreh	Luick	Wadeson
Gilbertson	Meidinger	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the motion was declared lost.

Senator Murphy: I rise to a point of personal privilege and I want to explain my vote.

I voted in favor of this motion to indefinitely postpone House Bill No. 718 for the reason, in two parts:

1. That it is improper invasion of the legislative assembly of our state into the personal rights of individuals by an indefinable class where there is no clear, compelling evidence of need for such exercise of police powers in our state;

2. The legislature in this session killed a bill introduced in the House, sponsored by a majority member, to provide for conciliation of labor management dispute, which bill would have gone a great distance to resolve labor management relation problems in this state. This, in my belief, is the proper form of legislation, so by refusing to indefinitely postpone House Bill No. 718, and killing the labor conciliation bill, it is my belief that a great number of members of this assembly have in effect cast a spurge on organized labor in the state.

Senator Brooks: I want my remarks recorded also. I merely want to state that unlike Senator Murphy and Senator Vendsel, I don't want to wait until the horse is stolen before I close the door.

The question being on the motion of Senator Hernett to adopt the amendments to House Bill No. 718, which motion was declared lost.

Senator Wartner moved that the amendments to House Bill No. 730 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 767 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 822 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1959

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 293

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 3, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 545
House Bill No. 563
House Bill No. 683
House Bill No. 684
House Bill No. 685
House Bill No. 705
House Bill No. 719
House Bill No. 721
House Bill No. 753
House Bill No. 771
House Bill No. 784
House Bill No. 799
House Bill No. 818
House Bill No. 827
House Bill No. 864

House Concurrent Resolution "Q"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 3, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 579
House Bill No. 779
House Bill No. 865

Which the Senate has amended.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 3, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 580
House Bill No. 641
House Bill No. 682
House Bill No. 751
House Bill No. 805
House Bill No. 815
House Bill No. 853

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

MOTION

Senator Holand moved that the Senate recess until 10:30 a.m., March 4, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-SEVENTH DAY AFTER RECESS AND
FIFTY-EIGHTH DAY

Bismarck, March 4, 1959

The Senate convened at 10:30 a.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE GOVERNOR

March 3, 1959

Members of the Senate
Thirty-Sixth Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Greetings:

On March 2 I signed Senate Bills No. 120, 129, 130, 141, 180, 181, 192, 215, 227, 234, 262, and 286.
These bills have been filed with the Secretary of State.

Sincerely yours,
JOHN E. DAVIS
Governor

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 82
Senate Bill No. 133
Senate Bill No. 189

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 3

And finds the same correctly re-engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 3

Senate Bill No. 82
 Senate Bill No. 133
 Senate Bill No. 138
 Senate Bill No. 189

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 9
 Senate Bill No. 10
 Senate Bill No. 11
 Senate Bill No. 14
 Senate Bill No. 16
 Senate Bill No. 17
 Senate Bill No. 18
 Senate Bill No. 19
 Senate Bill No. 26
 Senate Bill No. 27
 Senate Bill No. 28
 Senate Bill No. 66
 Senate Bill No. 69
 Senate Bill No. 77
 Senate Bill No. 91
 Senate Bill No. 186
 Senate Bill No. 195
 Senate Bill No. 225
 Senate Bill No. 228

Were delivered to the Governor for his approval at the hour of 9:30 o'clock, a.m., March 4, 1959.

SENATOR ERICKSON, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 73
 Senate Bill No. 83
 Senate Bill No. 102
 Senate Bill No. 107
 Senate Bill No. 132
 Senate Bill No. 137
 Senate Bill No. 140
 Senate Bill No. 154
 Senate Bill No. 162
 Senate Bill No. 169
 Senate Bill No. 172
 Senate Bill No. 184
 Senate Bill No. 199
 Senate Bill No. 200
 Senate Bill No. 210
 Senate Bill No. 212
 Senate Bill No. 218
 Senate Bill No. 231
 Senate Bill No. 232
 Senate Bill No. 241
 Senate Bill No. 246
 Senate Bill No. 250
 Senate Bill No. 251
 Senate Bill No. 270
 Senate Bill No. 276

Senate Bill No. 288
Senate Bill No. 291

Were delivered to the Governor for his approval at the hour of 9:30 o'clock, a.m., March 4, 1959.

SENATOR ERICKSON, Chairman.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 4, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills No. 574, 833, 849, 680 and 728.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 800. A Bill for an Act authorizing cities, counties, towns, villages, park districts or public bodies or any combination thereof, by resolution of their respective legislative bodies, to create airport authorities; granting to such airport authorities all powers necessary or incidental to the planning, promoting, acquisition, development, construction, improvement, enlargement, operation and maintenance of one or more public airports and defining its powers and duties; providing that counties may levy tax for airport purposes; and provide reciprocity with adjoining states and political subdivisions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Johnson	Redlin
Becker	Kee	Ringsak
Berube	Kisse	Saumur
Brooks	Livingston	Schrock
Erickson	Longmire	Trenbeath
Erickstad	Luick	Van Horn
Fiedler	Miller	Wadson
Garaas	Morgan	Wenstrom
Gilbertson	Murphy	Yunker
Gronvold	Nesvig	

Absent and not voting:

Foss	Klefstad	O'Brien
Freed	Krause	Roen
Gefreh	Larson	Thompson
George	Lautenschlager	Vendsel
Hernett	Meldinger	Wartner
Hystad	Mutch	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 800 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 598. A Bill for an Act relating to counties, municipalities, health districts and other political

subdivisions of the state of North Dakota; providing for the establishment of ambulance service therein; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Johnson	Redlin
Becker	Kee	Ringsak
Berube	Kisse	Saumur
Brooks	Livingston	Schrock
Erickson	Longmire	Trenbeath
Erickstad	Luick	Van Horn
Fiedler	Miller	Wadson
Garaas	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Nesvig	Yunker

Absent and not voting:

Foss	Klefstad	Mutch
Freed	Krause	O'Brien
Gefreh	Larson	Roen
George	Lautenschlager	Thompson
Hernett	Meidinger	Vendsel
Hystad		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 598 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 811. A Bill for an Act to prohibit the construction of any utility or transmission line within one hundred two feet of any public highway right of way, exceptions, and enforcement, and providing for relocation of right of way.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Johnson	Redlin
Becker	Kee	Ringsak
Berube	Kisse	Saumur
Brooks	Klefstad	Schrock
Erickson	Livingston	Trenbeath
Erickstad	Longmire	Van Horn
Fiedler	Luick	Wadson
Garaas	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Nesvig	Yunker

Absent and not voting:

Foss	Krause	Mutch
Freed	Larson	O'Brien

Gefreh
George
Hernett
Hystad

Lautenschlager
Meidinger
Miller

Roen
Thompson
Vendsel

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 811 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "P". A concurrent resolution directing the state welfare board and department to pay full costs of hospitalization for welfare patients, and recommending adoption of the federal reimbursement cost formula.

Which has been read.

Senator Livingston moved that House Concurrent Resolution "P" be adopted.

Senator Holand made the substitute motion that House Concurrent Resolution "P" be indefinitely postponed, which motion prevailed.

House Bill No. 502. A Bill for an Act relating to an appropriation for the purpose of administering the provisions of Chapter 52-10 of the 1957 Supplement to the North Dakota Revised Code of 1943, pertaining to social security coverage of public employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Andre	Gronvold	Paulson
Baeverstad	Holand	Redlin
Becker	Johnson	Ringsak
Berube	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Livingston	Trenbeath
Erickstad	Longmiré	Van Horn
Fiedler	Luick	Wadeson
Foss	Miller	Wartner
Garaas	Morgan	Wenstrom
Gefreh	Murphy	Yunker
Gilbertson	Nesvig	

Absent and not voting:

Freed	Krause	O'Brien
George	Larson	Roen
Hernett	Lautenschlager	Thompson
Hystad	Meidinger	Vendsel
Klefstad	Mutch	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 502 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 506. A Bill for an Act making an appropriation for the purpose of paying salary, clerkhire and general expenses of the Department of Coal Mine Inspector and coal mine safety work.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Andre	Gronvold	Nesvig
Baeverstad	Holand	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Saumur
Erickson	Livingston	Schrock
Erickstad	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Foss	Miller	Wadeson
Garaas	Morgan	Wartner
Gefreh	Murphy	Wenstrom
Gilbertson	Mutch	Yunker

Absent and not voting:

Freed	Krause	O'Brien
George	Larson	Roen
Hernett	Lautenschlager	Thompson
Hystad	Meidinger	Vendsel
Klefstad		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 506 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 508. A Bill for an Act making an appropriation to pay the expenses of the State Board of Veterinary Medical Examiners as authorized under Chapter 36-02 of the North Dakota Revised Code of 1943, as amended by Sections 36-0203 and 36-0205 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wenstrom
Gilbertson	Murphy	Yunker
Gronvold	Mutch	

Absent and not voting:

Hernett	Meidinger	Wartner
Larson	Roen	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 508 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 510. A Bill for an Act providing an appropriation for the paying of salary, clerkhire, travel and general expenses of the office of Commissioner of Veterans' Affairs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Morgan	Wenstrom
Gilbertson	Murphy	Yunker
Gronvold		

Absent and not voting:

Larson	Miller	Vendsel
Meidinger	Roen	Wartner

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 510 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 511. A Bill for an Act making an appropriation for the administration expenses of the Veterans' Aid Commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Klefstad	Saumur
Fiedler	Krause	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel

George	Meidinger	Wadeson
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Absent and not voting:		
Larson	Roen	Wartner
Miller		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 511 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 512. A Bill for an Act making an appropriation for the general maintenance, improvements and special projects for the North Dakota Soldiers' Home at Lisbon, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett		

Absent and not voting:		
Larson	Roen	Wartner

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 512 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 520. A Bill for an Act making an appropriation for salaries and expenses of the State Geological Survey and for cooperation of United States Geological Survey.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig

Becker	Hystad	O'Brien
Berube	Johnston	Paulson
Brooks	Kee	Redlin
Erickson	Kisse	Ringsak
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wenstrom
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Klefstad	Roen	Wartner
Miller	Vendsel	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 520 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 521. A Bill for an Act making an appropriation to the North Dakota Firemen's Association.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnston	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett		

Absent and not voting:

Klefstad	Roen	Wartner
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 521 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 523. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-36 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Absent and not voting:

Brooks Roen

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 523 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 524. 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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Baeverstad	Kee	O'Brien
Becker	Kisse	Paulson
Berube	Klefstad	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad		

Absent and not voting:

Brooks Hernet Roen

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 524 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 533. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Those voting in the negative were:

Gronvold Krause

Absent and not voting:

Brooks Hernet Roen

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 533 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 547. A Bill for an Act authorizing the state board of higher education to enter into reciprocal agreements with other states' institutions of higher learning for higher education of North Dakota students and making an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Mutch
Baeverstad	Johnson	Nesvig
Becker	Kee	O'Brien
Berube	Kisse	Paulson
Erickson	Klefstad	Redlin

Erickstad	Krause	Ringsak
Fiedler	Larson	Saumur
Freed	Lautenschlager	Schrock
Garaas	Livingston	Thompson
Gefreh	Longmire	Trenbeath
George	Luick	Van Horn
Gilbertson	Meidinger	Vendsel
Gronvold	Miller	Wadeson
Hernett	Morgan	Wartner
Holand	Murphy	Wenstrom

Absent and not voting:

Brooks	Roen	Yunker
Foss		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 547 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 4, 1959

Mr. President: I have the honor to return:

Senate Bill No. 12
 Senate Bill No. 25
 Senate Bill No. 60
 Senate Bill No. 61
 Senate Bill No. 106
 Senate Bill No. 109
 Senate Bill No. 125
 Senate Bill No. 161
 Senate Bill No. 168
 Senate Bill No. 202
 Senate Bill No. 211
 Senate Bill No. 271

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 4, 1959

Mr. President: I have the honor to transmit:

House Bill No. 573 -
 House Bill No. 599
 House Bill No. 607
 House Bill No. 628
 House Bill No. 634
 House Bill No. 635
 House Bill No. 654
 House Bill No. 655
 House Bill No. 663
 House Bill No. 678
 House Bill No. 700
 House Bill No. 714
 House Bill No. 731
 House Bill No. 735
 House Bill No. 741
 House Bill No. 757
 House Bill No. 759
 House Bill No. 761
 House Bill No. 762

House Bill No. 763
 House Bill No. 766
 House Bill No. 770
 House Bill No. 772
 House Bill No. 781
 House Bill No. 793
 House Bill No. 794
 House Bill No. 795
 House Bill No. 796
 House Bill No. 829
 House Bill No. 831

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

PERSONAL PRIVILEGE

Senator Miller: Mr. President: I rise to a point of personal privilege and request that my remarks be printed in the Journal.

Yesterday on House Bill 718—the bill relating to the prohibiting of a person convicted of a felony or a crime involving moral turpitude, I voted for indefinite postponement of the bill. This was a mistake. I had intended to vote for placing the bill on the calendar. I think this is good legislation.

MOTIONS

Senator Holand moved that House Bills No. 586, 602, 821, Senate Concurrent Resolution "M", and House Bill No. 672 be placed at the foot of the calendar, which motion prevailed.

Senator Holand moved that House Bill No. 776 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 776. A Bill for an Act to adopt a uniform law on boating safety, operation, registration, equipment and enforcement and to provide a penalty and to repeal section 20-0126 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the second time.

Senator Trenbeath moved that House Bill No. 776 be amended as follows:

In line 216 of the bill change the number "10" to the number "8".

In line 231 of the bill change the number "13" to the number "11".

Renumber the lines accordingly.

Which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that House Bill No. 776 be placed on second reading and final action, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 776, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	

Absent and not voting:

Brooks	Larson	Yunker
Erickson	Roen	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 776 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 622. A Bill for an Act authorizing the establishment of temporary roadblocks on the highways of this state, defining a temporary roadblock, providing minimum requirements in establishing temporary roadblocks, and other matters properly related thereto, providing a penalty, and declaring an emergency.

Which has been read.

Senator Brooks: I would like to have my remarks recorded in the journal.

Mr. President, at the time this bill was under consideration in the committee I strenuously objected to the inclusion among the peace officers mentioned in the bill, the game wardens, because I know in the past where the Game and Fish Department has set up road blocks during hunting season and stopped long lines of cars, and held them for varying periods, that there has been tremendous objection by the people. It was decided in committee rather than striking the game wardens out of the bill, which would take them out of it entirely, we should leave them in for the reason, as I understand, they are sometimes used whenever a dragnet is out, to serve as peace officers. It is not the intent that this bill at any time would allow setting up road blocks to check hunters coming in from hunting. I want this put in the record so that it will be clear.

Senator Wartner: Mr. President. I want to have my remarks placed in the record also. I merely say, as chairman of the Judiciary Committee, the committee when it

reported this bill out of committee for passage, concurred in the statements that Senator Brooks has expressed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Andre	Kisse	Paulson
Becker	Klefstad	Redlin
Berube	Krause	Ringsak
Brooks	Larson	Saumur
Erickson	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Vendsel
Gronvold	Murphy	Wadeson
Holand	Mutch	Wartner
Hystad	Nesvig	Wenstrom
Johnson	O'Brien	Yunker
Kee		

Absent and not voting:

Baeverstad	Garaas	Luick
Erickstad	Gilbertson	Meidinger
Fiedler	Hernett	Roen

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 622 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 627. A Bill for an Act to amend and reenact section 44-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to expenses of certain state officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Becker	Kee	O'Brien
Berube	Kisse	Paulson
Brooks	Klefstad	Redlin
Erickson	Krause	Ringsak
Foss	Larson	Saumur
Freed	Lautenschlager	Thompson
Gefreh	Livingston	Trenbeath
George	Longmire	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad		

Those voting in the negative were:

Schrock	Van Horn
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Absent and not voting:

Baeverstad	Garaas	Meidinger
Erickstad	Luick	Roen
Fiedler		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 627 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 629. A Bill for an Act authorizing the state board of higher education to negotiate a lease with the Mayville Mutual Aid Corporation, a domestic non-profit corporation, for certain state land located on the Mayville State Teachers College campus, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Andre	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Saumur
Erickson	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Gefreh	Longmire	Van Horn
George	Miller	Vensel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Wenstrom
Holand	Nesvig	Yunker
Johnson	O'Brien	

Absent and not voting:

Baeverstad	Garaas	Meidinger
Erickstad	Hystad	Roen
Fiedler	Luick	

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 629 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 631. A Bill for an Act to amend and reenact section 11-1015 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to mileage paid to county officials, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Kee	Paulson
Becker	Kisse	Redlin
Brooks	Klefstad	Ringsak

Erickson	Lautenschlager	Saumur
Foss	Livingston	Schrock
Freed	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Vendsel
Gronvold	Murphy	Wadeson
Hernett	Mutch	Wartner
Holand	Nesvig	Wenstrom
Johnson	O'Brien	Yunker

Those voting in the negative were:

Berube	Krause	Larson
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Absent and not voting:

Baeverstad	Garaas	Meidinger
Erickstad	Hystad	Roen
Fiedler		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 631 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 662. A Bill for an Act to amend and reenact section 57-15064 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the levy authorized for the payment of the salary and traveling expenses of the county veterans' service officer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Longmire	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Absent and not voting:

Livingston	Luick	Roen
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 662 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 671. A Bill for an Act to require county treasurer to give notice of real property taxes due.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 19; nays, 30; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Gilbertson	Murphy
Baeverstad	Hystad	Ringsak
Erickson	Johnson	Thompson
Erickstad	Kisse	Van Horn
Fiedler	Larson	Vendsel
Garaas	Lautenschlager	Wartner
George		

Those voting in the negative were:

Becker	Klefstad	O'Brien
Berube	Krause	Paulson
Brooks	Livingston	Redlin
Foss	Longmire	Roen
Freed	Luick	Saumur
Gefreh	Meidinger	Schrock
Gronvold	Miller	Trenbeath
Hernett	Morgan	Wadeson
Holand	Mutch	Wenstrom
Kee	Nesvig	Yunker

So the bill was declared lost.

Senator Holand moved that the vote by which House Bill No. 671 was lost, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 696. A Bill for an Act to amend and reenact sections 43-1104 and 43-1121 of the North Dakota Revised Code of 1943, and sections 43-1106 and 43-1117 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the profession of hairdressing and cosmetology.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Kee	Nesvig
Brooks	Kisse	O'Brien
Erickson	Krause	Paulson
Erickstad	Larson	Redlin
Fiedler	Lautenschlager	Ringsak
Foss	Livingston	Saumur
Freed	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Johnson		

Those voting in the negative were:

Andre	Gilbertson	Schrock
Berube	Hystad	Van Horn

Absent and not voting:

Becker Klefstad Roen

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 696 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 702. A Bill for an Act to amend and reenact section 57-2024 of the North Dakota Revised Code of 1943 relating to the method of payment of due tax redemption certificates, and the disposition of payments that are overdue and have not been claimed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Becker

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 702 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 703. A Bill for an Act to amend and reenact section 12-2120 of the North Dakota Revised Code of 1943, relating to Sunday hours of theaters.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Berube	Johnson	Nesvig
Brooks	Kee	O'Brien
Erickstad	Krause	Ringsak
Foss	Larson	Roen
Freed	Livingston	Saumur
George	Longmire	Trenbeath
Gilbertson	Luick	Vendsel

Gronvold	Meidinger	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Those voting in the negative were:

Andre	Kisse	Redlin
Baeverstad	Klefstad	Schrock
Fiedler	Lautenschlager	Thompson
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
Hystad	Paulson	

Absent and not voting:

Becker	Erickson
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So the bill was declared lost due to the lack of a two-thirds majority.

House Bill No. 707. A Bill for an Act to amend and re-enact section 54-0320 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to living expense allowances for members of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vensel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Yunker
Hernett	Mutch	

Those voting in the negative were:

Klefstad	Schrock	Wenstrom
Murphy		

Absent and not voting:

Erickson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 707 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 737. A Bill for an Act to amend and re-enact section 57-0208 of the North Dakota Revised Code of 1943 by creating and enacting a subsection relating to the exemption of certain personal property from ad valorem taxes for blind persons.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Johnson	Mutch
Baeverstad	Kee	Nesvig
Becker	Kisse	O'Brien
Berube	Klefstad	Paulson
Brooks	Krause	Redlin
Erickstad	Larson	Ringsak
Fiedler	Lautenschlager	Roen
Foss	Livingston	Thompson
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
George	Meidinger	Wadson
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Hystad		

Those voting in the negative were:

Gefreh	Miller	Trenbeath
Gilbertson	Schrock	Wartner
Holand		

Absent and not voting:

Erickson	Saumur
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So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 502
 House Bill No. 506
 House Bill No. 508
 House Bill No. 510
 House Bill No. 511
 House Bill No. 512
 House Bill No. 520
 House Bill No. 521
 House Bill No. 523
 House Bill No. 524
 House Bill No. 533
 House Bill No. 547
 House Bill No. 800

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 4, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 598
 House Bill No. 776
 House Bill No. 811

Which the Senate has amended.

VIC GILBREATH, Secretary.

MOTIONS

Senator Longmire moved that House Bill No. 541 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that House Bill No. 541 be referred to the Committee on Appropriations, which motion prevailed.

Senator Brooks moved that the Senate reconsider the action by which House Bill No. 703 was lost, which motion prevailed.

Senator Brooks moved that House Bill No. 703 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 703. A Bill for an Act to amend and reenact section 12-2120 of the North Dakota Revised Code of 1943, relating to Sunday hours of theaters.

Was 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, 8; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Murphy
Baeverstad	Kee	Mutch
Becker	Kisse	Nesvig
Berube	Klefstad	O'Brien
Brooks	Krause	Ringsak
Erickstad	Larson	Roen
Foss	Lautenschlager	Saumur
Freed	Livingston	Trenbeath
Garaas	Longmire	Vendsel
George	Luick	Wadeson
Gilbertson	Meidinger	Wartner
Gronvold	Miller	Wenstrom
Hernett	Morgan	Yunker
Holand		

Those voting in the negative were:

Fiedler	Paulson	Thompson
Gefreh	Redlin	Van Horn
Hystad	Schrock	

Absent and not voting:

Erickson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 703 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Longmire moved that the Senate reconsider the action by which House Bill No. 737 was passed, which motion prevailed.

Senator Longmire moved that House Bill No. 737 be placed at the foot of the calendar, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 4, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:
House Bill No. 579

House Bill No. 676
House Bill No. 779
House Bill No. 865

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 12
Senate Bill No. 25
Senate Bill No. 60
Senate Bill No. 61
Senate Bill No. 106
Senate Bill No. 109
Senate Bill No. 125
Senate Bill No. 161
Senate Bill No. 168
Senate Bill No. 202
Senate Bill No. 211
Senate Bill No. 271

Were delivered to the Governor for his approval at the hour of 1:35 o'clock p.m., March 4, 1959.

SENATOR ERICKSON, Chairman.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 3
Senate Bill No. 82
Senate Bill No. 133
Senate Bill No. 138
Senate Bill No. 189

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 573
House Bill No. 599
House Bill No. 607
House Bill No. 628
House Bill No. 634
House Bill No. 635
House Bill No. 654
House Bill No. 655
House Bill No. 663
House Bill No. 678
House Bill No. 700
House Bill No. 714
House Bill No. 731
House Bill No. 735
House Bill No. 741
House Bill No. 757
House Bill No. 759
House Bill No. 761

House Bill No. 762
 House Bill No. 763
 House Bill No. 766
 House Bill No. 770
 House Bill No. 772
 House Bill No. 781
 House Bill No. 793
 House Bill No. 794
 House Bill No. 795
 House Bill No. 796
 House Bill No. 829
 House Bill No. 831

And the President signed the same in the presence of the Senate.

**FIRST READING OF SENATE
 CONCURRENT RESOLUTION**

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution "MM". A concurrent resolution directing the state highway department to make a comparative study of costs of construction, maintenance, and the life expectancy of asphalt and bituminous driving lanes on the interstate highway system.

Was read the first time.

Senator Garaas moved that Senate Concurrent Resolution "MM" be not printed as a bill but that the same be printed in the journal, and that the rules be suspended and that Senate Concurrent Resolution "MM" be placed on second reading and final action, which motion prevailed.

SENATE CONCURRENT RESOLUTION "MM"

Introduced by Committee on Delayed Bills

A concurrent resolution directing the state highway department to make a comparative study of costs of construction, maintenance, and the life expectancy of asphalt and bituminous driving lanes on the interstate highway system.

1 WHEREAS, the state of North Dakota is in the pro-
 1a cess
 2 of constructing hundreds of miles of interstate high-
 2a ways
 3 which are intended to be built to the highest practical
 4 standards; and
 5 WHEREAS, it is the present policy of the state
 6 highway department to provide in their specifications
 6a for
 7 the use of Portland cement in the construction of
 7a driving
 8 lanes on the interstate system; and
 9 WHEREAS, it appears that driving lanes on highways
 10 constructed from asphaltic materials can be of equal
 11 strength as concrete; and
 12 WHEREAS, few North Dakota contractors are
 12a equipped
 13 to construct concrete surfaced highways, but many
 13a such
 14 North Dakota contractors have the necessary equip-
 14a ment for
 15 asphalt construction;
 16 NOW, THEREFORE, BE IT RESOLVED BY THE

16a SENATE
 17 OF THE STATE OF NORTH DAKOTA, THE HOUSE
 17a OF REPRESENTA-
 18 TIVES CONCURRING THEREIN:
 19 That the state highway department is hereby directed
 20 to make a study of the costs of the construction and
 21 maintenance of driving lanes on the interstate system
 22 constructed from Portland cement as compared to
 22a such costs
 23 of construction and maintenance through the use of
 23a high-
 24 type asphaltic concrete materials, and the comparative
 25 life expectancies of each type of construction; and
 26 BE IT FURTHER RESOLVED, that the state high-
 26a way
 27 department report its findings to the Thirty-seventh
 28 Legislative Assembly, and that copies of this resolution
 29 be forwarded by the Secretary of the Senate to the
 29a state
 30 highway commissioner.

SECOND READING OF SENATE
 CONCURRENT RESOLUTION

Senate Concurrent Resolution "MM". A concurrent resolution directing the state highway department to make a comparative study of costs of construction, maintenance, and the life expectancy of asphalt and bituminous driving lanes on the interstate highway system.

Was read the second time.

Senator Garaas moved that Senate Concurrent Resolution "MM" be adopted, which motion prevailed.

FIRST READING OF SENATE
 CONCURRENT RESOLUTION

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution "NN". A concurrent resolution commending the Jamestown College on the seventy-fifth anniversary of its founding.

Was read the first time.

Senator Garaas moved that Senate Concurrent Resolution "NN" be not printed as a bill but that the same be printed in the journal, and that the rules be suspended and that Senate Concurrent Resolution "NN" be placed on second reading and final action, which motion prevailed.

SENATE CONCURRENT RESOLUTION "NN"
 Introduced by the Committee on Delayed Bills

A concurrent resolution commending the Jamestown College on the seventy-fifth anniversary of its founding.

1 WHEREAS, Jamestown College received its charter
 1a in the
 2 year 1884 and will be observing its seventy-fifth an-
 2a niver-
 3 sary during the 1959-1960 academic year; and
 4 WHEREAS, the Legislative Assembly of the State
 4a of
 5 North Dakota wishes to take note of this historic
 5a occasion;
 6 and

7 WHEREAS, the Jamestown College, the only priv-
 7a ately
 8 endowed institution of higher learning in the state of
 9 North Dakota has contributed substantially to the
 9a develop-
 10 ment of an informed citizenry and to the growth and
 11 expansion of the State of North Dakota and is recog-
 11a nized
 12 as a distinguished center of educational leadership; and
 13 WHEREAS, the Legislative Assembly wishes to em-
 13a phasize its
 14 beliefs in the high value and importance of such
 14a privately
 15 endowed and operated colleges in meeting the chal-
 15a lenge of
 16 higher education in this state;
 17 NOW, THEREFORE, BE IT RESOLVED BY THE
 17a SENATE
 18 OF THE STATE OF NORTH DAKOTA, THE HOUSE
 18a OF REPRESENTATIVES
 19 CONCURRING THEREIN:
 20 That the Legislative Assembly does hereby commend
 20a the
 21 Jamestown College for its contributions to the citizens
 22 of the State of North Dakota and to reaffirm its faith
 23 in the Jamestown College to make similar contribu-
 23a tions to
 24 the welfare of the state in the next two years

SECOND READING OF SENATE
 CONCURRENT RESOLUTION

Senate Concurrent Resolution "NN". A concurrent resolution commending the Jamestown College on the seventy-fifth anniversary of its founding.

Was read the second time.

Senator Garaas moved that Senate Concurrent Resolution "NN" be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 503 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 505 has had the same under consideration and recommends that the same be amended as follows:

In line 18 after the word "HEALTH)" insert the following words: "and Virus Laboratory".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 507 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 516 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 518 has had the same under consideration and recommends that the same be amended as follows:

In line 3 strike out the figure "\$62,470.00" and insert in lieu thereof the figure "\$65,970.00".

In line 11 strike out the figure "\$6,000.00" and insert in lieu thereof the figure "\$7,000.00".

After line 14 insert the following line:

"Conservation Education Program \$2,500.00"

In line 15 strike out the words "Direct Assistance to Districts" and insert in lieu thereof the words "Special Projects".

In line 19 strike out the figure "\$62,470.00" and insert in lieu thereof the figure "\$65,970.00".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 519 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 522 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 527 has had the same under consideration and recommends that the same be amended as follows:

In line 3 strike out the figure "\$1,440,121.00" and insert in lieu thereof the figure "\$1,441,121.00".

In line 8 strike out the figure "\$14,000.00" and insert in lieu thereof the figure "\$15,000.00".

In line 23 strike out the figure "\$1,440,121.00" and insert in lieu thereof the figure "\$1,441,121.00".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 528 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 529 has had the same under consideration and recommends that the same be amended as follows:

In line 4 strike out the figure "1,057,400.00" and insert in lieu thereof the figure "\$1,062,400.00".

In line 18 strike out the figure "\$35,000.00" and insert in lieu thereof the figure "\$40,000.00".

In line 41 strike out the figure "\$1,057,400.00" and insert in lieu thereof the figure "\$1,062,400.00".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 534 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 535 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 537 has had the same under consideration and recommends that the same be amended as follows:

In line 34 after the word "to" insert the words "life insurance companies,".

In line 530 after the word "Life" delete the comma and the words "health and accident" and after the word "insurance" delete the words "or any of them,".

In line 539 after the word "borrower." insert the following: "Regardless of the premium paid by the licensee, the licensee may charge sixty cents per one hundred dollars per year computed on the original principal amount of the loan excluding charges for the loan, and such charges may be in the same proportion for different payment schedules, maturities and principal amount."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 538 has had the same under consideration and recommends that the same be amended as follows:

Delete all of lines 224 through 229.

In line 339 delete the word "two" and insert in lieu thereof the word "four".

In line 345 after the word "vehicles" insert the following: "ten dollars per one hundred dollars per annum".

Delete all of lines 346 through 356.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 540 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 587 has had the same under consideration and recommends that the same do pass.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 624 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 687 has had the same under consideration and recommends that the same do pass.

SENATOR KLEFSTAD, Chairman.

Senator Klefstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 713 has had the same under consideration and recommends that the same be amended as follows:

In line 3 strike out the words "Twenty-eight" and insert in lieu thereof the words "Forty-six".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 723 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 736 has had the same under consideration and recommends that the same be amended as follows:

In line 21 after the word "lot" insert the following: "however, any person engaged in such business who has a religious faith which observes other than the first day of the week as the Sabbath may, at his option, close his business on such day in lieu of closing his business on the first day of the week"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 863 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution "D" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "J" has had the same under consideration and recommends that the same be amended as follows:

In line 29 following the word "sulphate" and the comma, insert the following "sand and gravel, road material, building stone,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution "LL" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LUICK, Chairman.

Senator Luick moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Vendsel moved that the report of the Legislative Research Resolutions Committee be printed in the journal, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Legislative Research Resolutions desires to make the following report to the Senate in order to explain and report in the journal the basis of the committee's action in regard to recommending the passage of various resolutions calling for studies by the legislative research committee.

Your committee met with a similar committee of the House and both committees jointly considered all resolutions of both the House and the Senate directing studies by the legislative research committee. The joint committee found that the number of resolutions for study by the legislative research committee was substantially in excess of the amount of work that the legislative research committee could handle during the coming biennium within the reasonable limits of personnel, budget and the time of legislators serving upon the legislative research committee and its subcommittees. It was therefore necessary for the committee to recommend the indefinite postponement of a number of resolutions even though they were meritorious. Several of the resolutions are recommended for indefinite postponement because they duplicate in part studies provided for in other resolutions. Others were recommended for indefinite postponement not because of lack of merits in the resolutions but because the degree of urgency of immediate study was not as great as some other studies.

It was agreed by both committees that the following House and Senate Resolutions had both sufficient merit and sufficient degree of urgency to warrant their study during the coming biennium by the legislative research committee:

HCR-K Feasibility of providing a single set of school district laws to govern all school districts within the state in place of the four separate sets of school district laws presently found in our statutes.

HCR-X An overall study of all tax laws and the tax structure of the state in cooperation with the state tax department and with the assistance of the University and Agricultural College and such other technical personnel as may be necessary. It directs the appropriation committees to increase the appropriation of the Legislative Research Committee by an amount not less than \$30,000 to carry on the study.

HCR-A2 Directs the committee to make a review of oil and gas property laws with special attention being given to the protection of correlative right of land-owners.

HCR-Z1 Directs the committee to study the practice of the sale of commodities by manufacturers, jobbers and wholesalers in competition with their retail dealers, determine the extent of such activities and their effect upon the various trades and industries of the state, and to determine whether such activities constitute unfair trade practices of a type that should be regulated by the state.

SCR-II A study of the physical and instructional facilities of the state training school in order to determine the

suitability of the present program for the rehabilitation and education of youngsters at the training school.

SCR-G Directs the committee to study and consider the problems involved in the establishment of an efficient program on special education, including a determination of the number of children in the state needing special education facilities and the different types of the special educational needs, the expense involved in providing such facilities, the possibility of consolidating present facilities, the method of defining fields in which the state should carry on such activities, and those fields that should be left to the political subdivisions and the extent to which the state can afford to participate in such a program.

SCR-K Directs the committee to study the operation and business practices of the Mill and Elevator Association, the scope of its operations, the feasibility of expanding or restricting its services, and to make an appraisal of the potential contribution by the association to the economy of the state.

SCR-O Directs the committee to study civil defense, government operations, both state and local, and laws relating thereto in order to determine their adequacy in providing the greatest possible protection for the lives and property of the people of the state in the event of natural disaster and foreign attack.

SCR-V Directs the committee to study the feasibility of providing a central licensing agency to handle the licensing of all trades and occupations.

SCR-W Directs the committee to study and review the laws and policies of the state pertaining to the investment of state funds, to consider the merits of broadening the types of investments permitted by law and the feasibility of establishing an investment pool system with professional type management for the purpose of providing proper diversification of investments, obtaining the greatest possible return to the state consistent with safe investment practices and methods of equitable distribution of income among the various funds participating in such investment pool.

SCR-Z Directs the committee to consider the desirability and feasibility of consolidating or coordinating the activities of the State Department of Health and the State Medical Center in order to provide economics, efficiencies and further improvement of public health. This is actually a governmental reorganization study.

SCR-AA Directs the committee to study the feasibility of centralizing the administration of various agricultural activities now administered by separate boards, commissions and institutions, under the jurisdiction of agriculture and labor.

In addition the committee was cognizant of the fact that House Bill No. 723 calls for a study of the mental health program of the State of North Dakota, and of the various departments and agencies working in the field in order to determine means of reorganizing or obtaining coordination of their work.

House Bill No. 747 calls for a complete study of school district reorganization plans on a statewide basis.

It was the committee's opinion that the study called for in Senate Concurrent Resolution "EE" could be included in the study provided in Senate Concurrent Resolution "W". In addition a study of Senate Concurrent Resolution "U" relating to the feasibility of a system of school financing based on a flat percentage assessment of net income could be included in the general tax study provided for in House Concurrent Resolution "X".

In addition to the studies included in resolutions recommended for passage, the committees acting jointly recommend that the legislative research committee carry on two additional studies as follows:

1. The study of the salary scales of personnel and administrative personnel of the various institutions of higher learning in the state and to consider the establishment of statewide salary scales and classifications for similar positions in the various institutions for the primary purpose of aiding the Legislative Assembly in making decisions to equitably appropriate funds for salaries in the various institutions of higher learning.
2. A study of the feasibility of returning to the state secondary highway system, highways which have in recent years been dropped from such system and transferred to the various county highway systems and methods of constructing and maintaining any such highways which may be returned to the state secondary system.

It is the intent of the committee that an adoption of this report would constitute a directive to the legislative research committee to make the two additional studies recommended in this report.

SENATOR VENDSEL, Chairman.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "C" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "G" has had the same under consideration and recommends that the same do pass.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "J" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "K" has had the same under consideration and recommends that the same do pass.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "O" has had the same under consideration and recommends that the same do pass.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "U" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "V" has had the same under consideration and recommends that the same do pass.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "W" has had the same under consideration and recommends that the same do pass.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "Z" has had the same under consideration and recommends that the same do pass.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "AA" has had the same under consideration and recommends that the same do pass.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "EE" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "HH" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "II" has had the same under consideration and recommends that the same do pass.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

Mr. President: Your Legislative Research Resolutions Committee to whom was referred Senate Concurrent Resolution "GG" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR VENDSEL, Chairman.

Senator Vendsel moved that the report be adopted, which motion prevailed.

COMMUNICATIONS

A communication was presented from Chester Fritz addressed to Senator George Longmire.

Senator Longmire moved that the communication from Chester Fritz be printed in the journal, which motion prevailed.

Chester Fritz
Via A. Spadini 9
Roma

27th February, 1959.

Senator George Longmire,
The Capitol,
Bismarck,
North Dakota,
U. S. A.

Dear Senator Longmire,

Please accept my grateful thanks and proper appreciation of the fine Resolution expressed by you and Senator Saumur.

I hope that your Resolution will encourage the old alumni of the University of North Dakota, and others, to consider seriously the formation of plans for the erection of other buildings at the University of North Dakota, other educational institutions in North Dakota or elsewhere.

Faithfully yours,
CHESTER FRITZ

MOTIONS

Senator Holand moved that House Bill No. 823 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 823. A Bill for an Act to amend and re-enact Section 50-0921 of the 1957 Supplement to the North

Dakota Revised Code of 1943 relating to amount the county is liable for payments for Aid to Dependent Children and providing for reimbursement by the county.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 8; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Klefstad	Schrock
Erickstad	Larson	Thompson
Fiedler	Lautenschlager	Trenbeath
Foss	Livingston	Van Horn
Freed	Longmire	Vendsel
Garaas	Miller	Wadeson
Gefreh	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Holand	O'Brien	

Those voting in the negative were:

Baeverstad	Krause	Morgan
George	Luick	Ringsak
Hernett	Meidinger	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 823 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 745. A Bill for an Act to amend and reenact section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943, by creating and enacting subsection 9 relating to the exemption from sales tax of gross receipts from the sale of oxygen used for medicinal purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Paulson
Baeverstad	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Larson	Roen
Fiedler	Lautenschlager	Thompson
Garaas	Livingston	Van Horn
Gefreh	Longmire	Vendsel
Gilbertson	Miller	Wartner
Holand	Nesvig	Yunker
Hystad		

Those voting in the negative were:

Brooks	Kee	O'Brien
Erickstad	Krause	Saumur

Foss	Luick	Schrock
Freed	Meidinger	Trenbeath
George	Morgan	Wadeson
Gronvold	Murphy	Wenstrom
Hernett	Mutch	

Absent and not voting:
Becker

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 745 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 810. A Bill for an Act to amend and reenact section 52-0503 of the North Dakota Revised Code of 1943, relating to employment not included within title may be deemed subject to the provisions of this title when.

Which has been read.

Senator Longmire moved that House Bill No. 810 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 836. A Bill for an Act to amend and reenact section 64-0218 of the North Dakota Revised Code of 1943, relating to form of license for coin-weighting machines, scales, and public gasoline pumps, license displayed, unlicensed machine confiscated, and penalty assessed in lieu thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baeverstad	Hystad	O'Brien
Becker	Kee	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Saumur
Erickstad	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Hernett	Morgan	Yunker

Those voting in the negative were:

Erickson	Johnson	Paulson
Fiedler	Kisse	Roen
Gronvold	Nesvig	Wadeson

Absent and not voting:
Mutch

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 836 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 838. A Bill for an Act to amend and reenact sections 65-0601, 65-0602, 65-0603 and 65-0604 of the

North Dakota Revised Code of 1943, and to create and enact Section 65-06041 of the North Dakota Revised Code of 1943, relating to workmen's compensation for volunteer firemen and volunteer civil defense trainees, definitions, granting of protection and rights, termination of protection and rights of volunteer civil defense trainees, and reimbursement to fund by state for excess liabilities to volunteer civil defense trainees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 838 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 843. A Bill for an Act authorizing the board of administration to sell, convey, and transfer to the city of Bismarck, North Dakota, as owner and operator of the Bismarck Municipal Airport, a clear zone easement over lands adjacent thereto owned by the State of North Dakota, as the City of Bismarck needs a clear zone easement for extension of its runways over lands owned by the state of North Dakota adjacent to its municipal airport and by it held in trust for the use and benefit of the soil conservation program and districts of the state, and said clear zone easement will not interfere with the use of said land for agricultural purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson

Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 843 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 857. A Bill for an Act to amend and reenact subsection 2 of section 57-3915 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the limitation of time within which collection of sales and use taxes may be enforced.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 857 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 862. A Bill for an Act reappropriating any unexpended balance remaining in the appropriation made pursuant to chapter 82 of the North Dakota Session Laws of 1957 for extraordinary expenses of law enforcement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 862 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "T". A concurrent resolution memorializing the village of Medora to take all action possible to preserve and restore Medora as a pioneer cattle town.

Which has been read.

Senator Longmire moved that House Concurrent Resolution "T" be adopted, which motion prevailed.

House Concurrent Resolution "W". A concurrent resolution lauding the sound development of organized labor in North Dakota, and memorializing Congress to vigorously legislate to stamp out racketeering in the labor and management fields, and to protect the democratic rights of member control within labor unions.

Which has been read.

Senator Murphy moved that House Concurrent Resolution "W" be placed at the foot of the calendar, which motion prevailed.

MOTIONS

Senator Holand moved that House Bills No. 522 and 529 be re-referred to the Committee on Appropriations, which motion prevailed.

MESSAGES FROM THE GOVERNOR

Bismarck, March 4, 1959

Members of the Senate
Senate Chambers
Bismarck, North Dakota

Greetings:

On March 3 I signed Senate Bills No. 70, 71, 72, 84, 90,

101, 103, 105, 115, 116, 117, 121 and 127.

These bills have been filed with the Secretary of State.

Sincerely yours,
JOHN E. DAVIS
 Governor

Bismarck, March 4, 1959

Members of the Senate
 Thirty-Sixth Legislative Assembly
 Senate Chambers
 Bismarck, North Dakota

Greetings:

Today I signed Senate Bills No. 38, 40, 41, 56, 64, 67, 68, 75, 76, 85, 87, 93, 95, 114, 122, 134, 175, 176, and 185.

These bills have been filed with the Secretary of State.

Sincerely yours,
JOHN E. DAVIS
 Governor

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

**FIRST READING OF A SENATE
 CONCURRENT RESOLUTION**

The Committee on Delayed Bills (at the request of the State and Federal Government Committee) introduced:

Senate Concurrent Resolution "OO". A concurrent resolution directing the legislative research committee to study the feasibility of depositing all moneys presently deposited in the institutional revolving fund that are received from the state liquor tax into the general fund and relieving the counties of their responsibility for paying and collecting the expenses of institutional care in the state hospital, Grafton state school and tuberculosis sanatorium and to authorize the state board of administration to collect the cost of institutional care in certain instances from responsible relatives and patient's estates.

MOTIONS

Senator Holand moved that Senate Concurrent Resolution "OO" be not printed as a bill but printed in the journal and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "OO"

Introduced by Committee on Delayed Bills
 (At the request of the State and Federal
 Government Committee)

A concurrent resolution directing the legislative research committee to study the feasibility of depositing all moneys presently deposited in the institutional revolving fund that are received from the state liquor tax into the general fund and relieving the counties of their responsibility for paying and collecting the expenses of institutional care in the state hospital, Grafton state school and tuberculosis sanatorium and to authorize the state board of administration to collect

the cost of institutional care in certain instances from responsible relatives and patient's estates.

1 WHEREAS, state law presently provides that a por-
 1a tion
 2 of the moneys received from taxes on liquor shall be
 3 deposited in an institutional revolving fund to defray
 3a the
 4 cost of operation of the state hospital, Grafton state
 5 school, and the tuberculosis sanatorium, and

6 WHEREAS, this practice involves the principle of
 7 earmarking funds which is frowned upon by the legis-
 7a lative
 8 assembly because such moneys could be credited
 8a directly
 9 to the general fund thereby making the general fund
 9a more
 10 flexible, and

11 WHEREAS, the present law requires certain rela-
 11a tives,
 12 and in some instances patient's estates, to pay for the
 13 cost of institutional care where such payments would
 13a not
 14 be a hardship on the persons concerned, and

15 WHEREAS, it is felt that a central state agency
 15a would
 16 be more effective in the collection of the costs of
 17 institutional care from responsible relatives and pa-
 17a tient's
 18 estates than is presently the case, wherein each of the
 19 fifty-three counties perform such function:

20 NOW, THEREFORE, BE IT RESOLVED BY THE
 20a SENATE
 21 OF THE STATE OF NORTH DAKOTA, THE HOUSE
 21a OF
 22 REPRESENTATIVES CONCURRING THEREIN:

23 That the legislative research committee is hereby
 24 authorized and directed to study the feasibility of
 25 depositing all of the moneys, presently credited to the
 26 institutional revolving fund, into the general fund; to
 27 relieve the counties of paying and collecting moneys
 27a for

28 the costs of institutional care; that institutional
 29 expense of the state hospital, Grafton state school and
 30 the tuberculosis sanatorium be absorbed by the state;
 30a and
 31 that the state board of administration collect all costs
 31a of

32 institutional care at the state hospital, Grafton state
 33 school and tuberculosis sanatorium from responsible
 33a relatives

34 and patient's estates when such payment would not
 34a work

35 a hardship on the individuals concerned or heirs of the
 36 patient's estate. The legislative research committee is
 37 hereby authorized to consult with the state board of
 38 administration and any other state agency or depart-
 38a ment

39 in the course of this study, and to make such reports
 40 and recommendations as it may deem necessary to the
 41 Thirty-seventh Legislative Assembly.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 501 has had the same under consideration and recommends that the same be amended as follows:

In line 10 strike out the figure "\$4,206,109.00" and insert the figure "\$4,337,109.00" in lieu thereof.

In line 13 strike out the figure "\$6,295,262.00" and insert the figure "\$6,426,262.00" in lieu thereof.

In line 14 strike out the figure "\$1,010,000.00" and insert the figure "\$1,337,500.00" in lieu thereof.

In line 15 strike out the figure "\$5,285,262.00" and insert the figure "\$5,088,762.00" in lieu thereof.

In line 35 strike out the figure "\$7,184,762.00" and insert the figure "\$6,988,262.00" in lieu thereof.

In line 38 strike out the figure "\$3,796,745.00" and insert the figure "\$3,902,145.00" in lieu thereof.

In line 41 strike out the figure "\$5,753,055.96" and insert the figure "\$5,858,455.96" in lieu thereof.

In line 42 strike out the figure "\$1,301,842.96" and insert the figure "\$1,565,342.96" in lieu thereof.

In line 43 strike out the figure "\$4,451,213.00" and insert the figure "\$4,293,113.00" in lieu thereof.

In line 53 strike out the figure "\$5,274,213.00" and insert the figure "\$5,116,113.00" in lieu thereof.

In line 56 strike out the figure "\$1,226,231.00" and insert the figure "\$1,276,231.00" in lieu thereof.

In line 58 strike out the figure "\$78,990.00" and insert the figure "\$60,000.00" in lieu thereof.

After line 58 insert the following line:

"3 Soil Survey and Interpretation \$50,000.00"

In line 62 strike out the figure "\$2,224,472.00" and insert the figure "\$2,305,482.00" in lieu thereof.

In line 75 strike out the figure "\$2,647,005.00" and insert the figure "\$2,728,015.00" in lieu thereof.

In line 78 strike out the figure "\$71,868.00" and insert the figure "\$87,868.00" in lieu thereof.

In line 85 strike out the figure "\$575,227.00" and insert the figure "\$591,227.00" in lieu thereof.

In line 88 strike out the figure "\$501,650.00" and insert the figure "\$520,650.00" in lieu thereof.

In line 91 strike out the figure "\$801,988.00" and insert the figure "\$820,988.00" in lieu thereof.

In line 92 strike out the figure "\$151,670.00" and insert the figure "\$199,170.00" in lieu thereof.

In line 93 strike out the figure "\$650,318.00" and insert the figure "\$621,818.00" in lieu thereof.

In line 106 strike out the figure "\$1,111,541.00" and insert the figure "\$1,083,041.00" in lieu thereof.

In line 109 strike out the figure "\$279,458.00" and insert the figure "\$288,658.00" in lieu thereof.

In line 112 strike out the figure "\$522,350.00" and insert the figure "\$531,550.00" in lieu thereof.

In line 113 strike out the figure "\$92,000.00" and insert the figure "\$115,000.00" in lieu thereof.

In line 114 strike out the figure "\$430,350.00" and insert the figure "\$416,550.00" in lieu thereof.

In line 124 strike out the figure "\$708,478.00" and insert the figure "694,678.00" in lieu thereof.

In line 127 strike out the figure "\$446,894.00" and insert the figure "\$464,814.00" in lieu thereof.

In line 130 strike out the figure "\$754,316.00" and insert the figure "\$772,236.00" in lieu thereof.

In line 131 strike out the figure "\$138,300.00" and insert the figure "\$183,100.00" in lieu thereof.

In line 132 strike out the figure "\$616,016.00" and insert the figure "\$589,136.00" in lieu thereof.

In line 144 strike out the figure "\$1,262,016.00" and insert the figure "\$1,235,136.00" in lieu thereof.

In line 147 strike out the figure "\$1,259,292.00" and insert the figure "\$1,302,892.00" in lieu thereof.

In line 150 strike out the figure "\$1,861,598.00" and insert the figure "\$1,905,198.00" in lieu thereof.

In line 151 strike out the figure "\$305,000.00" and insert the figure "\$414,000.00" in lieu thereof.

In line 152 strike out the figure "\$1,556,598.00" and insert the figure "\$1,491,198.00" in lieu thereof.

In line 166 strike out the figure "\$2,155,348.00" and insert the figure "\$2,089,948.00" in lieu thereof.

In line 169 strike out the figure "\$648,387.00" and insert the figure "\$675,347.00" in lieu thereof.

In line 172 strike out the figure "\$1,094,218.00" and insert the figure "\$1,121,178.00" in lieu thereof.

In line 173 strike out the figure "\$186,100.00" and insert the figure "\$253,500.00" in lieu thereof.

In line 174 strike out the figure "\$908,118.00" and insert the figure "\$867,678.00" in lieu thereof.

In line 186 strike out the figure "\$1,416,764.00" and insert the figure "\$1,376,324.00" in lieu thereof.

In line 189 strike out the figure "\$870,207.00" and insert the figure "\$903,207.00" in lieu thereof.

In line 192 strike out the figure "\$1,360,440.00" and insert the figure "\$1,393,440.00" in lieu thereof.

In line 193 strike out the figure "\$260,000.00" and insert the figure "\$342,500.00" in lieu thereof.

In line 194 strike out the figure "\$1,100,440.00" and insert the figure "\$1,050,940.00" in lieu thereof.

After line 207 insert the following lines:

"11. Fire Emergency Fund (to be made available immediately on passage) \$20,000.00"

In line 210 strike out the figure "\$1,618,440.00" and insert the figure "\$1,588,940.00" in lieu thereof.

In line 214 strike out the figure "\$175,109.00" and insert the figure "\$180,269.00" in lieu thereof.

In line 217 strike out the figure "\$298,754.00" and insert the figure "\$303,914.00" in lieu thereof.

In line 218 strike out the figure "\$39,000.00" and insert the figure "\$51,900.00" in lieu thereof.

In line 219 strike out the figure "\$259,754.00" and insert the figure "\$252,014.00" in lieu thereof.

In line 230 strike out the figure "\$343,162.00" and insert the figure "\$335,422.00" in lieu thereof.

In line 240 strike out the figure "\$672,012.00" and insert the figure "\$664,272.00" in lieu thereof.

In line 242 strike out the figure "\$24,625,806.00" and insert the figure "\$24,155,956.00" in lieu thereof.

In line 278 after the word "passage" strike out the period and insert the following lines:

" , and on such other items providing appropriations for all building construction and repair."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 522 has had the same under consideration and recommends that the same be amended as follows:

In line 4 strike out the figure "\$13,011,694.00" and insert the figure "\$13,837,804.00" in lieu thereof.

In line 16 strike out the figure "\$2,363,260.00" and insert the figure "\$3,183,070.00" in lieu thereof.

In line 27 strike out the figure "\$26,300.00" and insert the figure "\$29,500.00" in lieu thereof.

In line 36 strike out the figure "\$11,600.00" and insert the figure "\$14,700.00" in lieu thereof.

In line 40 strike out the figure "\$13,011,694.00" and insert the figure "\$13,837,804.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 529 has had the same under consideration and recommends that the same be amended as follows:

In line 4 strike out the figure "\$1,057,400.00" and insert the figure "\$1,092,400.00" in lieu thereof.

In line 18 strike out the figure "\$35,000.00" and insert the figure "\$40,000.00" in lieu thereof.

After line 19 insert the following line:

"Fund for House Bill 766\$30,000.00"

In line 41 strike out the figure "\$1,057,400.00" and insert the figure "\$1,092,400.00" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 541 has had the same under consideration and recommends that the same be amended as follows:

In the last line of the title of the engrossed bill after the word "appropriations" insert the following language: "and making an appropriation".

Delete all of Section 2, beginning with line 5 and ending with line 9.

In line 92, of the engrossed bill, following the word "state" insert the following language:

"and maintaining a separate accounting thereof. Judgments recovered under the provisions of chapter 39-17 of the 1957 Supplement to the North Dakota Revised Code of 1943 shall be paid from moneys deposited in the general fund under the provisions of this section and such moneys are hereby appropriated for such purposes. It is also provided that there shall be a continuing appropriation out of the fund of all moneys required for administration purposes but not to exceed (\$35,000.00) thirty five thousand dollars annually for administration of the unsatisfied judgment fund."

In line 93 of the engrossed bill, delete the word "such" and insert in lieu thereof the following language: "money standing to the credit of the unsatisfied judgment fund in the general fund"

Re-number the sections and lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 4, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 6 Representatives:

Johnston
Mueller
Collette

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 4, 1959

Mr. President: I have the honor to return:

Senate Bill No. 5
Senate Bill No. 22
Senate Bill No. 23
Senate Bill No. 24
Senate Bill No. 32
Senate Bill No. 33
Senate Bill No. 34
Senate Bill No. 35
Senate Bill No. 44
Senate Bill No. 131
Senate Bill No. 146
Senate Bill No. 156

Senate Bill No. 163
Senate Bill No. 196
Senate Bill No. 198
Senate Bill No. 230
Senate Bill No. 239
Senate Bill No. 261
Senate Bill No. 264
Senate Concurrent Resolution "FF"
Senate Concurrent Resolution "KK"
Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 4, 1959

Mr. President: I have the honor to transmit:
House Concurrent Resolution "E 2"
Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 4, 1959

Mr. President: I have the honor to return:
Senate Bill No. 94
Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 4, 1959

Mr. President: I have the honor to transmit:
House Bill No. 865
Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 4, 1959

Mr. President: I have the honor to transmit:

House Bill No. 509
House Bill No. 513
House Bill No. 514
House Bill No. 515
House Bill No. 530
House Bill No. 536
House Bill No. 565
House Bill No. 572
House Bill No. 590
House Bill No. 646
House Bill No. 664
House Bill No. 716
House Bill No. 725
House Bill No. 729
House Bill No. 785
House Bill No. 786
House Bill No. 790
House Bill No. 792
House Bill No. 797
House Bill No. 801
House Bill No. 832

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

FIFTY EIGHTH DAY

Bismarck, March 4, 1959

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain George L. Van Bockern, First Presbyterian Church, Bismarck:

Our Father in heaven, as we pause for a moment in prayer, we ask for Thy divine blessing upon the members of this body. We know Thou art concerned about each one of us. Therefore, inspire us at all times to work for those causes and laws which we know are of great importance to Thee. We beseech Thee, O God, to move these men and women to exercise their integrity, common sense, and wise judgment at all times on those issues and laws which are of grave concern to the people of this state.

When they come to the closing of this legislative session in a few days, grant that these members may be able to say with real honesty and conviction, "We have discharged faithfully our responsibilities."

We offer these petitions in the name of our Lord Jesus Christ, the Friend and Savior of all humanity. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1959

Mr. Speaker: I have the honor to return: -

House Bill No. 622

House Bill No. 627

House Bill No. 629

House Bill No. 631

House Bill No. 662

House Bill No. 696

House Bill No. 702

House Bill No. 703

House Bill No. 707

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 4, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3

Senate Bill No. 82

Senate Bill No. 133

Senate Bill No. 138

Senate Bill No. 189

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 4, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 573
House Bill No. 599
House Bill No. 607
House Bill No. 628
House Bill No. 634
House Bill No. 635
House Bill No. 654
House Bill No. 655
House Bill No. 663
House Bill No. 678
House Bill No. 700
House Bill No. 714
House Bill No. 731
House Bill No. 735
House Bill No. 741
House Bill No. 757
House Bill No. 759
House Bill No. 761
House Bill No. 762
House Bill No. 763
House Bill No. 766
House Bill No. 770
House Bill No. 772
House Bill No. 781
House Bill No. 793
House Bill No. 794
House Bill No. 795
House Bill No. 796
House Bill No. 829
House Bill No. 831

Which the President has signed.

VIC GILBREATH, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1959

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "MM"
Senate Concurrent Resolution "NN"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-sixth day after recess and fifty-seventh day and finds the same correct.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 4, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 745
House Bill No. 836

House Bill No. 838
 House Bill No. 843
 House Bill No. 857
 House Bill No. 862
 House Concurrent Resolution "T"
 Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 4, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 823

Which the Senate has amended.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 4, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 540

House Bill No. 624

House Bill No. 671

House Bill No. 697

House Bill No. 747

House Bill No. 861

House Concurrent Resolution "D"

House Concurrent Resolution "P"

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand moved that after the reading of House Bills No. 504, 517, 526, 531, 532, 657, 660, 691, 698, 711, 712, 726, 733, 783, 820, 850, House Concurrent Resolution "A 1", House Bills No. 525, 582, 597, 643, 667, 695, 718, 730, 767, 822, 842, 503, 507, 516, 519, 528, 534, 535, 587, 687, 723, 863, 632, 638, 710, 804, Senate Concurrent Resolutions "G", "K", "O", "V", "W", "Z", "AA" and "II" that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

Senator Holand requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion was granted.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the reading of the amendments to House Bills No. 632, 638, 710 and 804 be dispensed with, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 632 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to House Bill No. 638 be adopted, which motion prevailed.

Senator Erickstad moved that the amendments to House Bill No. 710 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 804 be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 4, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 650.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 551. A Bill for an Act to provide financial assistance in the transportation of school children and to create and enact sections 15-40011 and 15-56011 of the North Dakota Revised Code of 1943 and to amend and reenact sections 15-4013, 15-4014, 15-40141, 15-4015, 15-4016, 15-4019, 15-4020, 15-4021, 15-5601, 15-5602, 15-5603, 15-5604, 15-5605, 15-5606, 15-5609, 57-1524, and 57-1525 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to county and state equalization funds and county tuition funds and school tax levies and limitations, and to repeal chapter 15-58 and section 57-15251 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 57-1526 of the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 551 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 706. A Bill for an Act to authorize the state game and fish department to lease land which is under its jurisdiction to nonprofit corporations for development and improvement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 706 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 708. A Bill for an Act to create and enact section 20-1114 of the North Dakota Revised Code of 1943, prohibiting littering and deposit of refuse in and upon game refuges, lakes, rivers, parks, recreation areas, and in the immediate vicinity thereof, and providing a penalty for violations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Hernett	Holand	Yunker
Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Fiedler	Klefstad	Ringsak
Foss	Krause	Roen
Freed	Larson	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Livingston	Thompson
Erickstad	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom

Those voting in the negative were:

Mutch

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 708 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 504. A Bill for an Act making an appropriation to the State Historical Society for salary, Clerk-hire and miscellaneous expenses and maintenance of state parks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Krause	Ringsak
Erickson	Klefstad	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 504 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Holand moved that House Bills No. 517, 597 and 718 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 526. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel

George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Hernett

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 526 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 531. A Bill for an Act making an appropriation to continue the operation of North Dakota civil defense as provided for by Chapter 37-17 of the North Dakota Revised Code of 1943, as amended.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Hernett

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 531 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 532. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota who express an intent to prepare for nursing, as provided for in Chapter 43-12 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Baeverstad	Kee	O'Brien

Becker	Kisse	Paulson
Berube	Klefstad	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad		

Those voting in the negative were:

Gefreh Schrock

Absent and not voting:

Hernett

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 532 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 657. A Bill for an Act to amend and re-enact section 15-3409 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to transportation or maintenance of pupils.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Hernett

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 657 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 660. A Bill for an Act creating a National Statuary Hall Commission in North Dakota for the purpose of placing a statue of Four Bears in the National Statuary Hall in Washington, D.C. and making an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hystad	Miller
Erickstad	Johnson	Morgan
Fiedler	Kee	Redlin
Foss	Kisse	Saumur
Freed	Larson	Schrock
George	Lautenschlager	Trenbeath
Gilbertson	Livingston	Wadeson
Gronvold	Longmire	Wartner
Hernett	Luick	Wenstrom
Holand	Meidinger	Yunker

Those voting in the negative were:

Andre	Klefstad	Paulson
Becker	Krause	Ringsak
Berube	Murphy	Roen
Brooks	Mutch	Thompson
Erickson	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Gefreh		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 660 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Vendsel: I want to explain my vote. I voted no, not because I don't believe it is a good idea to be represented in statuary hall in Washington, but I understand at present that by and large the people that are there are recognized as outstanding politicians of this nation, and if this bill would have made it mandatory that a bi-partisan commission would have been set up I would have voted yes.

House Bill No. 691. A Bill for an Act creating a department of civil air patrol, providing for its organization, defining its duties, and making an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Baeverstad	Krause	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock

Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
George	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad		

Those voting in the negative were:

Brooks Gefreh

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 691 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 698. A Bill for an Act authorizing the establishment and construction of a state historical museum at or near the city of Pembina, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 698 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 711. A Bill for an Act to amend and re-enact Section 15-2511 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary nonresident pupils and determining costs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Longmire	Thompson
Freed	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Livingston	Vendsel
George	Meldinger	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 711 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 712. A Bill for an Act to permit election officials in a common school district election to be paid, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meldinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Those voting in the negative were:

Brooks

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 712 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 726. A Bill for an Act to create and enact a subsection to section 52-0921 of the 1957 Supplement to

the North Dakota Revised Code of 1943, relating to and providing for a refund of contributions made to the old age and survivor insurance system and federal social security program in excess of maximum payments, which excess payments resulted by the transfer from old age and survivor insurance system to the federal social security program, and setting a time limitation when application for refund must be submitted to administrator of old age and survivor insurance system fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Those voting in the negative were:

Krause

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 726 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 733. A Bill for an Act to amend and reenact Section 15-29082 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary nonresident pupils, tuition, and deterring costs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Saumur
Erickson	Krause	Schrock
Erickstad	Larson	Ringsak
Fiedler	Lautenschlager	Roen

Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 733 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 783. A Bill for an Act to amend and reenact subsection 1 of section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the sale of property exempt from sales tax, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 13; nays, 36; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Erickstad	Krause
Baeverstad	Gronvold	Larson
Becker	Hernett	Wadeson
Berube	Johnson	Yunker
Brooks		

Those voting in the negative were:

Erickson	Klefstad	Paulson
Fiedler	Lautenschlager	Redlin
Foss	Livingston	Ringsak
Freed	Longmire	Roen
Garaas	Luick	Saumur
Gefreh	Meidinger	Schrock
George	Miller	Thompson
Gilbertson	Morgan	Trenbeath
Holand	Murphy	Van Horn
Hystad	Mutch	Vendsel
Kee	Nesvig	Wartner
Kisse	O'Brien	Wenstrom

So the bill was declared lost.

House Bill No. 820. A Bill for an Act to amend and reenact Subsection 3 of Section 15-5001, Sections 15-5002, 15-5003, 15-5004 and Subsection 2 of Section 15-5006 of the North Dakota Revised Code of 1943 to conform with Chapter 132, Session Laws of 1955, relating to trade and correspondence schools.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 820 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 850. A Bill for an Act to amend and reenact section 15-2529, subsection 13 of section 15-2908, section 15-3213 and subsection 5 of section 15-5122 of the North Dakota Revised Code of 1943, relating to reports of school districts and providing for publication of financial statements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Kee	Redlin
Berube	Klefstad	Roen
Erickson	Krause	Ringsak
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Morgan	Wadson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker

Those voting in the negative were:

Brooks	Johnson	Miller
Absent and not voting:		
Kisse		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 850 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Concurrent Resolution "A1". A concurrent resolution urging state departments, agencies and institutions to employ the printing services of weekly newspaper publishers in the production of state printed matter.

Which has been read.

Senator Longmire moved that House Concurrent Resolution "A 1" be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 504

House Bill No. 526

House Bill No. 531

House Bill No. 532

House Bill No. 657

House Bill No. 660

House Bill No. 691

House Bill No. 698

House Bill No. 711

House Bill No. 712

House Bill No. 726

House Bill No. 733

House Bill No. 820

House Bill No. 850

House Concurrent Resolution "A 1"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 525. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 525 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 582. A Bill for an Act to authorize a uniform complaint and summons for use in connection with violations of laws relating to the operation of motor vehicles, and to repeal section 27-0226 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the authority of the North Dakota supreme court to establish such a uniform complaint and summons form.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand	Mutch	

Those voting in the negative were:

Gilbertson	Roen
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 582 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 643. A Bill for an Act to amend and reenact sections 16-1710, 16-1712, and 16-1715 of the North Dakota Revised Code of 1943, relating to the meetings of the county committees and the state central committees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen

Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 643 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 667. A Bill for an Act prohibiting the sale, distribution and possession of fire extinguishers containing toxic or poisonous vaporizing liquids, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 3; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Those voting in the negative were:

Kisse	Krause	Ringsak
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So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 667 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 695. A Bill for an Act to create and enact section 63-0117 of the North Dakota Revised Code of 1943, relating to the establishment of emergency areas for the control of leafy spurge, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 9; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Klefstad	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Trenbeath
Foss	Livingston	Van Horn
Freed	Longmire	Vendsel
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett		

Those voting in the negative were:

Brooks	Krause	Ringsak
Gilbertson	Murphy	Schrock
Johnson	O'Brien	Thompson

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 695 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 730. A Bill for an Act to amend and reenact Sections 12-5313, 12-5314 and 12-5315 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the suspension of the imposition of sentence, when authorized, placing the defendant under the control of board of pardons, sponsor of defendant, and when probation may be terminated.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 730 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 767. A Bill for an Act to amend and reenact sections 11-1015, 54-0609, 58-0602, and 58-0701 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 23-1410 of the North Dakota Revised Code of 1943, relating to the mileage to be paid to state, county and township officials.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Mutch
Baeverstad	Johnson	Nesvig
Becker	Kee	O'Brien
Berube	Kisse	Paulson
Brooks	Klefstad	Redlin
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand		

Those voting in the negative were:

Gilbertson Wartner

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 767 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 822. A Bill for an Act relating to county zoning and planning and providing for the submission of plans for the establishment of zoning and planning districts adjacent to cities, and for division of costs, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin

Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Those voting in the negative were:

Thompson

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 822 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 842. A Bill for an Act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and to provide funds for their payment; providing that this act may be cited as "The 1959 Bond Validating Act", and declaring and emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 842 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 602. A Bill for an Act to amend and re-enact sections 11-1002, 11-1003, 58-0410, 58-0502, 58-0505, 58-0507, 58-1503, and 58-1504 of the North Dakota Revised Code of 1943, as amended, relating to the election of county and township constables and relating to police in unincorporated villages and to repeal sections 58-1003 and 58-1004 of the North Dakota Revised Code of 1943 relating to the office of township constables.

Which has been read.

Senator Wartner moved that House Bill No. 602 be indefinitely postponed, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "M". A concurrent resolution for amendment of sections 26, 29, and 35 of the Constitution of the state of North Dakota relating to the establishment of senatorial districts, representation from such senatorial districts in the House of Representatives, and the manner of reapportioning members elected to the House of Representatives after each federal decennial census.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Roen
Foss	Lautenschlager	Saumur
Freed	Livingston	Schrock
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Miller	Van Horn
Gronvold	Morgan	Vendsel
Hernett	Murphy	Wartner
Holand	Mutch	Wenstrom

Those voting in the negative were:

Andre	Larson	Wadeson
Brooks	Meidinger	Yunker
Gilbertson		

So the resolution was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 672. A Bill for an Act to amend and re-enact sections 63-0305 and 63-0306 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the cutting or destroying of weeds and grasses along highways, roads, streets and alleys, and to repeal sections 63-0301, 63-0302, 63-0303, and 63-0304 of the North Dakota Revised Code of 1943 relating to the cutting or destroying of such weeds or grasses.

Which has been read.

Senator Nesvig moved that House Bill No. 672 be indefinitely postponed, which motion prevailed.

Senator Nesvig moved that the vote by which House Bill No. 672 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 737. A Bill for an Act to amend and reenact section 57-0208 of the North Dakota Revised Code of 1943 by creating and enacting a subsection relating to the exemption of certain personal property from ad valorem taxes for blind persons.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 13; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gronvold	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kisse	Ringsak
Brooks	Klefstad	Roen.
Erickson	Krause	Saumur
Erickstad	Lautenschlager	Trenbeath
Foss	Livingston	Van Horn
Freed	Longmire	Wadeson
Garaas	Luick	Wenstrom
George	Morgan	Yunker
Gilbertson	Nesvig	

Those voting in the negative were:

Fiedler	Larson	Schrock
Gefreh	Meidinger	Thompson
Hernett	Miller	Vendsel
Holand	Murphy	Wartner
Kee		

Absent and not voting:

Mutch

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 737 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 810. A Bill for an Act to amend and reenact section 52-0503 of the North Dakota Revised Code of 1943, relating to employment not included within title may be deemed subject to the provisions of this title when.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen

Erickson	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Longmire	Thompson
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Erickstad	Johnson	Murphy
Gilbertson	Livingston	Trenbeath

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 810 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

Senator Holand moved that House Bills No. 503, 507, 516, 519, 528, 534, 535, 587, 687, 723, and 863 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 503. A Bill for an Act making an appropriation to the Livestock Sanitary Board for its operating and maintenance expense, and for indemnifying owners of animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Holand	Murphy	Wenstrom
Hystad	Nesvig	Yunker

Absent and not voting:

Brooks	Hernett	Mutch
Gilbertson	Meidinger	Roen

Gronvold

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 503 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 507. A Bill for an Act making an appropriation to provide a State Contingency Fund to be placed at the disposal of the State Emergency Commission and to be used as provided by Sections 54-1601 of the 1957 Supplement to the North Dakota Revised Code of 1943, and 54-1602 to 54-1604, inclusive, and 54-1606, and also Section 54-1609 of the North Dakota Revised Code of 1943, and for civil defense.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Luick	Ringsak
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Brooks	Hernett	Roen
Gilbertson	Meidinger	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 507 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 516. A Bill for an Act making an appropriation for salaries, operation, maintenance, general and miscellaneous expenses for the State Laboratories Department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Krause	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson

Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Brooks	Hernett	Roen
Gilbertson	Meidinger	

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 516 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 519. A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintaining and construction of dams; planning and surveying projects; expenses of state compacts; and for organizing water conservation and irrigation districts for construction and development.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Brooks	Gilbertson
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 519 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 528. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Brooks Gilbertson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 528 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 534. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Public Safety Division.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Ringsak
Berube	Klefstad	Redlin
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Brooks Gilbertson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 534 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 535. A Bill for an Act making an appropriation to pay veterinary inspectors and expenses in connection with livestock sales rings as provided by law and by regulations promulgated by the Livestock Sanitary Board; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Kisse	Redlin
Berube	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Brooks Gilbertson

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 535 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 587. A Bill for an Act to amend and reenact sections 24-0217 and 24-0223 of the 1957 Supplement to the North Dakota Revised Code of 1943 to increase the sums of highway contracts requiring advertising for bids and contract bonds.

Which has been read.

Senator Vendsel moved that House Bill No. 587 be indefinitely postponed, which motion prevailed.

House Bill No. 687. A Bill for an Act to amend and reenact subsection 9 of section 57-0208 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to property exempt from taxation owned by religious corporation or organization.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 25; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gronvold	Meidinger
Becker	Hernett	Miller
Erickson	Hystad	Paulson
Foss	Johnson	Saumur
Freed	Kee	Thompson
Garaas	Kisse	Wartner
Gefreh	Klefstad	Yunker
George	Livingston	

Those voting in the negative were:

Baeverstad	Longmire	Ringsak
Berube	Luick	Roen
Brooks	Morgan	Schrock
Erickstad	Murphy	Trenbeath
Fiedler	Mutch	Van Horn
Holand	Nesvig	Vendsel
Krause	O'Brien	Wadeson
Larson	Redlin	Wenstrom
Lautenschlager		

Absent and not voting:

Gilbertson

So the bill was declared lost.

House Bill No. 723. A Bill for an Act authorizing and directing the legislative research committee to study existing mental health facilities in North Dakota for the purpose of reorganizing and coordinating the same and authorizing necessary expenditures for professional assistance in making the study and to make an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Berube	Kee	Paulson
Baeverstad	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad		

Those voting in the negative were:

Becker

Absent and not voting:

Gilbertson O'Brien

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 723 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 863. A Bill for an Act providing for a separate special fund to carry on certain functions of the high school correspondence study division, making a standing appropriation of all income and collections of that division, and making an appropriation to such fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Hystad	Nesvig
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Thompson
Freed	Luick	Van Horn
Garaas	Miller	Vendsel
George	Morgan	Wadeson
Gronvold	Murphy	Yunker

Those voting in the negative were:

Becker	Krause	Trenbeath
Gefreh	Larson	Wartner
Holand	Meidinger	Wenstrom
Kisse	Roen	

Absent and not voting:

Gilbertson O'Brien

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 863 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Larson: I want to explain my vote and I want it recorded in the journal.

I voted against this bill because I think it is a departure from something some of us who have worked in education legislation for many years have worked on, and that is a system whereby everyone associated with education is subject to a budget. This gentleman has been one of the most active and obnoxious lobbyists of this session, and I have been subjected to it for four successive sessions. This man now is out entirely from the control of the board of Public School Education. He will be able to write his own checks for whatever he wants to write them for. He will be able to have his own bank account. He is not subject to any budgetary control whatsoever, and this is not true of any department under the State Board of Public School Education, and you can check the record. Dust was thrown before the appropriations committee concerning higher education. This is not higher education. This is under the State Board of Education, and this is

very poor legislation. Despite the fact that I admire some of the work this man does, he should be made to understand that he is under the same type of control that other facets of this type of education are subject to.

MOTIONS

Senator Brooks moved that the Senate reconsider the action by which House Bill No. 587 was indefinitely postponed.

Senator Schrock moved that further consideration of House Bill No. 587 be laid on the table, which motion was lost.

The question being on the motion of Senator Brooks that the Senate reconsider the action by which House Bill No. 587 was indefinitely postponed, which motion prevailed.

Senator Brooks moved that House Bill No. 587 be amended as follows:

In line 7 delete the word "five" and insert in lieu thereof the word "twenty-five".

In line 8 delete the word "thousand" and insert in lieu thereof the word "hundred".

In line 13 delete the words "five thousand" and insert in lieu thereof the words "twenty-five hundred".

In line 18 delete the words "five thousand" and insert in lieu thereof the words "twenty-five hundred".

Senator Vendsel made the substitute motion that House Bill No. 587 be amended as follows:

In line 7 delete the word "five" and insert in lieu thereof the word "two".

In line 13 delete the word "five" and insert in lieu thereof the word "two".

In line 18 delete the word "five" and insert in lieu thereof the word "two".

Which motion lost.

The question was on the motion of Senator Brooks to amend House Bill No. 587, which motion prevailed.

Senator Brooks moved that House Bill No. 587 be placed on the calendar, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "W". A concurrent resolution lauding the sound development of organized labor in North Dakota, and memorializing Congress to vigorously legislate to stamp out racketeering in the labor and management fields, and to protect the democratic rights of member control within labor unions.

Which has been read.

Senator Hernettt moved that House Concurrent Resolution "W" be adopted, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 517. A Bill for the Act making an appropriation for the use of the North Dakota Economic Development Commission.

Was read the second time.

Senator Murphy moved that House Bill No. 517 be amended as follows:

In line 7, delete the figure "\$102,700.00" and insert in lieu thereof the figure "\$77,700.00".

Which motion was lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Miller
Becker	Johnson	Morgan
Brooks	Kee	Mutch
Erickson	Kisse	Redlin
Erickstad	Klefstad	Ringsak
Fiedler	Krause	Roen
Foss	Larson	Saumur
Freed	Lautenschlager	Trenbeath
Gefreh	Livingston	Wadeson
George	Longmire	Wartner
Gronvold	Luick	Wenstrom
Hernett	Meidinger	Yunker

Those voting in the negative were:

Andre	Murphy	Schrock
Berube	Nesvig	Thompson
Garaas	O'Brien	Van Horn
Hystad	Paulson	Vendsel

Absent and not voting:
Gilbertson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 517 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess until 10:30 a.m., March 5, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-EIGHTH DAY AFTER RECESS
AND FIFTY-NINTH DAY

Bismarck, March 5, 1959

The Senate convened at 10:30 a.m., pursuant to recess taken, the President presiding.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 222

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 5
Senate Bill No. 22
Senate Bill No. 23
Senate Bill No. 24
Senate Bill No. 32
Senate Bill No. 33
Senate Bill No. 34
Senate Bill No. 35
Senate Bill No. 44
Senate Bill No. 94
Senate Bill No. 131
Senate Bill No. 146
Senate Bill No. 156
Senate Bill No. 196
Senate Bill No. 198
Senate Bill No. 222

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 5, 1959

Mr. President: I have the honor to return:

Senate Bill No. 4
Senate Bill No. 45

Senate Bill No. 53
 Senate Bill No. 59
 Senate Bill No. 99
 Senate Bill No. 111
 Senate Bill No. 113
 Senate Bill No. 119
 Senate Bill No. 142
 Senate Bill No. 152
 Senate Bill No. 194
 Senate Bill No. 207
 Senate Bill No. 213
 Senate Bill No. 217
 Senate Bill No. 220
 Senate Bill No. 249

Which the House has amended as follows:

Senate Bill No. 4:

Line 23, strike out the word "room" and insert in lieu thereof "Roof".

Senate Bill No. 45:

In line 11 delete the word "twenty-five" and insert in lieu thereof the following word "one hundred"

Renumber the lines accordingly.

Senate Bill No. 53:

In line 12 of the title of the engrossed bill after the word "laws" strike out the following: ", and declaring an"

In line 13 of the title of the engrossed bill strike out the word "emergency"

In line 106 of the engrossed bill strike out the brackets preceding the numeral 8.

In line 117 of the engrossed bill after the semicolon insert the word "and"

In line 121 of the engrossed bill after the word "issuer" insert the following: ", its officers or directors"

In line 122 of the engrossed bill delete the period and insert a semicolon in lieu thereof and following such semicolon insert the word "and"

Following line 122 of the engrossed bill insert the following language:

"c. Either Moody's, Fitch's or Standard and Poor's securities manuals, or other recognized securities manuals approved by the commissioner contain the names of the issuer's officers and directors, a balance sheet of the issuer as of a date not more than eighteen months prior to the date of such sale, and a profit and loss statement of the issuer for either the fiscal year preceding that date or the most recent year of operations; and

d. Such securities would qualify for registration by description pursuant to the provisions of section 10-0407; and

e. Such securities are limited to issuers organized under the laws of any state or territory or insular possession of the United States."

In line 123 of the engrossed bill insert brackets before the word "The" beginning the sentence.

THURSDAY, MARCH 5, 1959

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In line 128 of the engrossed bill strike out the brackets before and after the numeral "9" and strike out the numeral "8."

In line 140 of the engrossed bill following the word "sales" insert the following language: "with respect to any specific security"

In line 140 of the engrossed bill following the word "require" insert the following language: "with respect to any specific security"

In line 147 of the engrossed bill following the word "sales" insert the following language: "with respect to any specific security"

In line 151 of the engrossed bill following the word "exemptions" insert the following language: "with respect to any specific security"

Strike out all of lines 628 and 629 of the engrossed bill and line 630 of the engrossed bill up to the period and insert the following language in lieu thereof: "a copy of the registration statement so filed shall be accepted by the commissioner in lieu of the information specified in paragraphs a. through q., except that it shall be accompanied by a statement of the amount of such securities to be offered in this state"

In line 671 of the engrossed bill strike out the words "or description"

In line 739 of the engrossed bill strike out the word "also"

In line 741 of the engrossed bill following the word "sold" insert the following language: ", and if such securities are quoted by a recognized quotation list such price shall be limited to an amount not unreasonably in excess of the amount quoted"

In line 745 of the engrossed bill following the word "securities" insert the following language: "to an amount not in excess of compensation paid or expenses incurred in connection with the organization, registration or sale of similar securities"

In line 1246 of the engrossed bill strike the words "in the opinion of the commissioner"

In line 1315 of the engrossed bill after the word "and" insert the words "may require that"

In line 1315 of the engrossed bill strike out the word "shall"

Delete all of lines 1527 through 1529, both lines inclusive

Renumber the lines accordingly.

Senate Bill No. 59:

In line 9 of the engrossed bill delete the words "July 15" and insert the words "October first" in lieu thereof

In line 12 of the engrossed bill after the word "person" delete the word "regularly"

In line 12 of the engrossed bill after the word "enrolled" insert the following language: "and in attendance, exclusive of temporary absences,"

In lines 19 and 20 of the engrossed bill delete the word "consecutive"

After the words "days" in line 20 of the engrossed bill insert the following language: "in any one quarter or semester"

In line 23 of the engrossed bill after the word "enrolled" insert the following language: "and in attendance, exclusive of temporary absences,"

In line 53 of the engrossed bill after the word "enrolled" insert the following language: "and in attendance, exclusive of temporary absences,"

Line 34 of the bill, delete the word "ninety" and insert in lieu thereof the words "one hundred".

Renumber the lines accordingly.

Senate Bill No. 99:

Following the words "BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA" insert the following words:

"SECTION 1. AMENDMENT.) Subdivision d of subsection 1 of section 38-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

And renumber the lines accordingly

Senate Bill No. 111:

In line 59 delete the word "five" and insert in lieu thereof the word "four"

Senate Bill No. 113:

After line 28, add a new line 28a "c. Faculty Apartments \$90,000.00"

Senate Bill No. 119:

In line 20 delete the word "five" and insert in lieu thereof the word "six"

Senate Bill No. 142:

On line 7 of the engrossed bill, delete the comma after the words "test" and "tests";

On line 9 of the engrossed bill, after the word "person" insert the following words: "except persons mentioned in section 3 of this act,";

On line 11 of the engrossed bill, delete the words "a motor", and insert in lieu thereof, "or being in actual physical control of a";

On line 31 of the engrossed bill, after the word "RE-FUSAL" delete the word "NOT";

On line 34 of the engrossed bill, delete the word "not";

On line 35 of the engrossed bill, after the word "may" insert the word "not";

On line 142 of the engrossed bill, delete the word "motor";

On line 176 of the engrossed bill, delete the words "have under his control" and insert in lieu thereof, "be in actual physical control of";

Renumber the lines accordingly.

Senate Bill No. 152:

Line 16 of the bill, delete the comma following the word "apparel" and insert the words "including money" following the words "effects".

Line 17 of the bill, delete the word "two" and insert in lieu thereof the underlined word "three".

Line 17 delete the underlined words "and fifty".

Line 21 delete the underlined word "two" and insert the underlined word "three".

Line 21 delete the underlined word "and".

Line 22 delete the underlined word "fifty".

Line 27 following the period delete the following language: "As a condition to the grant of assistance,"

Delete all of lines 28 through 34, both lines inclusive.

Renumber the lines accordingly.

Senate Bill No. 194:

In the last line of the title of the bill following the word "residents" insert the words "and providing a penalty"

In line 49 delete the word "specie" and insert in lieu thereof the word "species"

In line 50 delete the word "specie" and insert in lieu thereof the word "species"

Senate Bill No. 207:

In the second line of the title delete the word "sections" and insert the word "section"

In the second line of the title delete the following "and 50-07342"

Delete all of lines 46 through 57

Senate Bill No. 213:

In the fifth line of the title after the word "valuation" insert a "period" and delete the rest of the line

In the title delete all of lines 6 and 7

In line 9 delete the words "one mill" and insert in lieu thereof the words "an amount necessary"

In line 10 following the "comma" insert the following language "as provided in section 4-0809 of the North Dakota Revised Code of 1943, which amount shall not exceed one mill upon the taxable valuation of property in the county, and"

In line 13 delete the words "any excess moneys"

Delete all of lines 14, 15, 16, and 17

And renumber the lines accordingly.

Senate Bill No. 217:

On line 22 of the engrossed bill, delete the bracket and the words "to", and after the word "determine" insert the word "anew";

Delete all of lines 25 and 26 of the engrossed bill;

On line 27 of the engrossed bill, delete the word "reached" and the period "(.)";

Renumber the lines accordingly.

Senate Bill No. 220:

On line 7 of the title of the bill, delete the period "(.)" and insert in lieu thereof, the following: ", and declaring an emergency.";

On line number 2 of the engrossed bill, delete the words "From and";

On line number 3 of the engrossed bill, delete the following: "after July 1, 1959," and capitalize the "d" in the word "defects";

On line number 4 of the engrossed bill, after the word "had" insert the following: "or to be had";

On line number 15 of the engrossed bill, delete the words "forty-five", and insert in lieu thereof, "sixty", and delete the words "irregular act" and insert in lieu thereof, "adoption of the resolution of the governing board awarding the sale of warrants to finance the improvement";

Delete all of lines 16, 17, and 18, and insert in lieu thereof, "(SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

Senate Bill No. 249:

After lines 34 insert the following new Section:

"(SECTION 4.) This Act shall not be considered to modify or repeal in any way any of the provisions of sections 48-0105 and 48-0106 of the 1957 Supplement to the North Dakota Revised Code of 1943."

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the rules be suspended and that the reading of the amendments to House Bills No. 501, 505, 518, 522, 527, 529, 537, 538, 541, 713, 736, and House Concurrent Resolution "J" be dispensed with, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 501 be adopted, which motion prevailed.

Senator Fiedler moved that House Bill No. 501 be amended as follows:

In line 242 strike the figure "\$24,155,956.00" and insert in lieu thereof the figure "\$25,855,956.00".

Which motion was lost.

Senator Foss moved that the amendments to House Bill No. 505 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 518 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 522 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 527 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 529 be adopted, which motion prevailed.

Senator Hernet moved that the amendments to House Bill No. 537 be adopted, which motion prevailed.

Senator Hernet moved that House Bill No. 537 be amended as follows:

In line 482 following the word "and" insert the words "as to that portion of said loan which exceeds one thousand dollars, may"

In line 483 delete the word "thereon" and insert the word "only" in lieu thereof

In line 547 delete the comma and insert a period in lieu thereof and delete the balance of the line after the period. Delete all of line 548, and in line 549 delete the words "of the loan."

- Renumber the lines accordingly.

Which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 538 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 541 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 713 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 736 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Concurrent Resolution "J" be adopted, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 509

House Bill No. 513

House Bill No. 514

House Bill No. 515

House Bill No. 530

House Bill No. 536

House Bill No. 565

House Bill No. 572

House Bill No. 590

House Bill No. 646

House Bill No. 664

House Bill No. 716

House Bill No. 725

House Bill No. 729

House Bill No. 785

House Bill No. 786

House Bill No. 790

House Bill No. 792

House Bill No. 797

House Bill No. 801

House Bill No. 832

House Bill No. 865

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE GOVERNOR

March 5, 1959

Members of the Senate
Thirty-Sixth Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Greetings:

On March 4 I signed Senate Bill No. 195.

This bill has been filed with the Secretary of State.

Sincerely yours,
JOHN E. DAVIS
Governor

MOTIONS

Senator Holand moved that Senate Concurrent Resolutions "G", "K", "O", "W", "V", "AA" and "II" be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "G". A concurrent resolution authorizing and directing the legislative research committee to study the need for special education within the state and the manner in which facilities for such special education can be best obtained.

Which has been read.

Senator Meidinger moved that Senate Concurrent Resolution "G" be adopted, which motion prevailed.

Senate Concurrent Resolution "K". A concurrent resolution directing the legislative research committee to study the operation of the North Dakota State Mill and Elevator Association and its present and future contributions to the welfare of the state.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "K" be adopted, which motion prevailed.

Senate Concurrent Resolution "O" A concurrent resolution directing and authorizing the Legislative Research Committee to conduct a comprehensive study of civil defense, government operations, both state and local, and laws relating thereto in order to determine their adequacy in providing the greatest possible protection for the lives and property of the people of this state in the event of natural disaster and foreign attack; and to present its findings and recommendations to the Thirty-seventh Legislative Assembly.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "O" be adopted, which motion prevailed.

Senate Concurrent Resolution "W". A concurrent resolution directing the legislative research committee to study the investment of state funds.

Which has been read.

Senator Hernettt moved that Senate Concurrent Resolution "W" be adopted, which motion prevailed.

Senate Concurrent Resolution "Z". A concurrent resolution directing the legislative research committee to study the feasibility of consolidating state activities relating to public health in one state agency.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "Z" be adopted, which motion prevailed.

Senate Concurrent Resolution "AA". A concurrent resolution authorizing and directing the legislative research committee to study the feasibility of placing the admini-

stration of certain agricultural activities that are now administered by separate state boards, commissions and institutions under the jurisdiction of the state department of agriculture and labor.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "AA" be adopted, which motion prevailed.

Senate Concurrent Resolution "II". A concurrent resolution directing the legislative research committee to study the physical and instructional facilities of the state training school with a view to determining its suitability to the rehabilitation and preparation of the youngsters at the institution.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "II" be adopted, which motion prevailed.

Senate Concurrent Resolution "V". A concurrent resolution directing the legislative research committee to study the feasibility of consolidating the licensing and regulation of trades and occupations in one central agency.

Which has been read.

Senator Holand moved that Senate Concurrent Resolution "V" be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No.	5
Senate Bill No.	22
Senate Bill No.	23
Senate Bill No.	24
Senate Bill No.	32
Senate Bill No.	33
Senate Bill No.	34
Senate Bill No.	35
Senate Bill No.	44
Senate Bill No.	94
Senate Bill No.	131
Senate Bill No.	146
Senate Bill No.	156
Senate Bill No.	196
Senate Bill No.	198
Senate Bill No.	222

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Holand moved that the rules be suspended and that Senate Concurrent Resolution "OO" be placed upon second reading and final action, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "OO". A concurrent resolution directing the legislative research committee to study the feasibility of depositing all moneys presently deposited in the institutional revolving fund that are received from the state liquor tax into the general fund and relieving the counties of their responsibility for paying and collecting the expenses of institutional care in the state hospital,

Grafton state school and tuberculosis sanatorium and to authorize the state board of administration to collect the cost of institutional care in certain instances from responsible relatives and patient's estates.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "OO" be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that House Concurrent Resolution "E 1" be returned to the Senate from the Legislative Research Resolutions Committee, which motion prevailed.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "E 1" be placed upon second reading and final action, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "E1". A concurrent resolution memorializing Congress to make an adequate appropriation for school lunch programs.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "E 1" be adopted, which motion prevailed.

MOTIONS

Senator Gefreh moved that the Senate reconsider the action by which House Bill No. 783 was lost, which motion prevailed.

Senator Gefreh moved that House Bill No. 783 be amended as follows:

In line 10 following the word "purposes" insert the following words: "except that this exemption shall apply only to property purchased for use in the construction, maintenance, operation and equipping of church buildings"

Renumber the lines accordingly.

Which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 783. A Bill for an Act to amend and reenact subsection 1 of section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the sale of property exempt from 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 from the floor, the roll was called and there were ayes, 26; nays, 21; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Holand	Meidinger
Becker	Johnson	Miller
Brooks	Kee	Morgan
Erickson	Kisse	O'Brien
Erickstad	Klefstad	Saumur
Freed	Krause	Wadeson
Gefreh	Larson	Wartner
George	Longmire	Yunker
Hernett	Luick	

Those voting in the negative were:

Andre	Lautenschlager	Ringsak
Berube	Livingston	Schrock
Fiedler	Murphy	Thompson
Foss	Mutch	Trenbeath
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Vendsel
Hystad	Redlin	Wenstrom

Absent and not voting:
Gronvold Roen

Senator Schrock: I rise to a point of parliamentary inquiry. I ask the desk to read the motion to put House Bill No. 783 on the calendar.

Mr. President: I think there was an oversight there.

Senator Schrock: I want a two-thirds vote.

Mr. President: We will go back and have a motion to place House Bill No. 783 on the calendar.

Senator Gefreh moved that House Bill No. 783 be placed on the calendar, which motion prevailed.

Senator Holand moved that House Bill No. 783 be laid over one legislative day, which motion prevailed.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "E 2". A concurrent resolution endorsing the proposed dramatization of the story of General George Custer and his men who played such a large role in the history of the state of North Dakota.

Was read for the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "E 2" be placed upon second reading and final action, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "E 2". A concurrent resolution endorsing the proposed dramatization of the story of General George Custer and his men who played such a large role in the history of the state of North Dakota.

Was read the second time.

Senator Murphy moved that House Concurrent Resolution "E 2" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 503
House Bill No. 507
House Bill No. 516
House Bill No. 517
House Bill No. 519
House Bill No. 528
House Bill No. 534
House Bill No. 535
House Bill No. 723
House Bill No. 737
House Bill No. 810

House Bill No. 842
 House Bill No. 863
 House Concurrent Resolution "W"
 Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber
 Bismarck, March 5, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 525
 House Bill No. 551
 House Bill No. 582
 House Bill No. 643
 House Bill No. 667
 House Bill No. 695
 House Bill No. 706
 House Bill No. 708
 House Bill No. 730
 House Bill No. 767
 House Bill No. 822

Which the Senate has amended.

VIC GILBREATH, Secretary.

Senate Chamber
 Bismarck, March 5, 1959

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "M"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 586. A Bill for an Act to amend and reenact section 57-0220 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the exemption of farm machinery from personal property tax, and declaring an emergency.

Which has been read.

Senator Gefreh moved that House Bill No. 586 be amended as follows:

In line 14 after the period, insert the following:

"The assessor shall list the machinery entitled to an exemption on the assessment sheet with the date of purchase and indicate thereon the exemption."

Renumber the lines accordingly.

Which motion prevailed.

Senator Gefreh moved that House Bill No. 586 be placed on the calendar, which motion prevailed.

House Bill No. 821. A Bill for an Act to amend and reenact section 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to special fuel taxes.

Which has been read.

Senator Luick moved that House Bill No. 821 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 597. A Bill for an Act creating a state milk control board to supervise and regulate the fluid milk industry of the state of North Dakota, and defining its powers and duties; setting forth the rules governing

said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the board's rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this Act, and establishing the manner of this Act's taking effect, and providing for an appropriation.

Which has been read.

Senator Wadeson moved that House Bill No. 597 be amended as follows:

In line 39 of the bill delete the word "five" and insert the word "seven"

In line 42 of the bill delete the word "two" and insert the word "three"

In line 44 of the bill delete the words "one member" and insert the words "two members"

In line 46 of the bill delete the word "two" and insert the word "four"

In line 49 of the bill after the comma after the word "four" delete the word "and"

In line 49 of the bill after the word "five" insert a comma and the following language: "six and seven"

In line 51 of the bill delete the word "five" and insert the word "seven"

In line 53 of the bill delete the word "five" and insert the word "seven"

In line 55 of the bill delete the word "Three" and insert the word "Four"

In line 192 of the bill after the word "for" insert the word "not"

Renumber the lines accordingly.

Which motion prevailed.

Senator Becker moved that House Bill No. 597 be amended as follows:

In line 214 of the engrossed bill after the word "effect" delete the period and insert a comma and the following language: "but in no event shall this Act become effective until July 1, 1960."

After line 662 of the engrossed bill add the following language:

"SECTION 25. EFFECTIVE DATE.) The provisions of this Act shall not become effective until July 1, 1960."

Renumber the lines accordingly.

Which motion prevailed.

Senator Wadeson moved that House Bill 597 be placed on the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 718. A Bill for an Act to create and enact section 34-01093 of the 1957 Supplement, relating to qualifications to hold office in labor union or labor organization.

Which has been read.

Senator Erickstad: I would like to have the remarks I am about to make be printed in the journal. Senator Garaas has interjected into today's discussion the term "moral turpitude" and alleges because we have retained the term that this bill should now be defeated. That requires me to go back into the subject of moral turpitude. I checked a few of the misdemeanor statutes of the State of North Dakota, and I would like to just recite a few of them which I believe involve moral turpitude. I think they are all of serious consequence and I don't think anyone who commits these crimes should hold office in a labor union.

12-0902. Disturbing the Legislative Assembly. Every person who willfully disturbs the legislative assembly of this state, or either of the houses composing it, while in session, or who commits any disorderly conduct in the immediate view and presence of either house of the legislative assembly tending to interrupt its proceedings or impair the respect due to its authority, is guilty of a misdemeanor.

12-0904. Intimidating Members. Every person who willfully, by intimidation or otherwise, prevents any member of the legislative assembly of this state from attending any session of the house of which he is a member, or of any committee thereof, or from giving his vote upon any question which may come before such house, or from performing any other official act, is guilty of a misdemeanor.

12-1110. Defrauding Elector in His Vote. Every person who fraudulently alters the ballot of any elector, or substitutes one ballot for another, or furnishes any elector with a ballot otherwise than as provided and authorized by law, or with a ballot containing more than the proper number of names, or who intentionally practices any fraud upon any elector to induce him to deposit a ballot as his vote which will be thrown out and not counted, or otherwise to defraud him of his vote, is guilty of a misdemeanor.

12-2107. Delivery of Obscene Literature to Children; Misdemeanor. Every person who:

1. Sells, lends, gives away, or shows to a child;
2. Has in his possession with intent to sell, lend, give away, or show to a child;
3. Advertises or otherwise offers for loan, gift, or distribution to a child;
4. Exhibits upon any street or highway or in any place within the view of a child;
5. Hires, uses, or employs a child to sell, give away, or in any manner to distribute; or
6. Having the care, custody, or control of a child, permits such child to sell, give away, or in any manner to distribute, any work, pamphlet, magazine, newspaper, story paper, or other print or publication devoted to the dissemination or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and accounts or stories of deeds of bloodshed, lust, or crime, or pictures, stories, or illustrations of an obscene, salacious, or lustful character, is guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not more than six months, or by a fine of not more than five hundred dollars, or by both such fine and imprisonment.

12-2109. Buying, Selling, and Designing Obscene Literature; Bringing Into State; Misdemeanor. Every person who

shall bring or cause to be brought into the state, or who shall buy, sell or cause to be sold, or who shall advertise, lend, give away, offer, show, or exhibit, or have in his possession with intent to sell, lend, give away, offer, show, exhibit, distribute, or cause to be distributed, or who shall design, copy, draw, photograph, print, etc., or engrave, cut, carve, make, publish, or otherwise prepare or assist in preparing, or who shall receive subscriptions for any indecent or obscene book, pamphlet, paper, picture, print, drawing, figure, image, or other engraved, printed, or written matter, or any article or instrument of immoral use, or any book, pamphlet, magazine, or other paper devoted principally or wholly to the publication of criminal news or pictures or stories of deeds of bloodshed or crime, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than five dollars nor more than one hundred dollars, or by imprisonment in a county jail for not more than thirty days, or by both such fine and imprisonment.

12-2110. Indecent Exposure, Exhibitions, Pictures; Misdemeanor. Every person who willfully and lewdly:

1. Exposes his person or the private parts thereof in any public place, or in any place where there are present other persons to be offended or annoyed thereby;
2. Procures, counsels, or assists any person so to expose himself, or to take any part in any model artist exhibition, or to make any other exhibition of himself to public view or to the view of any number of persons, such as is offensive to decency, or as is adapted to excite to vicious or lewd thoughts or acts; or
3. Writes or composes, stereotypes, prints, publishes, sells, distributes, keeps for sale, or exhibits any obscene or indecent writing, paper, or book, or designs or copies, or draws, engraves, paints, or otherwise prepares any obscene or indecent picture or print of any description, or molds, cuts, casts, or otherwise makes any obscene or indecent figure or form,

is guilty of a misdemeanor.

12-2201. Injury to Public Decency and Morals; Misdemeanor. Every person who willfully and wrongfully commits any act which openly outrages public decency and is injurious to public morals, although no punishment is expressly prescribed therefor, is guilty of a misdemeanor.

12-2212. Unlawful Cohabitation; Punishment. Every person who lives openly and notoriously and cohabits as husband or wife with a person of the opposite sex without being married to such person, is guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than thirty days nor more than one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars.

12-2227. Disorderly House a Common Nuisance: Unlawful to Keep; Penalty. Any disorderly house or place of public resort by which the peace, comfort, or decency of the immediate neighborhood habitually is disturbed, is a common nuisance. Any person who keeps such place is guilty of maintaining a common nuisance and shall be punished by a fine of not less than twenty-five dollars nor more than one thousand dollars, and by imprisonment in the county jail for not more than one year.

12-2228. House Used for Indecent Purposes: Common Nuisance; Unlawful to Keep. Any house, room, or place kept as a place of resort for unlawful sexual intercourse, or for any other lewd, obscene, or indecent purposes, is a common nuisance. Any person who owns, keeps, aids, abets, or assists the owner or keeper of any such place, is guilty of maintaining a common nuisance and shall be punished by a fine of not less than twenty-five dollars nor more than one thousand dollars, and by imprisonment in the county jail for not more than one year.

I am giving you this to demonstrate to you that there are very, very serious crimes that are designated merely misdemeanors. If you take the term moral turpitude out of the law you have crippled it beyond use.

Now, I would like to read from the investigation of improper activities in the labor-management field, and I will give the desk reporter the report from which I read. Most of it will be statements made by Senator John L. McClellan, chairman of the Select Committee on Improper Activities in the Labor and Management Field.

The official title of this report is as follows: Investigation of Improper Activities in the Labor or Management Field. Hearings before the Select Committee on Improper Activities in the Labor or Management Field, Eighty-fifth Congress, Second Session, pursuant to Senate Resolutions 74 and 221, 85th Congress, June 30, July 1, 2 and 3, 1958, Part 32.

"The select committee met at 2:10 p.m., pursuant to Senate Resolution 74, agreed to January 30, 1957, in the caucus room, Senate Office Building, Senator John L. McClellan (chairman of the select committee) presiding.

"The Senate Select Committee on Improper Activities in the Labor or Management Field embarks today on a new and important series of hearings to determine the extent of racketeer and gangster infiltration into legitimate union and business enterprises.

"At the outset, I cannot too strongly emphasize the importance of the work we are undertaking.

"In previous hearings, we have touched on this critical problem. Our study into the New York phony local situation revealed an alarming picture of the extent to which gangsters led by John Dioguardi and Anthony (Tony Ducks) Corallo infiltrated the labor movement in the Nation's largest city, using their union positions for purposes of extortion, bribery, and shakedown. The fact that one of the Nation's most powerful labor leaders, James R. Hoffa, the international president of the Teamsters, used Dioguardi and Corallo in his efforts to capture control of the union in New York City only serves to underline the importance of gangster infiltration in the labor movement.

"There exists in America today what appears to be a close-knit, clandestine, criminal syndicate. This group has made fortunes in the illegal liquor traffic during prohibition, and later in narcotics, vice, and gambling. These illicit profits present the syndicate with a financial problem, which they solve through investment in legitimate business. These legitimate businesses also provide convenient cover for their continued illegal activities.

"As a starting point for our hearings, we intend to focus on the criminal group which held a meeting at the home of Joseph Mario Barbara, Sr., in Apalachin, N. Y., on November 14, 1957. The discovery of this meeting by the New York State Police had the effect of revealing the scope of the interrelationships of some of the leaders of the national crime syndicate. We will also begin to delve into the infiltration of gangsters and racketeers into the garment industry in New York, New Jersey, and Pennsylvania.

"It is important to understand from the outset that this criminal syndicate operation is not a localized one but national in scope. The fact that the gangland meeting took place in Apalachin, N. Y., does not in any way make this a localized New York problem. Similar gangland meetings, known to authorities, have been held in Cleveland, Ohio, and on the Florida Keys. There is no telling how many other meetings, in other parts of the country, have been undetected by authorities.

"As previous testimony of the committee has so vividly demonstrated, when hoodlums and racketeers get into labor and management they do it for the exploitation of the working people. Their participation inevitably leads to the corruption of the legitimate purposes of business. It is this exploitation and corruption of people and legitimate economic functions that presents such a grievous problem."

Now I will give the names of individuals discussed in the report of the meeting at Apalachin and names of some of their contacts and associates:

Alaimo, Dominick (Pittstown, Pa.): At Apalachin meeting. Co-owner Jane Hogan Dress Co., Pittston. Committeeman for Local 8005, United Mine Workers of America. Arrests: Robbery, suspicion, violation internal revenue laws.

Baldassari, Joe (Scranton, Pa.): Operates jukeboxes and pinball machines through Baldassari Amusement Co. in Scranton. Arrested for possession of unregistered still, prohibition law, transportation, and possession of untaxed alcohol.

Barbara, Joseph Mario, Sr. (Apalachin, N. Y.): Host at Apalachin meeting. President of Canada Dry Bottling Co. of Endicott, N. Y. Arrests: Suspicion of murder (2), revolver, illegal acquisition of sugar.

Bommarito, Scarface Joe (Detroit): Arrests for carrying concealed weapons, suspicion of murder, prohibition law violations, extortion by threat, assault, gambling.

Bonanno, Joseph (Brooklyn): At Apalachin meeting. Formerly in B. & D. Coat Co., manufacturers of women's coats. Arrests: grand larceny, revolver, conspiracy, violation of wage and hour law in 1942.

Bonanno, Joseph (New York City): Arrests for grand larceny and transporting machine guns to Capone mob in Chicago. Violation of wage and hour law in 1942.

Cammarata, Frank (Detroit): Murder suspect, bank robber, deported in 1936, re-entered United States in 1946. Released from Jackson, Mich., prison in May 1958. Last in Warren, Ohio, has evaded committee on subpoena.

Cateno, Gerardo Vito (South Orange, N. J.): At Apalachin meeting. Employee and stockholder Runyon Vending Sales Co., Newark. Arrests: 3 for gambling; robbery, 2; grand larceny, truck; material witness in murder case, loitering, bribery of Federal juror. Close associate of Longy Zwillman.

Cucchiara, Frank (Watertown, Mass.): At Apalachin meeting. Treasurer of Purity Cheese Co. since 1938, Boston. Arrests: Assault and battery; possession morphine and dynamite; lottery; conspiracy to set up lottery; grand larceny; sale of narcotics; forgery; possession of still, 3; conspiracy to erect still.

DeMooco, John Anthony (Shaker Heights, Ohio): At Apalachin meeting. Arrests: Robbery, extortion, blackmail, investigation in bombing. Associate of John Scolish, also at Apalachin.

Gussia, Bartolo (Endicott, N. Y.): At Apalachin meeting. Fish peddler. Barbara is godfather to his children. Arrests: Possession weapon (2), bank robbery, breaking and entering, bootlegging, murder (first degree).

Licavoli, Dominick (Detroit and St. Louis): Uncle of Pete Licavoli, Detroit and Cleveland. Arrests: Holding girls for purposes of prostitution, breaking and entering.

Licavoli, Pete (Detroit and Cleveland): In Cleveland and Detroit gambling syndicates, also Canadian gambling. Has ranch in Tucson, Ariz. Arrests: Robbery, rum-running, kidnaping, carrying concealed weapon, murder, extortion, gambling, assault.

Senator Garaas moved that House Bill No. 718 be amended as follows:

In line 12, after the period insert the following: "This Act shall not apply to any officer holding office in any labor union or labor organization at the time of the effective date of this Act.

Re-number the lines accordingly.

Which motion was lost.

ROLL CALL

The question being on the final passage of House Bill No. 718, the roll was called and there were ayes, 37; nays, 12; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Johnson	Morgan
Becker	Kee	Mutch
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Meidinger	Wenstrom
Hernett	Miller	Yunker
Holand		

Those voting in the negative were:

Andre	Hystad	Paulson
Berube	Murphy	Schrock

Garaas
Gilbertson

Nesvig
O'Brien

Van Horn
Vendsel

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 718 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Vendsel: I rise to a point of personal privilege and request that my remarks be printed in the journal.

I wish to make clear at this time that the attempt that I have made to kill this bill is not as a result of a policy set by the Democratic Party, or the Democratic members of this body. At no time did I attempt to influence any member of my party to vote with me or against me. All I did—the only two members of my party were two members of this body—I asked for the help of Senators Murphy and Garaas because of their legal training. I felt they could be of considerable help to substantiate the position I had taken the other day when I moved for indefinite postponement of this bill. I further state I am not critical of anyone, regardless of how they voted. They have to live with their own conscience the same as I have to live with mine. To me this bill was a matter of basic principle that I have always tried to adhere to and intend to in the future, regardless of whether I am a member of this legislative body or not. I believe that if we are to protect the rights of individuals who belong to labor unions that we are not protecting their rights by passing punitive and discriminatory legislation of this kind. Let us, if we are to protect the rights of individuals, pass legislation that absolutely surrounds the labor official with statutes wherein he is absolutely and fully accountable to the members of his union—then they themselves will decide whether or not a particular person should or should not hold the office that he holds or should be elected to the office that he may seek.

It would have been easy for me to have voted for this bill and ride the crest of popular opinion that has swept this nation, but I say in all sincerity that I was willing to stand alone against this bill because I believe it is a definite invasion of the civil rights of every citizen of the State of North Dakota.

If this body can legislate in this manner, in this discriminating manner, in my opinion, legislation directed at one segment of society, then we can also legislate toward other segments of society, members of school boards, city councils, bank presidents, corporation presidents, and what have you; therefore, I could not associate myself with this bill. It is a matter of basic principle. I have to live with my conscience. The remarks I have made are my own, and I am fully accountable. I realize the political implications of the position I have taken, but I am willing to stand up for my position and defend it. I know I will be labeled in some quarters as being in favor of racketeering—nothing could be further from the truth.

Senator Murphy: I would rise for the same purpose as Senator Vendsel and ask that my remarks be printed in the Journal.

It is my sincere belief that this bill, if signed by the Governor, can produce the following situation: during

negotiations between a labor union and an employer with malice, if there are any who have such malice, an employer could hire, or induce, someone to enter into an open public fight on a street corner, or anywhere else, with an officer of a labor union, and as a consequence of this public attack might succeed in divesting a union of a properly elected official with the purpose of destroying the morale and the sense of unity of the union; this would be an invasion of the beliefs of the members of the union in regard to the matter in dispute in the negotiations between the union and the employer, and I state here, although it may not be looked upon with favor by the Bar Association of the State of North Dakota, that if such an incident does arise in connection with any labor dispute or any negotiations between any employer or any union of the State of North Dakota, I am prepared to put forth my full efforts as a professional man in the defense of the individual so implicated if, from the facts that are put before me, I am satisfied that such provoked attack did occur. This is vicious legislation. It is ill considered in every degree.

The United States Congress is now acting with caution as to what they may enact on labor matters. We should act with caution as well.

Senator Erickstad: I wish that my remarks be printed in the journal. Senator Murphy seems to imply that an employer might set up a stage for crimes to be committed that could be used to prevent a present officer from continuing in a labor union as an officer. I believe that he is completely lacking in faith in our courts and I feel that justice would prevail.

Now, as far as the provision or legislations regarding good moral conduct I would like to refer this assembly to a number of our laws which require that the members of boards, and so forth, be of high moral character and this involves again this moral turpitude feature, and I will leave some citations at the desk unless some member of this assembly has an objection thereto.

The request was granted and the following citations were presented at the desk.

Occupations and Professions

43-0210. QUALIFICATIONS For CERTIFICATE To PRACTICE As CERTIFIED PUBLIC ACCOUNTANT.

4. Is of good moral character

Architects

43-0313. QUALIFICATIONS.

2. Be of good moral character

Barbers

43-0431. QUALIFICATIONS For CERTIFICATE Of REGISTRATION As REGISTERED BARBER.

3. Is of good moral character and temperate habits.

Chiropodists

43-0511. Is of good moral character.

Embalmers

43-1011. EXAMINATION REQUIRED; APPLICATION; QUALIFICATIONS.

1. Is of good moral character.

Hairdressers and Cosmetologists

43-1119. STUDENTS; REGISTRATION.

2. Be of good moral character;

Nurses

43-1213. EXAMINATION REQUIRED; APPLICATION; FEES FOR EXAMINATION; QUALIFICATIONS For EXAMINATION.

3. Is of good moral character;

Pharmacists

43-1515. QUALIFICATIONS Of REGISTERED PHARMACIST.

2. Be of good moral character;

Physicians and Surgeons

43-1703. STATE BOARD Of MEDICAL EXAMINERS: HOW APPOINTED; QUALIFICATIONS.

1. Be a practicing physician of integrity and ability;

Chiropractors

43-0603. STATE BOARD Of CHIROPRACTIC EXAMINERS: APPOINTMENT; QUALIFICATIONS.

1. Be a licensed practicing chiropractor of integrity and ability;

Attorneys

1. CAUSES For SUSPENSION Or REVOCATION Of CERTIFICATE Of ADMISSION To BAR.

1. Committed a felony or a misdemeanor involving moral turpitude;

27-1103. QUALIFICATIONS Of APPLICANTS For ADMISSION To BAR Of THIS STATE.

3. Is of good moral character;

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MOTIONS

Senator Erickstad moved that the Senate reconsider the action by which House Bill No. 587 was amended, which motion prevailed.

Senator Erickstad moved that House Bill No. 587 be amended as follows:

In line 7, delete the word "five" and insert in lieu thereof the word "two".

In line 13, delete the word "five" and insert in lieu thereof the word "two".

In line 18, delete the word "five" and insert in lieu thereof the word "two".

Which motion prevailed.

Senator Holand moved that the rules be suspended and that House Bill No. 587 be placed on second reading and final action, as amended from the floor, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 587. A Bill for an Act to amend and reenact sections 24-0217 and 24-0223 of the 1957 Supplement to the North Dakota Revised Code of 1943 to increase the sums of highway contracts requiring advertising for bids and contract bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Kee	Paulson
Brooks	Klefstad	Redlin
Erickson	Krause	Ringsak
Erickstad	Larson	Roen
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Schrock
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Miller	Van Horn
Gilbertson	Meidinger	Vendsel
Gronvold	Morgan	Wadeson
Holand	Murphy	Wartner
Hernett	Mutch	Wenstrom
Hystad	Nesvig	Yunker
Johnson	O'Brien	

Absent and not voting:

Andre	Berube	Kisse
Baeverstad	Freed	

So the bill passed and the title was agreed to.

Senator Brooks moved that the vote by which House Bill No. 587 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE GOVERNOR

Bismarck, March 5, 1959

Members of the House of Representatives
Thirty-Sixth Legislative Assembly
Senate Chambers
Bismarck, North Dakota

Greetings:

Today I signed Senate Bills No. 16, 17, 18, 19, and 26.
These bills have been filed with the Secretary of State.

Sincerely yours,
JOHN E. DAVIS
Governor

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 230
Senate Bill No. 239
Senate Bill No. 261
Senate Bill No. 264
Senate Concurrent Resolution "FF"
Senate Concurrent Resolution "KK"

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Luick moved that House Bill No. 821 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 821. A Bill for an Act to amend and reenact section 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to special fuel taxes.

Which has been read.

Senator Luick moved that House Bill No. 821 be amended as follows:

In line 3 of the title of the engrossed bill after the word "taxes" insert the following language:

"and taxes on special fuels coming into the state and providing a penalty"

In line 5 of the engrossed bill delete the word "seven" and insert in lieu thereof the word "nine"

After line 19 of the engrossed bill add the following language:

"SECTION 2. TAX ON SPECIAL FUELS IN FUEL TANKS IN EXCESS OF TWENTY GALLONS; DISTRIBUTION OF TAX MONEYS.) Every importer who brings into this state in the fuel tanks of any motor vehicle more than twenty gallons of special fuel, as defined in section 57-5203 of the 1957 Supplement to the North Dakota Revised Code of 1943, purchased outside this state and used to operate the vehicle upon the highways and streets of this state, shall pay the state gallonage tax as provided in section 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943 on such special fuels in excess of twenty gallons unless, under an arrangement approved by the state auditor, he shall purchase within the state special fuels equal to such excess. Within thirty days after the close of each month, he shall file with the state auditor a report, on such forms and under such rules and regulations as the state auditor may prescribe, of all such special fuels imported by him so used within this state, and shall at the same time pay to the state auditor the amount of tax due for such month. All moneys collected by the state auditor under the provisions of this section shall be deposited and distributed in the manner provided for in section 57-5211 of the 1957 Supplement to the North Dakota Revised Code of 1943. For purposes of this section the term "importer" shall mean any person who purchases or obtains special fuels outside this state and uses the same within the state, and who operates a motor vehicle equipped with fuel tanks containing more than twenty gallons of special fuel purchased outside this state and used to operate the vehicle upon the highways and streets of this state.

SECTION 3. MONTHLY STATEMENT REQUIRED; PAYMENT OF TAX.) The report required in this Act shall be filed each month regardless of whether or not such report shows purchases during any month and regardless of whether or not a tax is due. All payments of taxes imposed by section 2 of this Act shall be paid to the state auditor.

SECTION 4. FINE FOR FAILURE, NEGLECT OR REFUSAL TO MAKE REPORT OR PAY TAX.) If any im-

porter fails, neglects or refuses to make and file the report required for any month, or to pay the tax due for any month, within the time prescribed for the filing of such report or the payment of such tax, there shall automatically accrue a penalty equal to one-tenth of one cent on each gallon of special fuel purchased during that month. The amount of such penalty shall in no case be less than five dollars, even if no purchases were made during the month and such penalty shall be paid to the state auditor. The state auditor shall notify any importer that fails, neglects or refuses to make any report or pay any tax required for any month within the time prescribed for the filing of such report or the payment of such tax. If the required report is not filed or payment of the tax is not made within ten days from the date of such notice, there shall automatically accrue a penalty equal to one cent on each gallon of special fuel purchased during that month. The amount of the penalty shall in no case be less than twenty-five dollars even if no purchases were made during the month and such penalties shall be paid to the state auditor. Any moneys received by the state auditor under the provisions of this section shall be deposited and distributed in the manner prescribed in section 57-5211 of the 1957 Supplement to the North Dakota Revised Code of 1943.

SECTION 5. FAILURE OR REFUSAL TO MAKE AND FILE REPORT AUTHORIZES STATE AUDITOR TO MAKE SUCH REPORT.) If any importer fails or refuses to make and file a report at the time prescribed in this Act, or makes, willfully or otherwise, an erroneous, false, or fraudulent report, the state auditor shall make the report from his own knowledge and from such information as he can obtain through testimony or otherwise. Any report so made by the state auditor shall be prima facie good and sufficient for all legal purposes. The state auditor shall also have the authority to examine the books, records and papers of such importer to ascertain and collect the amount of tax and any penalty due under the provisions of this Act.

SECTION 6. ENFORCEMENT.) In addition to the state auditor enforcing the provisions of this Act, the state highway patrol, the weight division of the state highway department and any other persons possessing police powers shall enforce the provisions of this Act.

SECTION 7. PENALTY.) Any person who violates any provisions of this Act shall be guilty of a misdemeanor and in addition to any other penalties prescribed in this Act shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment."

Renumber the lines accordingly.

Senator Mutch moved that House Bill No. 821 be indefinitely postponed, which motion was lost.

The question being on the motion of Senator Luick to amend House Bill No. 821, which motion was lost.

ROLL CALL

The question being on the final passage of House Bill No. 821, the roll was called and there were ayes, 29; nays, 20; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Murphy
Berube	Hystad	Paulson
Erickson	Kee	Redlin
Fiedler	Kisse	Saumur
Foss	Klefstad	Schrock
Garaas	Krause	Thompson
George	Luick	Van Horn
Gilbertson	Meidinger	Wadeson
Gronvold	Miller	Wartner
Hernett	Morgan	

Those voting in the negative were:

Baeverstad	Larson	Ringsak
Becker	Lautenschlager	Roen
Brooks	Livingston	Trenbeath
Erickstad	Longmire	Vendsel
Freed	Mutch	Wenstrom
Gefreh	Nesvig	Yunker
Johnson	O'Brien	

So the bill passed and the title was agreed to.

Senator Luick moved that the vote by which House Bill No. 821 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 632. A Bill for an Act to amend and reenact section 11-1010 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries of county officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 632 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 638. A Bill for an Act to amend and reenact section 27-1603 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the compensation

of juvenile commissioners, and amending Title 27 of the North Dakota Revised Code of 1943 by creating section 27-16031 providing for the appointment of juvenile court assistants and section 27-16032 providing for the compensation and expenses of juvenile court assistants.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Those voting in the negative were:

Gilbertson	Krause	Schrock
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Absent and not voting:

Klefstad

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 632 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 710. A Bill for an Act to amend and re-enact subsections 3 and 4 of Section 15-3502 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the construction of school buildings, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel

Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Krause

Absent and not voting:

Klefstad

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Holand moved that the vote by which House Bill No. 710 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 804. A Bill for an Act to amend and reenact Section 15-2221 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to dissolution of school districts and attachment of territory.

Which has been read.

Senator Murphy requested that he be excused from voting on House Bill No. 804 because of a personal interest therein.

Senator Garaas moved that Senator Murphy be permitted to vote on House Bill No. 804, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 804 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to transmit:
Senate Concurrent Resolution "G"

Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "O"
 Senate Concurrent Resolution "V"
 Senate Concurrent Resolution "W"
 Senate Concurrent Resolution "Z"
 Senate Concurrent Resolution "AA"
 Senate Concurrent Resolution "II"
 Senate Concurrent Resolution "OO"

Which the Senate has passed and your favorable consideration is requested.

VIC GILBREATH, Secretary.

Senate Chamber
 Bismarck, March 5, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5
 Senate Bill No. 22
 Senate Bill No. 23
 Senate Bill No. 24
 Senate Bill No. 32
 Senate Bill No. 33
 Senate Bill No. 34
 Senate Bill No. 35
 Senate Bill No. 44
 Senate Bill No. 94
 Senate Bill No. 131
 Senate Bill No. 146
 Senate Bill No. 156
 Senate Bill No. 196
 Senate Bill No. 198
 Senate Bill No. 222

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

Senate Chamber
 Bismarck, March 5, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 509
 House Bill No. 513
 House Bill No. 514
 House Bill No. 515
 House Bill No. 530
 House Bill No. 536
 House Bill No. 565
 House Bill No. 572
 House Bill No. 590
 House Bill No. 646
 House Bill No. 664
 House Bill No. 716
 House Bill No. 725
 House Bill No. 729
 House Bill No. 785
 House Bill No. 786
 House Bill No. 790
 House Bill No. 792
 House Bill No. 797
 House Bill No. 801
 House Bill No. 832
 House Bill No. 865

Which the President has signed.

VIC GILBREATH, Secretary.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-NINTH DAY

Bismarck, March 5, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Leslie R. Burgum, Attorney General of the State of North Dakota:

"God of our fathers known of old, Lord of our far-flung battle line, Beneath whose awful hand we hold Dominion over palm and pine; Lord God of Hosts, be with us yet, Lest we forget, lest we forget!"

Help us to remember, O Divine Father, the pathway up which we have come as a nation, and to be deeply grateful for the patriots and pioneers who laid the foundations for our Republic and for our own state. We thank Thee for this state in which we have been privileged to live; for its hills and valleys, and the freedom of its wide, open spaces. May our gratitude to the heroes of the past be characterized by our deep devotion to the present and the future in lives of service and helpfulness to our fellow creatures.

May Thy blessing abide upon these men who have spent the past two months in seeking to enact that kind of legislation which will the best help our people. Be with them as they return to their homes, and wilt Thou bless and keep their families and help them in their undertakings. We pray for Peace in these days, and may Thy Divine Spirit of Wisdom intercede for us, and accomplish for mankind that which men cannot accomplish in their own strength. May this Berlin crisis be resolved in favor of peace for mankind and against a suicidal conflict. Teach us to be humble and to remember the virtues of "an humble and a contrite heart".

"For heathen heart that puts her trust in reeking tube and iron shard; All valiant dust that builds on dust, and guarding calls not Thee to guard; For frantic boast and foolish word, Thy mercy on Thy people, Lord!"

Roll call: All Senators present.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-seventh day after recess and fifty-eighth day and recommends that the same be corrected as follows:

On page 802, line 46, delete the word "House" and insert in lieu thereof the word "Senate".

On page 818, line 13, correct the spelling of the word "separate".

On page 822, line 33, after the figure "863" insert the following figures: 632, 638, 710, 804, Senate Concurrent Resolutions "G", "K", "O", "V", "W", "Z", "AA" and "II".

On page 832, delete lines 45, 46 and 47.

And when so corrected recommends that the same be approved.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Foss moved that the Senate do concur in the amendments to Senate Bill No. 4, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 4 be deemed properly reengrossed and placed upon second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 4. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, and special projects for the Grafton State School at Grafton, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Mutch
Baeverstad	Johnson	Nesvig
Becker	Kee	O'Brien
Berube	Kisse	Paulson
Erickson	Klefstad	Redlin
Erickstad	Krause	Ringsak
Fiedler	Larson	Roen
Foss	Lautenschlager	Saumur
Freed	Livingston	Schrock
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Vendsel
Gilbertson	Miller	Wadson
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand		

Absent and not voting:

Brooks	Van Horn	Wartner
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So the bill passed and the title was agreed to.

Senator Luick moved that the Senate do concur in the House amendments to Senate Bill No. 45, which motion prevailed.

Senator Luick moved that the rules be suspended and that Senate Bill No. 45 be deemed properly reengrossed and placed on second reading and final action as amended by the House, which motion prevailed.

Senate Bill No. 45. A Bill for an Act to amend and reenact section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the designation of the state highway system.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Gefreh	Luick	Wadson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Murphy	Vendsel
Holand	Mutch	

Absent and not voting:

Garaas	Van Horn
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So the bill passed and the title was agreed to.

Senator Wartner moved that the reading of the House amendments to Senate Bill No. 53 be dispensed with, which motion prevailed.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 53, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 53 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 53. A Bill for an Act to amend and reenact subsection 1 of section 10-0403, subsection 3 of section 10-0405, and sections 10-0406, 10-0408, 10-0409, 10-0410, 10-0411, 10-0413, 10-0415 and 10-0418 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to create and enact sections 10-04081, 10-04082, and 10-04121 as a part of chapter 10-04 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the administration of the securities laws; the registration of securities for sale to the public and of dealers, salesmen, and investment counsels; fraudulent practices; and the penalty for violation of the securities laws, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48, nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Kisse	Redlin
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock

Freed	Livingston	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Vendsel
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Van Horn

So the bill passed and the title was agreed to.

Senator Meidinger moved that the Senate do concur in the House amendments to Senate Bill No. 59, which motion prevailed.

Senator Meidinger moved that the rules be suspended and that Senate Bill No. 59 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 59. A Bill for an Act relating to payments to school districts operating junior colleges, creating and enacting sections 15-1807, 15-1808, and 15-1809 of the North Dakota Revised Code of 1943, and providing an appropriation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Thompson
Freed	Livingston	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Murphy	Vendsel

Those voting in the negative were:

Mutch

So the bill passed and the title was agreed to.

Senator Holand moved that the reading of the House amendments to Senate Bills No. 99, 111, 113, 119, 142, 152, 194, 207, 213, 217, 220 and 249 be dispensed with, which motion prevailed.

Senator Trenbeath moved that the Senate do concur in the House amendments to Senate Bill No. 99, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 99 be deemed properly reengrossed

and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 99. A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 38-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943, providing for oil well drilling bonds.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Trenbeath moved that the Senate do concur in the House amendments to Senate Bill No. 111, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 111 be deemed properly re-encrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 111. A Bill for an Act to amend subsection 1 of section 20-0205 of the North Dakota Revised Code of 1943 to provide for the appointment and removal of a chief warden, district deputy wardens, biologists and technicians, and other employees and to repeal sections 20-0208 of the North Dakota Revised Code of 1943 and 20-0211 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the appointment of a chief warden and deputy district wardens.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Kisse	Redlin
Brooks	Klefstad	Ringsak

Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand		

So the bill passed and the title was agreed to.

Senator Hernett moved that the Senate do not concur in the House amendments to Senate Bill No. 113 and that a Conference Committee be appointed.

Senator Livingston made the substitute motion that the Senate do concur in the House amendments to Senate Bill No. 113, which motion was lost.

Senator Livingston requested a division, which request was granted, and the motion was declared lost.

Senator Vendsel requested a recorded roll call vote on the substitute motion of Senator Livingston, which request was granted.

ROLL CALL

The question being on the motion of Senator Livingston that the Senate do concur in the House amendments to Senate Bill No. 113, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Kee	Paulson
Becker	Klefstad	Redlin
Berube	Lautenschlager	Roen
Fiedler	Livingston	Saumur
Foss	Longmire	Thompson
Garaas	Murphy	Van Horn
Gilbertson	Nesvig	Vendsel
Hystad		

Those voting in the negative were:

Baeverstad	Holand	O'Brien
Brooks	Johnson	Ringsak
Erickstad	Kisse	Schrock
Erickson	Krause	Trenbeath
Freed	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Wenstrom
Gronvold	Morgan	Yunker
Hernett	Mutch	

Absent and not voting:

Larson

So the motion was declared lost.

The question being on the motion of Senator Hernett that the Senate do not concur in the House amendments to Senate Bill No. 113, and that a conference committee be appointed, which motion prevailed.

The President requested the President Pro Tem to preside.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 119, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 119 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 119. A Bill for an Act to amend and re-enact section 57-2001 of the North Dakota Revised Code of 1943, relating to the penalty for delinquent personal property taxes.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Kisse	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Larson

So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do not concur in the House amendments to Senate Bill No. 142, and that a Conference Committee be appointed.

Senator Gronvold made the substitute motion that the Senate do concur in the House amendments to Senate Bill No. 142.

Senator Ringsak moved that Senate Bill No. 142 be indefinitely postponed, which motion was lost.

Senator Gronvold requested that he be allowed to withdraw his motion to concur in the House amendments to Senate Bill No. 142, which request was granted.

The question being on the motion of Senator Wartner that the Senate do not concur in the House amendments to Senate Bill No. 142, and that a conference committee be appointed, which motion prevailed.

MOTIONS

Senator Holand moved that after the reading of House Bills No. 501, 505, 518, 522, 527, 529, 537, 538, 541, 586, 597, 713, 736, 783, and House Concurrent Resolution "J", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 5, 1959

Mr. President: I have the honor to return:

Senate Bill No. 51

Senate Bill No. 58

Senate Bill No. 235

Senate Bill No. 252

Senate Bill No. 265

Senate Bill No. 267

Senate Bill No. 292

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 5, 1959

Mr. President: I have the honor to return:

Senate Bill No. 3

Senate Bill No. 82

Senate Bill No. 133

Senate Bill No. 138

Senate Bill No. 189

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 5, 1959

Mr. President: I have the honor to transmit:

House Bill No. 555

House Bill No. 561

House Bill No. 563

House Bill No. 564

House Bill No. 574

House Bill No. 577

House Bill No. 578

House Bill No. 594

House Bill No. 614

House Bill No. 616

House Bill No. 623

House Bill No. 644

House Bill No. 645

House Bill No. 680

House Bill No. 683

House Bill No. 684

House Bill No. 685

House Bill No. 719

House Bill No. 721

House Bill No. 753

House Bill No. 799

House Bill No. 818

House Bill No. 833

House Bill No. 844

House Concurrent Resolution "J 1"

House Concurrent Resolution "O 1"

House Concurrent Resolution "P 1"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 5, 1959

Mr. President: I have the honor to return:

Senate Bill No. 20
Senate Bill No. 62
Senate Bill No. 135
Senate Bill No. 139
Senate Bill No. 157
Senate Bill No. 158
Senate Bill No. 159
Senate Bill No. 178
Senate Bill No. 216
Senate Bill No. 221
Senate Bill No. 245

Senate Concurrent Resolution "X"
Senate Concurrent Resolution "JJ"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 5, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "K"
House Concurrent Resolution "X"
House Concurrent Resolution "A 2"
House Concurrent Resolution "B 2"
House Concurrent Resolution "C 2"
House Concurrent Resolution "D 2"
House Concurrent Resolution "F 2"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 5, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 598
House Bill No. 776
House Bill No. 811
House Bill No. 823

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Livingston moved that the Senate do concur in the House amendments to Senate Bill No. 152, which motion prevailed.

Senator Livingston moved that the rules be suspended and that Senate Bill No. 152 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 152. A Bill for an Act to amend and reenact section 50-0705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership of property by applicants for old age assistance.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Johnson	Paulson
Baeverstad	Kee	Redlin
Becker	Klefstad	Ringsak
Berube	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Brooks	Hernett	O'Brien
Gronvold	Kisse	

So the bill passed and the title was agreed to.

Senator Trenbeath moved that the Senate do concur in the House amendments to Senate Bill No. 194, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 194 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 194. A Bill for an Act to amend and reenact section 20-0328 and subsection 1 of section 20-0329 of the North Dakota Revised Code of 1943 relating to the transportation of game or fish by nonresidents and to provide for a limitation on the total number of certain game birds which may be taken during the year by nonresidents.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Klefstad	Redlin
Berube	Krause	Ringsak
Brooks	Larson	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Livingston	Schrock
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Freed	Meidinger	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:

Gronvold	Hernett	Kisse
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So the bill passed and the title was agreed to.

Senator Klefstad moved that the Senate do concur in the House amendments to Senate Bill No. 207, which motion prevailed.

Senator Klefstad moved that the rules be suspended and that Senate Bill No. 207 be deemed properly reen-grossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 207. A Bill for an Act to amend and re-enact subsection 5 of section 26-0603 and sections 50-0734 and 50-07342 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the obligation of counties in paying burial costs of persons receiving old age assistance.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Johnson	O'Brien
Baeverstad	Kee	Paulson
Becker	Klefstad	Redlin
Berube	Krause	Ringsak
Brooks	Larson	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Livingston	Schrock
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Freed	Meidinger	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Holand	Nesvig	Yunker
Hystad		

Absent and not voting:

Gronvold	Hernett	Kisse
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So the bill passed and the title was agreed to.

Senator Klefstad moved that the Senate do concur in the House amendments to Senate Bill No. 213, which motion prevailed.

Senator Klefstad moved that the rules be suspended and that Senate Bill No. 213 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 213. A Bill for an Act to amend and re-enact section 4-0815 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the one mill levy for county agent work, providing that all counties may levy such one mill regardless of taxable valuation and providing that the excess proceeds from the one mill levy be deposited in the county general fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Trenbeath
Foss	Longmire	Van Horn
Freed	Luick	Vendsel
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Murphy	Wenstrom
Gilbertson	Mutch	Yunker
Holand	Nesvig	

Those voting in the negative were:

Morgan	Thompson
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Absent and not voting:

Gronvold	Hernett	Kisse
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So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 217, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 217 be deemed properly reengrossed and place on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 217. A Bill for an Act to amend and re-enact Section 39-0639 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Right of Appeal to Court.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Klefstad	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Gronvold	Kisse	Schrock
Hernett		

So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 220, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 220 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 220. A Bill for an Act to provide that irregularities and defects occurring in proceedings taken under the provisions of chapter 40-22 of the North Dakota Revised Code of 1943, as amended, relating to improvements by the special assessment method will not invalidate such proceedings, if the proceedings are for a lawful purpose and are unaffected by fraud.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Gronvold	Kisse
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So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Baeverstad moved that the Senate do concur in the House amendments to Senate Bill No. 249, which motion prevailed.

Senator Baeverstad moved that the rules be suspended and that Senate Bill No. 249 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 249. A Bill for an Act relating to contractors' performance bonds and providing for payment of all use taxes due the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Klefstad	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Freed	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker
Absent and not voting:		
Foss	Kisse	Wartner
Gronvold		

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 6 has had the same under consideration and recommends: that the House recede from its amendments to Senate Bill No. 6 and that the bill be amended as follows:

In line 34 strike out the figure "\$150,000" and insert the figure "\$175,000" in lieu thereof.

On line 37 strike out the figure "\$5,592,918" and insert the figure "5,617,918" in lieu thereof.

For the Senate:

P. L. Foss
Walter R. Fiedler
Gail H. Hernett

For the House:

James W. Johnston
L. C. Mueller
Wilfred Collette

Senator Foss moved that the report be adopted, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 6 be deemed properly reengrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 6. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings and special projects for the State Hospital at Jamestown, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amend in Conference Committee, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
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Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Kisse Thompson

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 718

House Bill No. 821

House Concurrent Resolution "E 1"

House Concurrent Resolution "E 2"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 587

House Bill No. 632

House Bill No. 638

House Bill No. 710

House Bill No. 804

Which the Senate has amended.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 602

House Bill No. 672

House Bill No. 687

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a conference committee on Senate Bill No. 113 Senators Meidinger, Vendsel and George.

The President appointed as a conference committee on Senate Bill No. 142 Senators Erickstad, Garaas and Gefreh.

MOTIONS

Senator Holand moved that House Bill No. 501 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 505. A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen
Erickson	Larson	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Hernett Kisse

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 505 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 518. A Bill for an Act making an appropriation for the financing of the operations of the State Soil Conservation Committee and the activities of the State Soil Conservation Districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner

Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:
Kisse

So the bill passed and the title was agreed to.
 Senator Holand moved that the vote by which House Bill No. 518 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 522. A Bill for an Act making an appropriation for the disbursement by the Public Welfare Board in providing public assistance to dependent children and to needy blind and providing child welfare services and services to crippled children, also providing assistance to the needy aged and general assistance for relief to destitute and necessitous persons, aid to permanently and totally disabled, and for the necessary costs of administration of all of the programs above mentioned.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:
Kisse

So the bill passed and the title was agreed to.
 Senator Holand moved that the vote by which House Bill No. 522 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 527. A Bill for an Act making an appropriation out of the State Treasury for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the Highway Patrol.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:
 Andre Holand Nesvig

Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 527 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 529. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Game and Fish Department.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 529 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 537. A Bill for an Act to define, license, and regulate the business of lending in amounts of one thousand dollars or less; to prescribe maximum rates of

charge which licensees are permitted to make; to provide for the administration and enforcement of the Act by the state examiner, and to prescribe penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	O'Brien
Berube	Hystad	Paulson
Brooks	Johnson	Ringsak
Erickson	Kee	Saumur
Erickstad	Krause	Thompson
Foss	Larson	Trenbeath
Garaas	Lautenschlager	Van Horn
Gefreh	Livingston	Vendsel
George	Longmire	Wadeson
Gronvold	Luick	Yunker
Hernett		

Those voting in the negative were:

Andre	Miller	Redlin
Baeverstad	Morgan	Roen
Fiedler	Murphy	Schrock
Freed	Mutch	Wartner
Gilbertson	Nesvig	Wenstrom
Meidinger		

Absent and not voting:

Kisse Klefstad

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 537 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 538. A Bill for an Act to amend and reenact chapter 51-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to installment and conditional sales contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner

Gilbertson
Gronvold
Hernett

Murphy
Mutch

Wenstrom
Yunker

Absent and not voting:

Kisse

Klefstad

Thompson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 538 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 541. A Bill for an Act to transfer and dispose of certain special funds and nonreverting appropriations, and to amend and reenact sections 54-2714, and 54-2715 of the North Dakota Revised Code of 1943, and sections 6-0746, 6-0748, 6-0749, 39-1702, 54-3809, and 57-3204 of the 1957 Supplement to the North Dakota Revised Code of 1943, and to repeal section 6-0751 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer and disposition of moneys in certain special funds and nonreverting appropriations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Krause	Ringsak
Erickson	Longmire	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Absent and not voting:

Kisse

Klefstad

Thompson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 541 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 713. A Bill for an Act to make an appropriation for the preparation of a record of those who rendered military service during World War II and the Korean hostilities and to provide for distribution thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Kisse Thompson

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 713 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 736. A Bill for an Act to amend and reenact subsection 4 of section 12-2115 of the North Dakota Revised Code of 1943 relating to acts of Sabbath breaking and to amend and reenact section 12-2116 of the North Dakota Revised Code of 1943 relating to punishment for Sabbath breaking.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 14; nays, 34; absent and not voting, 1.

Those voting in the affirmative were:

Garaas	Lautenschlager	Redlin
Gronvold	Longmire	Saumur
Hystad	Meidinger	Trenbeath
Kee	Morgan	Wadeson
Larson	Mutch	

Those voting in the negative were:

Andre	Gilbertson	O'Brien
Baeverstad	Hernett	Paulson
Becker	Holand	Ringsak
Berube	Johnson	Roen
Brooks	Klefstad	Schrock
Erickson	Krause	Thompson
Erickstad	Livingston	Van Horn
Fiedler	Luick	Vendsel
Foss	Miller	Wartner
Freed	Murphy	Wenstrom
Gefreh	Nesvig	Yunker
George		

Absent and not voting:

Kisse

So the bill was declared lost.

**SECOND READING OF A HOUSE
CONCURRENT RESOLUTION**

House Concurrent Resolution "J". A Concurrent Resolution for amendment of section 155 of the Constitution of the state of North Dakota relating to sale of original grant school lands and reservation of minerals therein.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the resolution was declared adopted.

Senator Livingston: I rise to a point of personal privilege.

Mr. President: I wonder how many of you know that this Senate is being presided over by a record-holder. Lieutenant Governor Clarence P. Dahl (I'm told the initial "P" doesn't stand for any name, so I'll suggest "President") is now in his sixth term of office, and according to Ben Meier's records, no previous Lieutenant Governor has served that long. He has sat over the 1945, 1947, 1949, 1953, 1955, and 1959 Senate Sessions. He also served one full Senate term from 1939-42 and one session of a Senate term in 1951 from the 16th District, resigning the latter term to seek the Lieutenant Governor's office. The only election he's lost was to another Dahl with first name Math, and the voters probably thought one Dahl was as good as another.

This farmer-auctioneer from Cooperstown seems to possess the parliamentary knowledge, clear thinking, and personal respect necessary to facilitate the Senate's business and preserve decorum. Even during the coalition sessions of 1953 and 1955, when the majority by vote deprived him from serving as Chairman of the Committee on Committees, Mr. Dahl's conduct in the chair was gentlemanly and fair to both factions and members of each. Rarely does he make a parliamentary error. I feel the State of North Dakota is getting a bargain at \$1600 a year.

I ask you, members of the Senate, to give our Lieutenant Governor Clarence "President" Dahl, the record-holder, a standing recognition. Will you all rise?

Senator Trenbeath moved that the remarks of Senator Livingston be printed in the journal, which motion prevailed.

Mr. President: In the words that Senator Livingston told you that in the 1955 session they deprived me of being chairman of the Committee on Committees, that statement I want to correct. I was chairman of the Committee on Committees, but they never let me know when they met.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "K". A concurrent resolution directing the legislative research committee to make an interim study of the feasibility of providing a single set of laws to govern the school districts of the state.

Was read for the first time.

House Concurrent Resolution "X". A concurrent resolution directing the legislative research committee with the aid and cooperation of the state tax department to make a study of the state tax laws and tax structure.

Was read for the first time.

House Concurrent Resolution "A 2". A concurrent resolution directing the legislative research committee to review the oil and gas conservation and property laws of the state.

Was read for the first time.

House Concurrent Resolution "B 2". A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate after the legislative session for the purpose of completing legislative work.

Was read for the first time.

House Concurrent Resolution "C 2". A Concurrent Resolution providing for the completion of the legislative journals of the House and Senate.

Was read for the first time.

House Concurrent Resolution "D 2". A Concurrent Resolution providing for the preparation of a compilation of a record of bills introduced in the House of Representatives, and the Senate, of the State of North Dakota.

Was read for the first time.

House Concurrent Resolution "F 2". A concurrent resolution memorializing the Congress to adopt Senate Resolution 19 relating to the Senate Committee on Veterans Affairs.

Was read for the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "K", "X", "A 2", "B 2", "C 2", "D 2" and "F 2" be placed upon the calendar for final action, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "K". A concurrent resolution directing the legislative research committee to make an interim study of the feasibility of providing a single set of laws to govern the school districts of the state.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "K" be adopted, which motion prevailed.

House Concurrent Resolution "X". A concurrent resolution directing the legislative research committee with the aid and cooperation of the state tax department to make a study of the state tax laws and tax structure.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "X" be adopted, which motion prevailed.

House Concurrent Resolution "A 2". A concurrent resolution directing the legislative research committee to review the oil and gas conservation and property laws of the state.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "A 2" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to inform you that the Senate concurred in the House amendments to:

Senate Bill No. 4
 Senate Bill No. 45
 Senate Bill No. 53
 Senate Bill No. 59
 Senate Bill No. 99
 Senate Bill No. 111
 Senate Bill No. 119
 Senate Bill No. 194
 Senate Bill No. 207
 Senate Bill No. 213
 Senate Bill No. 217
 Senate Bill No. 220
 Senate Bill No. 249

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to inform you that the Senate adopted the report of the Conference Committee on Senate Bill No. 6.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 142 and the President has appointed as a Conference Committee,

Senators:
 Erickstad
 Garaas
 Gefreh

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 5, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 113 and the President has appointed as a Conference Committee,

Senators:
 Meidinger

Vendsel
George

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 5, 1959

Mr. President: I have to honor to transmit:
House Concurrent Resolution "Z 1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that after the reading of House Concurrent Resolutions "B 2", "C 2", "D 2" and "F 2" that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

SECOND READING OF HOUSE
CONCURRENT RESOLUTIONS

House Concurrent Resolution "B 2". A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate after the legislative session for the purpose of completing legislative work.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Erickson	Klefstad	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Longmire	Thompson
Freed	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Vendsel
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Hernett	Mutch	Yunker
Holand	Nesvig	

Absent and not voting:

Berube	Kisse	Ringsak
Brooks	Krause	Wenstrom
George	Livingston	

So the resolution was declared adopted.

House Concurrent Resolution "C 2". A Concurrent Resolution providing for the completion of the legislative journals of the House and Senate.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Erickson	Klefstad	Saumur
Erickstad	Larson	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Brooks	Krause	Roen
Kisse	Livingston	

So the resolution was declared adopted.

House Concurrent Resolution "D 2". A Concurrent Resolution providing for the preparation of a compilation of a record of bills introduced in the House of Representatives, and the Senate, of the State of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Klefstad	Redlin
Erickstad	Krause	Ringsak
Erickson	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett	Murphy	Wenstrom
Holand	Mutch	Yunker

Absent and not voting:

Brooks	Kisse	Roen
George		

So the resolution was declared adopted.

House Concurrent Resolution "F 2". A concurrent resolution memorializing the Congress to adopt Senate Resolution 19 relating to the Senate Committee on Veterans Affairs.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 8; nays, 39; absent and not voting, 2.

Those voting in the affirmative were:

Brooks	Hystad	Van Horn
Freed	Longmire	Vendsel
Garaas	Thompson	

Those voting in the negative were:

Andre	Holand	Mutch
Baeverstad	Johnson	Nesvig
Becker	Kee	O'Brien
Berube	Klefstad	Paulson
Erickson	Krause	Redlin
Erickstad	Larson	Ringsak
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Schrock
Gefreh	Luick	Trenbeath
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Hernett	Murphy	Yunker

Absent and not voting:

Kisse	Roen
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So the resolution was declared lost.

SECOND READING OF A HOUSE BILL

House Bill No. 597. A Bill for an Act creating a state milk control board to supervise and regulate the fluid milk industry of the state of North Dakota, and defining its powers and duties; setting forth the rules governing said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the board's rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this Act, and establishing the manner of this Act's taking effect, and providing for an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 21; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Thompson
Baeverstad	Kee	Trenbeath
Becker	Longmire	Van Horn
Brooks	Luick	Vendsel
Foss	Morgan	Wadeson
Freed	Nesvig	Wartner
Garaas	Paulson	Wenstrom
Gilbertson	Saumur	Yunker
Hernett		

Those voting in the negative were:

Berube	Johnson	Murphy
Erickson	Klefstad	Mutch
Erickstad	Krause	O'Brien
Fiedler	Larson	Redlin
Gefreh	Lautenschlager	Ringsak
George	Livingston	Roen
Hystad	Miller	Schrock

Absent and not voting:

Gronvold

Kisse

Meidinger

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 597 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

COMMUNICATIONS

A communication was presented addressed to Honorable C. P. Dahl, President of the Senate, from William Langer.

Senator Holand moved that the communication from Senator Langer be printed in the journal, which motion prevailed.

UNITED STATES SENATE

Committee on the Judiciary

March 4, 1959

Honorable C. P. Dahl
President of the Senate
Bismarck, North Dakota

My dear Lieutenant Governor:

Mrs. Langer was deeply touched by the kind and generous Resolution passed by the House of Representatives and concurred in by the Senate. I know I speak for her when I say that her meetings with the people of North Dakota while, as my wife she was the first lady of the State, meant much to her. She loves the people of North Dakota and has missed them while we are here in Washington. She also notes appreciatively that the Resolution is number I. That means that it was one of the first thoughts of the Legislature at their meeting in January of this year.

She had hoped to thank you, Mr. President and the members of the Senate and the House, for your thoughtfulness and generosity in her time of stress; however, just at this time she does not feel able to do so. She has, therefore, asked me to express to you members of the Senate and to the House her deep appreciation and sincere thanks for passing House Concurrent Resolution I. It means much to her now; it will help her in her illness and brings to her the hope that she will before long, have the opportunity to express her thanks in person.

At the same time, she wants you to know that now and in the years to come she wishes for every member of the Senate and House the same happiness and comfort within their family circles that she has enjoyed in hers.

Mr. President, may I join with her in acknowledging in her behalf the understanding and the warmth that the Resolution brings to her and to me.

This letter carries my very best wishes and gratitude to you all for remembering my beloved wife in such a thoughtful and generous way.

Very sincerely,
WILLIAM LANGER

MOTIONS

Senator Holand moved that the Senate recess until 10:00 a.m., March 6, 1959, which motion prevailed.

VIC GILBREATH, Secretary.

FIFTY-NINTH DAY AFTER RECESS AND
SIXTIETH DAY

Bismarck, March 6, 1959

The Senate convened at 10:00 a.m., pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "K"
House Concurrent Resolution "X"
House Concurrent Resolution "A 2"
House Concurrent Resolution "B 2"
House Concurrent Resolution "C 2"
House Concurrent Resolution "D 2"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 505
House Bill No. 518
House Bill No. 522
House Bill No. 527
House Bill No. 529
House Bill No. 538
House Bill No. 541
House Bill No. 597
House Bill No. 713

House Concurrent Resolution "J"

Which the Senate has amended.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 736
House Concurrent Resolution "F 2"

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 1
 Senate Bill No. 29
 Senate Bill No. 30
 Senate Bill No. 42
 Senate Bill No. 43
 Senate Bill No. 48
 Senate Bill No. 49
 Senate Bill No. 65
 Senate Bill No. 88
 Senate Bill No. 108
 Senate Bill No. 150
 Senate Bill No. 209
 Senate Bill No. 266
 Senate Bill No. 275
 Senate Bill No. 279
 Senate Bill No. 282
 Senate Bill No. 290
 Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "CC"

Which the House has amended as follows:

Senate Bill No. 1:

Line 115, change the figure "\$66,625.00" to the figure "\$75,625.00"

Line 123, change the total from "\$130,245.00" to the figure "\$139,245.00"

In line 156, after the figure "\$117,600.00" insert a new line 156a and the following language: "Salary for Oil and Gas Attorney" and the figure "\$15,000.00".

Line 164, change the figure "\$2,000.00" to the figure "\$4,000.00"

Line 165, change the figure "\$5,600.00" to the figure "\$6,125.00".

Line 166, change the total from "\$203,640.00" to the figure "\$221,165.00".

Line 174, change the figure "\$14,000.00" to the figure "\$20,000.00".

In line 174 after the amended figure of "\$20,000.00", add a new line 174a and the following language: "Compilation and publication of Elementary North Dakota Agricultural Text Book" and the figure "\$5,000.00".

Line 181, change the total from "\$279,950.00" to the figure "\$290,950.00"

In line 197, after the figure "\$14,000.00" insert a new line 197a and the following language: "Market News Service" and the figure "\$4,500.00".

Line 199, change the total from "\$366,885.00" to the figure "\$371,385.00".

Delete line 209.

Line 222, change the figure from "\$5,610.00" to the figure "\$5,355.00".

In line 232, change the total from "\$401,310.00" to the figure "\$389,055.00".

Line 314, change the figure of "\$10,600.00" to the figure "\$10,900.00".

Line 316, change the figure from "\$1,000.00" to the figure "\$700.00".

In line 380, after the figure "\$5,300.00" insert a new line 380a and the following language: "Oil and Gas Study" and the figure "\$10,000.00".

After the figure "\$10,000.00" insert another new line 380b and the following language: "Tax Research Study" and the figure "\$30,000.00".

Line 381, change the total from "\$102,000.00" to the figure "\$142,000.00".

Line 386, change the figure "\$60,000.00" to the figure "\$85,000.00".

Line 390, change the total "\$408,150.00" to the figure "\$433,150.00".

Line 431, change the figure "\$22,000.00" to the figure "\$18,000.00".

Line 438, change the total from "\$50,000.00" to the figure "\$46,000.00".

Line 441, change the figure "\$27,000.00" to the figure "\$24,000.00".

Line 450, change the total "\$91,192.00" to the figure "\$88,192.00".

Line 451, change the Grand Total from "\$6,357,357.00" to the figure of "\$6,445,127.00".

Renumber the lines accordingly.

Senate Bill No. 29:

In line 3 delete the numeral "322,580.00" and insert the numeral "346,580.00" in lieu thereof

In line 9 delete the numeral "282,580.00" and insert the numeral "270,580.00" in lieu thereof

In line 10 delete the numeral "40,000.00" and insert the numeral "76,000.00" in lieu thereof

In line 11 delete the numeral "322,580.00" and insert the numeral "346,580.00" in lieu thereof

Following line 11 insert the following words: "The appropriation made herein for remodeling Francis Hall shall be expended in accordance with instructions and under the supervision of the state board of higher education."

Senate Bill No. 30:

Line 7, change the figure "\$780,960.00" to the figure "\$798,960.00"

Line 12, change the figure "\$371,700.00" to the figure "\$387,300.00"

Line 13, change the figure "\$112,000.00" to the figure "\$114,400.00"

Line 21, change the total "\$616,900.00" to the figure "\$634,900.00"

Line 42, change the Grand Total "\$780,960.00" to the figure "\$798,960.00".

Senate Bill No. 42:

In line 631, strike out the words "highway commissioner" and insert in lieu thereof the words "reciprocity commission".

Strike out all of line 713 and insert in lieu thereof the following:

Motor vehicles having not over two axles owned and operated by non-residents and any motor vehicle of three axles or more operated in this state pursuant to a proportional licensing or other agreement or arrangement with any jurisdiction having motor vehicle registration authority.

Gross Weight	Years Registered		
	1st, 2nd & 3rd Years	4th, 5th & 6th Years	7th & Subsequent Years
24,001-26,000	\$ 159.50	\$ 127.50	\$ 96.00
26,001-28,000	187.00	149.50	112.00
28,001-30,000	220.00	176.00	132.00
30,001-32,000	253.00	202.50	152.00
32,001-34,000	286.00	229.00	171.50
34,001-36,000	319.00	255.00	191.50
36,001-38,000	352.00	281.50	211.00
38,001-40,000	385.00	308.00	231.00
40,001-42,000	418.00	334.50	251.00
42,001-44,000	451.00	361.00	270.50
44,001-46,000	484.00	387.00	290.50
46,001-48,000	517.00	413.50	310.00
48,001-50,000	550.00	440.00	330.00
50,001-52,000	583.00	466.50	350.00
52,001-54,000	616.00	493.00	370.00
54,001-56,000	649.00	519.00	339.50
56,001-58,000	682.00	545.50	409.00
58,001-60,000	715.00	572.00	429.00
60,001-62,000	748.00	609.50	449.00
62,001-64,000	781.00	625.00	468.50
64,001-66,000	814.00	651.00	488.50
66,001-68,000	847.00	677.50	508.00
68,001-70,000	891.00	715.00	535.00
70,001-72,000	946.00	759.00	568.00
72,001-73,280	990.00	803.00	594.00

After line 848, insert the following:

5. Vehicles having a gross weight of more than 24,000 but not more than 40,000 and which are used as farm vehicles only shall be entitled to registration upon payment of fifty percent of the fee prescribed in subsection 2b of this section. A farm vehicle shall be considered, for the purpose of this subsection, as a motor vehicle owned and operated by a bona fide resident farmer who uses such vehicle exclusively for transporting his own property between farms and the usual local trading places and not for hire. The registrar shall issue a distinctive registration plate for such vehicles.

In line 1138, strike the word "four" and insert in lieu thereof the word "fourteen".

Renumber the lines accordingly.

Senate Bill No. 43:

In line 38 of the title of the bill following the word "repeal" insert the words "chapter 54-22 and"

In line 908 of the bill delete the word "one" and insert the word "five"

In line 913 delete the word "one" and insert the word "five"

In line 2866 prior to the word "sections" insert the words "chapter 54-22 and"

In line 2873 delete the number "1960" and insert the following in lieu thereof: "1961, except that all provisions of this Act relating to purchases, printing, the printing commission, and state printer and the repeal of chapter 54-22 of the North Dakota Revised Code of 1943 shall be effective July 1, 1960"

Renumber the lines accordingly.

Senate Bill No. 48:

In line 4 of the title of the bill delete the words "and 54-0609"

Delete lines 112 through 140 of the engrossed bill, both lines inclusive

In line 238 delete the number "1960" and insert in lieu thereof the number "1961"

Renumber the lines accordingly.

Senate Bill No. 49:

Line 4 of the title, delete the words "and farm labor,"

Line 8 of the bill, delete the words "farm labor or"

Line 46 of the bill, place brackets around the words "agriculture or"

Delete all of lines 61 through 65 and insert in lieu thereof the following paragraph:

10. "Wages" shall include money received for services performed, including lodging, fuel and fifty-five (55) cents per meal for board which the employee receives from the employer as a part of his remuneration, and other advantages, including gratuities, which can be estimated in money which the employee receives.

In line 39 of the engrossed bill, strike the brackets around the word "eighteen" and delete the word "sixteen".

In the committee report, in line 5 of subsection 10, after the word "gratuities", and the comma, add the following language "but excluding tips exceeding the minimum hourly wage standard" and a comma

Renumber the lines accordingly.

Senate Bill No. 65:

Delete everything following the words "A BILL" and insert in lieu thereof the following language:

For an Act providing that the time fixed by the United States Congress or by order of the Interstate Commerce Commission for portions of this state be adopted, and providing for an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. TIME TO BE OBSERVED IN STATE.)
- 2 The standard time filed and prescribed for the state of
- 3 North Dakota by act of Congress or by order of the
- 3a Inter-
- 4 state Commerce Commission shall apply in each and

4a every
 5 part of this state, except as hereinafter provided, for
 6 all purposes. No city, village, municipality, taxing
 7 district, county or other political subdivision affected
 8 by the provisions of this Act shall possess power to
 9 adopt permanently or temporarily any standard time
 9a to
 10 be observed other than that prescribed herein. All
 11 municipal ordinances, resolutions or other forms of
 12 enactment by any body in conflict with the provisions
 12a of
 13 this Act are hereby nullified, whether enacted prior or
 14 subsequent to the effective date of this Act. The
 14a counties
 15 of Adams, Billings, Bowman, Dunn, Golden Valley,
 15a Grant,
 16 Hettinger, McKenzie, Mercer, Morton, Oliver, Slope,
 16a Sioux
 17 and Stark shall not be affected by the provisions of
 17a this
 18 Act.
 19 SECTION 2. EMERGENCY.) This Act is hereby de-
 19a clared
 20 to be an emergency measure and shall be in full force
 20a and
 21 effect from and after its passage and approval.

Senate Bill No. 88:

After the words "A BILL" strike out all of the remaining material contained in said bill and substitute the following: For an Act to amend and reenact Section 24-0220 and Section 48-0204 of the North Dakota Revised Code, as amended, relating to the bidding requirements for state highway department contracts and to the construction of public buildings, contents for advertising bids, and providing for bidder's bond.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section 24-0220 of the
 2 1957 Supplement to the North Dakota Revised Code of
 3 1943 is hereby amended and reenacted to read as fol-
 3a lows:
 4 24-0220. BIDS, WHERE OPENED:
 5 REQUIREMENTS; BONDS OR CHECKS OF THREE
 5a LOWEST
 6 BIDDERS RETAINED.) All bids shall be opened at the
 7 time and place specified in the advertised request for
 8 bids. Each bid shall be accompanied by a certified
 8a check
 9 of the bidder on a solvent North Dakota bank, in an
 9a amount
 10 equal to five percent of his bid, (((Such check shall)))
 11 to be forfeited to the state highway fund should the
 11a bidder
 12 fail to effect a contract within ten days after a notice
 13 of an award or by a bidder's bond in a sum equal to
 13a twenty
 14 percent of the full amount of the bid, executed by the
 15 bidder as principal and by a surety company authorized
 15a to
 16 do business in this state, conditioned that if the

17 principal's bid be accepted and the contract awarded to
 18 him, he, within ten days after notice of award, will
 19 execute and effect a contract in accordance with the
 19a terms
 20 of his bid and a contractor's bond as required by law
 20a and
 21 the regulations and determinations of the department.

22 All (((certified bidders'))) bonds or checks,
 23 except those of the responsible bidders submitting the
 24 three lowest and best bids, shall be returned to the
 25 bidders promptly upon opening such bids. The bond or
 26 check of the responsible bidder submitting the lowest
 27 and best bid may be cashed (((and the money))) or
 28 retained until the contract has been awarded and
 29 executed properly. The bonds or checks of the
 30 responsible bidders submitting the second and third
 31 lowest and best bids may be returned to the bidders
 32 when the department has determined to whom the
 32a contract
 33 is to be awarded.

34 SECTION 2. AMENDMENT.) Section 48-0204 of the
 35 North Dakota Revised Code of 1943 is hereby amended
 35a and

36 reenacted to read as follows:

37 48-0204. CONTENTS OF ADVERTISEMENT.) The
 38 advertisement for bids required by Section 48-0203
 38a shall
 39 state:

- 40 1. When and where the plans, drawings, and
 41 specifications therefor may be seen and examined;
- 42 2. The place where, and the day and hour when, the
 43 bids will be opened;
- 44 3. That the right of the board to reject any and all
 45 bids is reserved; (((and)))
- 46 4. (((the requirement that a certified check on
 47 some solvent bank within the state of North
 48 Dakota for not less than five percent of the
 49 amount of the bid shall accompany the same as
 50 a guarantee that the bidder will enter into the
 51 contract if his bid is accepted.))) Each bid
 52 shall be accompanied by a certified check of the
 53 bidder on a solvent North Dakota bank, in the
 54 amount equal to five percent of his bid, to be
 55 forfeited to the governing board should the
 56 bidder fail to effect a contract within ten
 57 days after a notice of an award or by a
 58 bidder's bond in a sum equal to twenty percent of
 59 the full amount of the bid, executed by the
 60 bidder as principal and by a surety company
 61 authorized to do business in this state, con-
 62 ditioned that if the principal's bid be
 63 accepted and the contract awarded to him, he,
 64 within ten days after notice of award, will
 65 execute and effect a contract in accordance
 66 with the terms of his bid and a contractor's
 67 bond as required by law and the regulations and
 68 determinations of the department;
- 69 5. All bidders must be licensed for the highest
 70 amount of their bids, as provided by
 71 Section 43-0705; and
- 72 6. No bid will be read or considered which does not

73 fully comply with the above provisions as to bond
 74 and licenses, and any deficient bid submitted
 75 will be resealed and returned to the bidder
 76 immediately.

Senate Bill No. 108:

Delete everything after the words "A BILL" and insert the following language in lieu thereof: "For an Act to appropriate money for the creation and development of a children's psychiatric outpatient clinic to be administered by the state board of administration,

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the public welfare fund in the state treasury, not otherwise appropriated, the sum of one hundred and fifty thousand dollars to the state board of administration to be used in the creation and development of a children's psychiatric outpatient clinic which shall be administered by the state board of administration as a part of the state hospital, but which shall be located at such city or place as the board of administration in its discretion shall determine is most necessary and convenient to accomplish the purpose of psychiatric assistance for those youths and children placed under the control of the state of North Dakota through the operation of laws of the state of North Dakota."

Renumber the lines accordingly.

And re-refer to the committee on appropriations.

Senate Bill No. 150:

Line 120 delete the word "four" and insert in lieu thereof "two"

Senate Bill No. 209

In line 3 delete the word "obsolete"

In line 4 delete the words "or superseded volumes of state laws" and insert in lieu thereof the words "but ten volumes of the 1947 and 1953 supplements to the North Dakota Revised Code of 1943"

Renumber the lines accordingly.

Senate Bill No. 266

Delete all of lines 146 through 149 of the engrossed bill

Line 150 of the engrossed bill, delete the number "13" after the word "SECTION" and insert in lieu thereof the number "12"

Renumber the lines accordingly.

Senate Bill No. 275:

In line 7 of the title of the bill after the comma following the numeral "33-1212", insert the following: "33-0123, 40-1806,"

In line 21 of the title of the bill delete the comma following the numeral "40-1802" and insert in lieu thereof the word "and"

In line 21 of the title of the bill delete the comma following the numeral "11-1003"

In line 22 of the title of the bill delete the words "and 33-0123"

Delete lines 6 through 9, both lines inclusive, and insert the following words in lieu thereof: "the peace, or the justice court is referred to in the laws of this state, the same shall mean the county justice and the county justice court, as the case may be"

In line 53 of the bill, delete the word "formerly"

Delete all of lines 63 and 64 of the bill and insert in lieu thereof the following: "27-1801. OFFICE OF COUNTY JUSTICE; WHEN CREATED; HOW FILLED.)"

Delete lines 69, 70, 71, 72, and 73, and insert in lieu thereof the following: "27-1801. OFFICE OF COUNTY JUSTICE; WHEN CREATED; HOW FILLED.) The office of county justice may be created by resolution of the board of county commissioners in any county. The holder of such office shall be a qualified person and shall be elected by the electors of the county, or counties, for which he serves, in the same manner as other elective county offices. In the event the office of county justice, when created, is not filled by election, the board of county commissioners shall have the power to appoint a qualified person to said office."

In line 76 of the bill after the word "state" insert the following words: "but need not be an elector of the county for which he is elected or appointed," and delete the words "at the pleasure of the"

Delete all of line 77 of the bill and insert in lieu thereof the following: "for a term of two years commencing at the same date as the term of the county judge. The county justice so elected or appointed may serve more than one county."

On line 82 of the bill delete the words "judge appointing him", and insert in lieu thereof the following: "board of county commissioners of the county for which he is elected or appointed"

On line 88 of the bill after the word "is", insert the following words: "elected or"

On line 89 of the bill after the word "be" insert the word "equitably", delete the words "judge appointing him", and insert in lieu thereof the following: "several boards of county commissioners"

On line 90 of the bill delete the words: "of the judicial district"

On line 93 of the bill delete the words: "and upon approval of"

On line 94 of the bill delete the words: "the judge appointing him"

On line 101 of the bill after the word "is" insert the following words: "elected or"

On line 103 of the bill after the word "is" insert the following words: "elected or"

On line 153 of the engrossed bill delete the words "a county justice for" and insert in lieu thereof the words "the next nearest county justice"

On line 154 delete the words "the same county"

Delete all of lines 168 through 180 of the engrossed bill and insert in lieu thereof the following language:

- “1. One county auditor;
2. One register of deeds;
3. One clerk of the district court;
4. One state's attorney;
5. One sheriff;
6. One county judge;
7. One county treasurer;
- ((9)) 8. One coroner;
- ((10)) 9. One county superintendent of schools;
- ((11. Four justices of the peace))) 10. One county justice;
- ((12)) 11. Four constables;
- ((13)) 12. One public administrator; and
- ((14)) 13. A board of county commissioners consisting of three or five members as provided in this title.

In counties having a population of more than six thousand and not more than fifteen thousand, the county judge shall be an ex officio clerk of the district court, and in counties having a population of six thousand or less, the register of deeds shall be ex officio clerk of the district court and county judge. The required officers shall be chosen by the qualified electors of the respective counties at the general election in each even numbered year, except the members of the board of county commissioners, who shall be chosen in the manner prescribed in section 11-1102, ((and)) the public administrator, who shall be chosen in the manner prescribed in section 11-2101, the county justice, who shall be chosen in the manner prescribed in section 27-1801, the county coroner, who shall be chosen in the manner prescribed in section 11-19A03, and the constables, who shall be appointed by the board of county commissioners.”

Delete all of line 230 of the engrossed bill.

Following line 527 of the engrossed bill insert the following language:

“SECTION 31. AMENDMENT.) Section 33-0123 of the 1957 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

33-0123. FEES TO BE CHARGED BY ((JUSTICE))) POLICE MAGISTRATE.) A ((justice of the peace))) police magistrate shall be entitled to charge and receive the following fees:

1. For issuing summons or warrant of arrest and all proceedings prior to trial, two dollars;
2. For entry of default judgment or sentence upon plea of guilty or order binding over on waiver, two dollars;
3. For trial of issue of fact or preliminary hearing, four dollars;
4. For issuing execution and all proceedings subsequent to entry of judgment, one dollar;
5. Performing marriage ceremony, three dollars; and
6. For taking affidavit or acknowledgment other than in pending proceeding, twenty-five cents.

SECTION 32. AMENDMENT.) Section 40-1806 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

40-1806. POLICE MAGISTRATE WHO IS PAID SALARY TO TURN FEES INTO CITY TREASURY.) When the police magistrate is paid a salary by the city, he shall not receive fees of any kind or in any amount from the city. In all criminal actions and in all actions instituted under any ordinance of the city, however, he shall collect the same fees as are allowed by ((law to a justice of the peace)) section 33-0123, and such fees shall be paid by him into the city treasury at the end of each month. At the end of each month, the magistrate shall make and file with the city auditor a written report under oath showing an account of all fees collected by him in such actions during the preceding month and showing the actions in which such fees were collected. His salary shall not be paid to him until he has complied with the provisions of this section."

On line 528 of the engrossed bill delete the numeral "31" and insert in lieu thereof the numeral "33"

On line 529 of the engrossed bill delete the word "January" and the numeral "2" and insert in lieu thereof "July 1"

On line 530 of the engrossed bill delete the numeral "32" and insert in lieu thereof the numeral "34"

On line 530 of the engrossed bill delete the following: "33-0123,"

On line 531 of the engrossed bill delete the word "is" and insert in lieu thereof the word "are"

Renumber the lines accordingly.

Senate Bill No. 279:

Line 16 of the Bill, delete the brackets surrounding the word "twenty-five" and delete the underscored word forty.

After Line 18 of the Bill, add the following language: "In counties having a population in excess of thirty thousand, members of the county welfare board shall receive, in addition to any salaries they may receive from any other source, from the state or county or any municipality, the sum of ten dollars per day for time actually spent in transacting the business of the board not to exceed a maximum of thirty-five days a year. Members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties and shall be paid legal mileage for necessary travel."

Renumber the lines accordingly.

Senate Bill No. 282:

On line number 7 of the bill, delete the triple brackets;

On line number 11 of the bill, delete the word "or" and insert in lieu thereof a comma "(,)", also on line number 11, delete the triple brackets and insert in lieu thereof ", or gambling",

Renumber the lines accordingly.

Senate Bill No. 290:

In the second line of the title of the engrossed bill delete the words "and grants"

In the fourth line of the title of the engrossed bill delete the word "and"

In the fifth line of the title of the engrossed bill delete the word "grant"

In line 3 of the engrossed bill following the word "loans" delete the words "and grants"

In line 10 of the engrossed bill, following the word "and" delete the word "grants" and insert in lieu thereof the words "and costs of same"

In line 14 of the engrossed bill, following the word "loans" delete the words "and grants"

In line 16 of the engrossed bill, following the word "loans" delete the words "and grants"

In line 31 of the engrossed bill, following the word "loans" delete the words "and grants"

In line 45 of the engrossed bill, following the word "loans" delete the words "and grants"

In line 68 of the engrossed bill, following the word "loans" delete the words "and grants"

In line 72 of the engrossed bill, following the word "loans" delete the words "and grants"

In line 79 of the engrossed bill, following the word "loans" delete the words "and grants"

In line 96 of the engrossed bill, following the period, insert the following language: "To cover costs incidental to loans and grants the Bank of North Dakota shall receive and retain one-half of one per centum on amounts loaned or invested, to be payable from earnings as realized."

In line 99 of the engrossed bill, delete the word "three" and insert the word "one"

In line 100 of the engrossed bill, following the word "transferred" insert the word "forthwith"

Delete all of lines 103 through 114 inclusive

Renumber the lines accordingly.

And re-refer to the Committee on Appropriations.

Senate Concurrent Resolution "S":

In line 30 after the word "instruction" delete the "comma" and insert the following language: "to recommend to all schools that appropriate observance be instituted within their regular school routine; also"

Senate Concurrent Resolution "CC"

In line 14 after the word "from" insert the word "aviation"

In line 15 before the word "motor" insert the word "aviation"

In line 15 after the word "other" insert the word "aviation"

In line 16 after the word "aircraft" insert a "comma"

In line 16 delete the following language: "and license and registration"

In line 17 delete the following language: "taxes on aircraft,"

Renumber the lines accordingly.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 97

Which the House has amended as follows:

In line 5 of the title delete the word "commercial"

In line 6 of the bill delete the word "commercial"

In line 12 delete the word "commercial"

In line 24 delete the word "commercial"

In line 25 after the word "state," insert the following language: "comma provided that claim for refund shall not be permitted when any invoice shows a purchase of less than 50 gallons comma"

In line 48 delete the word "six" and insert in lieu thereof the word "seven"

In line 50 after the word "fuel" delete the following language: "for heating purposes which is" and insert in lieu thereof the following language: "to be used for heating, agriculture and railroad purposes"

Delete all of line 51

On line 52 delete the word "appliance"

In line 60 delete the word "commercial"

In line 60 after the word "state," insert the following language: "comma provided that the claim for refund shall not be permitted when any invoice shows a purchase of less than 50 gallons comma"

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 113, Representatives:

Hilleboe
Saugstad
Powell

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 142, Representatives:

Muggli
Burk
Halcrow

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 525
House Bill No. 582
House Bill No. 643
House Bill No. 667
House Bill No. 695
House Bill No. 706
House Bill No. 708

House Bill No. 730
 House Bill No. 767
 House Bill No. 587
 House Bill No. 710
 House Bill No. 804

GERALD L. STAIR, Chief Clerk.

House Chamber
 Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House refused to concur in the Senate amendment to House Bill No. 551 and the Speaker has appointed as a conference committee, Representatives:

Streibel
 Loewen
 Maixner

GERALD L. STAIR, Chief Clerk.

House Chamber
 Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 632 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Gress
 Trom
 Karabensh

GERALD L. STAIR, Chief Clerk.

House Chamber
 Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House refused to concur in the Senate amendment to House Bill No. 822 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Doherty
 Bier
 Winge

GERALD L. STAIR, Chief Clerk.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 551, Senators Trenbeath, Meidinger and Berube.

The President appointed as a Conference Committee on House Bill No. 632, Senators Klefstad, Ringsak and Garaas.

The President appointed as a Conference Committee on House Bill No. 822, Senators Longmire, Paulson and Brooks.

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, March 6, 1959

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. 551, Senators:

Trenbeath

Meidinger
Berube

VIC GILBREATH, Secretary.
Senate Chamber
Bismarck, March 6, 1959

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. 632, Senators:

Klefstad
Ringsak
Garaas

VIC GILBREATH, Secretary.
Senate Chamber
Bismarck, March 6, 1959

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. 822, Senators:

Longmire
Brooks
Paulson

VIC GILBREATH, Secretary.
Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:
House Bill No. 537
Which the Senate has amended.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 6.

The Vote:

101 ayes
1 nay
11 absent

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that the rules be suspended and that the reading of the House amendments to Senate Bills No. 1, 29, 30, 42, 43, 48, 49, 65, 88, 108, 150, 209, 266, 275, 279, 282, 290, Senate Concurrent Resolution "S" and "CC" be dispensed with, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 142 has had the same under consideration and recommends that the Senate do concur with the House amendments.

For the Senate:
Ralph J. Erickstad
John O. Garaas
Adam Gefreh

For the House:
 Norbert Muggli
 Walter O. Burk
 Don Halcrow

Senator Erickstad moved that the report be adopted, which motion prevailed.

Senator Gefreh moved that the rules be suspended and that Senate Bill No. 142 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 142. A Bill for an Act relating to chemical tests of intoxication for drivers of motor vehicles and providing for suspension of operator's license upon refusal to submit to proper test and to amend and reenact section 39-0101 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 61 and to amend and reenact section 39-0801 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to intoxicating liquor and persons under the influence of intoxicating liquor.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as reported out of Conference Committee, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Brooks	Klefstad	Roen
Erickson	Larson	Schrock
Fiedler	Lautenschlager	Trenbeath
Foss	Livingston	Vendsel
Freed	Luick	Wadeson
Garaas	Meidinger	Wartner
Gefreh	Miller	Wenstrom
George	Morgan	Yunker
Hernett		

Absent and not voting: -

Berube	Kisse	Nesvig
Erickstad	Krause	Ringsak
Gilbertson	Longmire	Saumur
Gronvold	Murphy	Thompson
Holand	Mutch	Van Horn

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 322 has had the same under consideration and recommends that the House do concur with the Senate amendments and further amend the bill in "Section 5." by inserting the word "EMERGENCY" following the period after the figure "5"

Renumber the lines accordingly.

For the Senate:
 George Longmire

Lee J. Brooks
 Clayton Paulson
 For the House:
 Howard Doherty
 Howard Bier
 Ralph Winge

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Brooks moved that the rules be suspended and that House Bill No. 822 be placed upon second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 822. A Bill for an Act relating to county zoning and planning and providing for the submission of plans for the establishment of zoning and planning districts adjacent to cities, and for division of costs, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Andre	Hernett	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Brooks	Kee	Roen
Erickson	Klefstad	Saumur
Fiedler	Larson	Schrock
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Vendsel
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Wenstrom
Gronvold	Morgan	Yunker

Absent and not voting:

Berube	Krause	Nesvig
Erickstad	Longmire	Ringsak
Gilbertson	Murphy	Thompson
Holand	Mutch	Van Horn
Kisse		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 113 has had the same under consideration and have been unable to agree and recommend that a new Conference Committee be appointed and that your present Conference Committee be discharged.

For the Senate:
 R. E. Meidinger
 H. W. George
 Raymond G. Vendsel

For the House:
 C. Hilleboe
 Stanley Saugstad
 Rex Powell

Senator Meidinger moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a new Conference Committee on Senate Bill No. 113 Senators Erickson, Kee and O'Brien.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on Senate Bill No. 113 and the President has appointed as a new Conference Committee,

Senators:
 Erickson
 Kee
 O'Brien

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 142.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 822.

The vote:
 36 Ayes
 0 Nays
 13 Absent

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has laid the Senate amendment to House Bill No. 597 on the table.

GERALD L. STAIR, Chief Clerk.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 551 has had the same under consideration and recommends that the House do concur with Senate amendments.

For the Senate:
 R. E. Meidinger
 Grant Trenbeath
 Philip Berube

For the House:
Rep. Streibel
Rep. Maixner
Rep. Loewen

Senator Meidinger moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 551.

The Vote:
49 ayes
0 nays
0 absent

VIC GILBREATH, Secretary.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Wadeson moved that the Senate do not concur in the House amendments to Senate Bill No. 266 and that a Conference Committee be appointed, which motion prevailed.

Senator Wartner moved that the Senate do not concur in the House amendments to Senate Bill No. 282 and that a Conference Committee be appointed, which motion prevailed.

Senator Wadeson moved that the Senate do not concur in the House amendments to Senate Bill No. 49 and that a Conference Committee be appointed, which motion prevailed.

Senator Foss moved that the Senate do concur in the House amendments to Senate Bill No. 108.

Senator Holand requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

The question being on the motion of Senator Foss that the Senate do concur in the House amendments to Senate Bill No. 108, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 108 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 108. A Bill for an Act to appropriate money for the construction of a children's psychiatric center to be administered by the state board of administration.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:
Andre Holand Nesvig

Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernett		

Absent and not voting:

Kisse Lautenschlager Schrock

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House refused to concur in the Senate amendment to House Bill No. 518 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives:

Goebel
Sorlie
Rolfsrud

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House refused to concur in the Senate amendment to House Bill No. 537 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives:

Brown
Neukircher
Hjelle

GERALD L. STAIR, Chief Clerk.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on House Bill No. 537, Senators Hernett, Berube and Freed.

The President appointed as a Conference Committee on House Bill No. 518, Senators Foss, Fiedler and Livingston.

The President appointed as a Conference Committee on Senate Bill No. 266, Senators Wadeson, Nesvig and Luick.

The President appointed as a Conference Committee on Senate Bill No. 49, Senators Morgan, Redlin and Becker.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Hernett moved that the Senate do concur in the House amendments to Senate Bill No. 150, which motion prevailed.

Senator Hernettt moved that the rules be suspended and that Senate Bill No. 150 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 150. A Bill for an Act to amend and reenact sections 40-4501, 40-4502, 40-4508, 40-4513 and 40-4516, of the 1957 Supplement to the North Dakota Revised Code of 1943, and section 40-4509 of the North Dakota Revised Code of 1943 relating to police pensions in cities.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Vendsel
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Hernettt		

Absent and not voting:

Kisse	Lautenschlager	Schrock
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So the bill passed and the title was agreed to.

Senator Hernettt moved that the Senate do not concur in the House amendments to Senate Bill No. 65 and that a Conference Committee be appointed.

Senator Freed made the substitute motion that Senate Bill No. 65 be indefinitely postponed, which motion was lost.

The question being on the motion of Senator Hernettt that the Senate do not concur in the House amendments to Senate Bill No. 65, and that a Conference Committee be appointed, which motion prevailed.

Senator Garaas moved that the Senate reconsider the action by which the motion of Senator Hernettt to not concur was carried, which motion was lost.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 65, Senators Freed, Krause and Van Horn.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Foss moved that the Senate do not concur in the House amendments to Senate Bill No. 1, and that a Conference Committee be appointed, which motion prevailed.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 275, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 275 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 275. A Bill for an Act to abolish the office of justice of the peace and to confer the jurisdiction of such office elsewhere, and to amend and reenact sections 27-0820, 27-0702, 33-0108, 40-1801, 29-0114, 29-0706, 11-1002, 11-1006, 58-0502, 58-0507, 40-1501, 40-1401, 40-1803, 40-1807, 40-1808, 40-1810, 40-1811, 40-1813, 40-1814, 40-1816, 40-1817, 40-1818, 40-1819, 33-0312, 33-1212, and 40-1805 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, relating to the jurisdiction and powers of police magistrate, county court, county court of increased jurisdiction, and creating a new chapter 27-18 of the North Dakota Revised Code of 1943, relating to the creation of the office of county justice and prescribing the compensation, jurisdiction and powers thereof, and providing for appeal, and amending and reenacting section 40-0708 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, providing for the office of police magistrate in villages, and eliminating the office of justice of the peace conformable to section 1 of this Act, and repealing sections 40-1802, 11-1003, and 33-0123 of the North Dakota Revised Code of 1943, and providing for an effective date.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Paulson
Berube	Klefstad	Redlin
Brooks	Krause	Ringsak
Erickson	Larson	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Thompson
Foss	Longmire	Trenbeath
Freed	Luick	Van Horn
Garaas	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Hernett	Murphy	Yunker
Holand		

Those voting in the negative were:

Gronvold Mutch

Absent and not voting:

Gefreh	Schrock	Vendsel
Kisse		

So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 88, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 88 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 88. A Bill for an Act to amend and reenact section 24-0220 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to bidding requirements for state highway department contracts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Trenbeath
Freed	Longmire	Van Horn
Garaas	Luick	Vendsel
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Absent and not voting:

Kisse Schrock

So the bill passed and the title was agreed to.

Senator Foss moved that the Senate do not concur in the House amendments to Senate Bill No. 29 and that a Conference Committee be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on Senate Bill No. 1, Senators Holand, Vendsel and Erickstad.

The President appointed as a Conference Committee on Senate Bill No. 29, Senators Luick, Schrock and Wenstrom.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 43, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 43 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 43. A Bill for an Act to create and enact chapter 54-44 and section 54-23411 of the North Dakota

Revised Code of 1943 relating to the establishment of a department of comptroller and the setting forth of the powers and duties of such a department and to the examination and payment of monthly purchases by this department of comptroller; to amend and reenact sections 4-0114, 6-0917, 12-4906, 15-1015, 15-3916, 15-3932, 15-4006, 15-4402, 15-4403, 18-0303, 18-0304, 18-0305, 18-0306, 18-0307, 18-0512, 19-0509, 19-0510, 26-2209, 32-1203, 32-1204, 37-0603, 37-0606, 37-1513, 46-0101, 46-0102, 46-0201, 46-0203, 46-0210, 46-0211, 46-0212, 46-0214, 47-2108, 49-0109, 49-0111, 50-0614, 54-0606, 54-0608, 54-1001, 54-1002, 54-1003, 54-1004, 54-1101, 54-1102, 54-1103, 54-2306, 54-2330, 54-2331, 54-2333, 54-2334, 54-2335, 54-2336, 54-2337, 54-2338, 54-2340, 54-2614, 54-2703, 54-2704, 54-2705, 54-2706, 54-2707, 54-2709, 54-2711, 54-2801, 54-3016, 55-0104, 55-0107, 57-0102, 57-3205, 57-3206, 57-4508, and 61-0213 of the North Dakota Revised Code of 1943 and sections 6-01214, and 12-4730, 15-12061, 15-3921, 15-4020, 15-4021, 18-0308, 18-0402, 18-0403, 18-0405, 18-0406, 18-0513, 19-0508, 20-1307, 20-1408, 24-0212, 24-0237, 36-2209, 37-1515, 39-0308, 46-0204, 46-0205, 46-0206, 46-0207, 46-0209, 46-0213, 54-1814, 54-2341, 54-2708, 54-27151, 54-27152, 54-27154, 54-4204, 54-4205, and 57-3724 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the reorganization of certain departments and agencies of the State government, abolishing and consolidating certain departments; reorganizing fiscal, administrative, and purchasing procedures; transferring certain duties of the state auditor to a department of comptroller; vesting the state auditor with the responsibility of conducting a true post-audit; transferring authority to purchase for the various state departments and agencies from the board of administration to a department of comptroller; and transferring certain tax collecting functions from the state treasurer to the state tax commissioner; and to repeal sections 12-4907, 46-0103, 54-1005, 54-1006, 54-1007, 54-1008, 54-1009, 54-1011, 54-2115, 54-2116, 54-2332, and 65-0210 and chapters 54-14, 54-15, and 54-22 of the North Dakota Revised Code of 1943 and sections 6-0121 and 54-1010 and chapters 54-14 and 54-15 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to state fiscal, administrative, and purchasing procedures, the state budget board, the auditing board, board of auditors, state purchasing agent, state printer, and printing commission, and to provide for an effective date of July 1, 1960.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 35; nays, 8; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Brooks	Johnson	Redlin
Erickson	Kee	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Trenbeath
Garaas	Longmire	Wadeson
Gefreh	Luick	Wartner
George	Meidinger	Wenstrom

Gilbertson	Miller	Yunker
Hernett	O'Brien	
Those voting in the negative were:		
Baeverstad	Murphy	Van Horn
Gronvold	Nesvig	Vendsel
Klefstad	Thompson	
Absent and not voting:		
Becker	Holand	Morgan
Berube	Kisse	Mutch

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 1 and the President has appointed as a Conference Committee,

Senators:
Holand
Vendsel
Erickstad

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 29 and the President has appointed as a Conference Committee,

Senators:
Luick
Schrock
Wenstrom

VIC GILBREATH, Secretary.
Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 49 and the President has appointed as a Conference Committee,

Senators:
Morgan
Redlin
Becker

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 65 and the President has appointed as a Conference Committee,

Senators:
Freed
Krause
Van Horn

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 282 and the President has appointed as a Conference Committee,

Senators:
Ringsak
Murphy
Brooks

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 266 and the President has appointed as a Conference Committee,

Senators:
Wadeson
Nesvig
Luick

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 88
Senate Bill No. 108
Senate Bill No. 43
Senate Bill No. 150
Senate Bill No. 275

VIC GILBREATH, Secretary.

Senator Longmire moved that the Senate do not concur in the House amendments to Senate Bill No. 209 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 209, Senators Longmire, Paulson and Wartner.

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 48, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 48 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 48. A Bill for an Act to amend and reenact sections 19-0108, 25-0810, 25-0813, 25-0814, 25-0816, 25-0817, 25-0819, 25-0820, and 25-0821 of the North Dakota Revised Code of 1943, and sections 15-2102, 25-0811, 25-0815, and 54-0609 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of a part of the functions of the state auditor to the department of accounts and purchases, and to repeal chapter 54-13 of the

North Dakota Revised Code of 1943 and chapter 54-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state board of auditors.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Becker	Holand	O'Brien
Berube	Hystad	Paulson
Brooks	Kee	Redlin
Erickstad	Klefstad	Roen
Erickson	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Vendsel
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker

Absent and not voting:

Baeverstad	Krause	Ringsak
Johnson	Meidinger	Van Horn
Kisse		

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that a committee of one be appointed to escort Mrs. Mennick Fossum, of Maxbass, North Dakota, 1955 mother of the year, to the rostrum, which motion prevailed.

The President appointed as such committee Senator Becker and Mrs. Fossum was escorted to the rostrum and invited to address the Senate.

Mrs. Fossum: Women usually like to talk when they get a chance. I am a mother and a taxpayer and I am really very happy to be part of a democracy that allows the kind of legislation I have watched here today — people speaking their minds freely. That isn't done in all parts of the world, and I will say to all of you folks just as I said to my son when he was elected a representative last fall, I was quoting Lincoln: "I hope I will always do the right as God sees me to do right." If we do what is right we will always have our democracy. Thank you.

Senator Becker moved that the remarks of Mrs. Fossum be printed in the journal, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

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. 537,

Senators:
Hernett
Berube
Freed

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

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. 518,

Senators:
Foss
Fiedler
Livingston

VIC GILBREATH, Secretary.

Senator Livingston moved that the Senate do concur in the House amendments to Senate Bill No. 279, which motion prevailed.

Senator Livingston moved that the rules be suspended and that Senate Bill No. 279 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 279. A Bill for an Act to amend and reenact Section 50-0108 of the 1957 Supplement to the North Dakota Revised Code of 1943 providing for members of county welfare board; term of office; oath; compensation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	O'Brien
Becker	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickstad	Krause	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Schrock
Freed	Livingston	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wenstrom
Hernett	Mutch	Yunker
Holand		

Those voting in the negative were:
Murphy

Absent and not voting:

Berube	Kisse	Van Horn
Erickson	Longmire	Wartner
Gronvold	Paulson	

So the bill passed and the title was agreed to.

Senator Luick moved that the Senate do not concur in the House amendments to Senate Bill No. 42 and that a Conference Committee be adopted, which motion prevailed.

Senator Baeverstad moved that the Senate do not concur in the House amendments to Senate Bill No. 97 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on Senate Bill No. 42, Senators Brooks, Hystad and Kee.

The President appointed as a Conference Committee on Senate Bill No. 97, Senators Beaverstad, Thompson and Becker.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 632 has had the same under consideration and recommends that the Senate recede from amendments and recommends further the following amendments:

That in subsection "2" the words "county superintendent of schools" be deleted.

That in subsection "a" delete "Three thousand seven hundred sixty dollars" and insert "Three thousand nine hundred dollars"

That in subsection "b" delete "Three thousand eight hundred sixty five dollars" and insert in lieu thereof "Four thousand dollars"

That in subsection "c" delete "Three thousand nine hundred sixty dollars" and insert in lieu thereof "Four thousand one hundred dollars" and further in subsection "c" delete "four thousand nine hundred sixty dollars" and insert in lieu thereof "five thousand one hundred dollars"

That in subsection "d" delete "five thousand three hundred sixty dollars" and insert in lieu thereof "five thousand five hundred dollars"

And further that following the words "salary provided for the county superintendent shall be" the following subsections be added:

e. Four thousand one hundred fifty dollars in counties having a population not exceeding six thousand;

f. Four thousand two hundred fifty dollars in counties having a population exceeding six thousand and not exceeding eight thousand.

g. Four thousand three hundred fifty dollars in counties having a population exceeding eight thousand population plus additional compensation ((seventy dollars)) seventy-five dollars per year for each one thousand additional population or major fraction thereof but not to exceed the total sum of five thousand three hundred fifty dollars;

h. In counties having a population in excess of twenty-five thousand the sum of five thousand seven hundred fifty dollars;

For the Senate:
Elton Ringsak
G. A. Klefstad
John Garaas

For the House:
Rep. Gress
Rep. Trom
Rep. Karabensh

Senator Ringsak moved that the report be adopted.

Senator Brooks made the substitute motion that the Senate do not adopt the report of the Conference Committee on House Bill No. 632.

ROLL CALL

The question being on the substitute motion of Senator Brooks, the roll was called and there were ayes, 23; nays, 22; absent and not voting, 4.

Those voting in the affirmative were:

Baeverstad	Hernett	Mutch
Brooks	Holand	Saumur
Erickstad	Johnson	Schrock
Foss	Krause	Trenbeath
Gefreh	Livingston	Wadeson
George	Longmire	Wenstrom
Gilbertson	Luick	Yunker
Gronvold	Morgan	

Those voting in the negative were:

Andre	Larson	Redlin
Becker	Lautenschlager	Ringsak
Berube	Meldinger	Roen
Fiedler	Miller	Thompson
Freed	Murphy	Van Horn
Garaas	Nesvig	Vendsel
Hystad	Paulson	Wartner
Klefstad		

Absent and not voting:

Erickson	Kisse	O'Brien
Kee		

So the motion was declared carried.

Senator Brooks moved that a new Conference Committee be appointed on House Bill No. 632, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 632, Senators Trenbeath, Wadeson and Redlin.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 518 has had the same under consideration and recommends that the House concur with the Senate amendments.

For the Senate:
Senator Foss
Senator Fiedler
Senator Livingston

For the House:
Rep. Sorlie
Rep. Rolfsrud
Rep. Goebel

Senator Foss moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 113 and the Speaker has appointed as a new Conference Committee to act with a like committee from the Senate, Representatives:

Balrud
Hilleboe
Klinger

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 142.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report for House Bill No. 551 and appoints a new Conference Committee, Representatives:

Tollefson
Streibel
Hauf

GERALD L. STAIR, Chief Clerk.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

VIC GILBREATH, Secretary.

SIXTIETH DAY

Bismarck, March 6, 1959

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Marvin Olson, House of Prayer Lutheran Church, Bismarck, and Peace Lutheran Church, Mandan:

God, our Father, we thank Thee for Thy love for us as revealed and expressed in Jesus Christ on Calvary. Help us to appreciate this.

During this Lenten Season, draw us closer to Thee, increase our understanding of Calvary, deepen our faith, and strengthen our Christian convictions. Forgive our sins, O God.

We thank Thee for the opportunities that we have of serving Thee by serving our fellowmen. When we are tempted to deviate from the right through selfish motivation, remind us again that Thy Way is best.

As our steps take new courses in the months ahead, may we never step off Thy Path.

Keep us aware of our partnership with Thee. May we never drop from that partnership nor betray Thy love.

In Jesus Name, Amen.

Roll call: All Senators present except Senator Kisse.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-eighth day after recess and fifty-ninth day and recommends that the same be corrected as follows:

In the last line on page 857 delete the figure "196" and insert in lieu thereof the figure "195"

On page 900, in line 33, delete the name "Vendsel" and insert in lieu thereof the name "Livingston"

And when so corrected recommends that the same be approved.

SENATOR RINGSACK, Vice Chairman.

Senator Ringsack moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on House Bill No. 632 and the President has appointed as a new Conference Committee,

Senators:

Trenbeath

Wadeson

Redlin

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 97 and the President has appointed as a Conference Committee,

Senators:

Baeverstad

Thompson

Becker

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendments to Senate Bill No. 209 and the President has appointed as a Conference Committee,

Senators:

Longmire

Paulson

Wartner

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amend-

ment to Senate Bill No. 42 and the President has appointed as a Conference Committee,

Senators:
Brooks
Hystad
Kee

VIC GILBREATH, Secretary.
Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 518.

VIC GILBREATH, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 538 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives:

Fitch
Hjelle
Doherty

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 1, Representatives:

Thompson of McLean
Sorlie
Collette

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 29, Representatives:

Beede
Tough
Solberg

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 49, Representatives:

Johnston
Vinje
Sjaastad

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 65, Representatives:

Einarson
Halverson
Smedshammer

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 97, Representatives:

Scott
Dahl
Williams

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 209, Representatives:

Bratcher
Menz
Gronhovd

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 266, Representatives:

Schuler
Berntson
Dick

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 282, Representatives:

Wheeler
Hornstein
Anderson of Stutsman

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 505
House Bill No. 522
House Bill No. 527
House Bill No. 638
House Bill No. 529
House Bill No. 541

House Bill No. 713
House Concurrent Resolution "J"

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 86

Senate Bill No. 204

Senate Bill No. 233

Senate Bill No. 268

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to transmit:

House Bill No. 710

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

REPORT OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 3

Senate Bill No. 82

Senate Bill No. 133

Senate Bill No. 138

Senate Bill No. 189

Were delivered to the Governor at the hour of 2:40 o'clock p.m., March 6, 1959.

SENATOR ERICKSON, Chairman.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Longmire moved that the Senate do not concur in the House amendments to Senate Bill No. 290 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on Senate Bill No. 290, Senators Longmire, Vendsel and Larson.

The President appointed as a Conference Committee on House Bill No. 538, Senators George, Johnson and Hernet.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Livingston moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "S", which motion prevailed.

Senator Livingston moved that the rules be suspended and that Senate Concurrent Resolution "S" be placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "S". A Senate concurrent resolution urging the proper observance of November 11, Veterans Day as a holiday.

Was read the second time.

Senator Livingston moved that Senate Concurrent Resolution "S" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 290 and the President has appointed as a Conference Committee, Senators:

Longmire
Vendsel
Larson

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 48
Senate Bill No. 279

Senate Concurrent Resolution "S"

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 538, Senators:

George
Johnson
Hernett

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand requested a call of the House, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 113 has had the same under consideration and have been unable to agree and recommend that a new Conference Committee be appointed and that your present Conference Committee be discharged.

For the Senate:

Lloyd Erickson
C. G. Kee
Rosamond O'Brien

For the House:

Rep. Hilleboe
Rep. Balerud
Rep. Klinger

Senator Erickson moved that the report be adopted, which motion prevailed.

Senator Livingston moved that the Senate do concur in the House amendments to Senate Bill No. 113.

Senator Wartner requested a call of the Senate, which request was granted.

Senator Wartner moved that the call of the Senate be dispensed with, which motion prevailed.

The question being on the motion of Senator Livingston that the Senate do concur in the House amendments to Senate Bill No. 113, which motion prevailed.

Senator Livingston moved that the rules be suspended and that Senate Bill No. 113 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House.

ROLL CALL

The question being on the motion of Senator Livingston to suspend the rules, the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	O'Brien
Baeverstad	Holand	Paulson
Becker	Hystad	Redlin
Berube	Kee	Saumur
Erickstad	Klefstad	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Miller	Wadson
Gilbertson	Murphy	Wenstrom
Gronvold	Nesvig	Yunker

Those voting in the negative were:

Brooks	Krause	Mutch
Erickson	Larson	Ringsak
Freed	Luick	Roen
George	Meidinger	Trenbeath
Johnson	Morgan	Wartner

Absent and not voting:

Kisse

So the motion was declared carried.

SECOND READING OF SENATE BILLS

Senate Bill No. 113. A Bill for an Act to authorize the state board of higher education to sell tax-exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Klefstad	Ringsak

Brooks	Larson	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Livingston	Schrock
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Freed	Meidinger	Van Horn
Garaas	Miller	Vendsel
Gefreh	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Wenstrom
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

George Krause

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senator Foss moved that the Senate do concur in the House amendments to Senate Bill No. 30, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 30 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 30. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Bank of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 266 has had the same under consideration and recommends that the Senate concur with

the House amendments and that the bill be further amended as follows:

In line 134 after the word "Act" delete the period and insert the following: ", only uniform North Dakota certified seed potato tags be used."

Renumber the lines accordingly.

For the Senate:

Jerome Nesvig
A. W. Luick
Harry W. Wadeson

For the House:

Rep. Dick
Rep. Schuler
Rep. Berntson

Senator Nesvig moved that the report be adopted, which motion prevailed.

Senator Wadeson moved that the rules be suspended and that Senate Bill No. 266 be deemed properly reengrossed and placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 266. A Bill for an Act to create the North Dakota Seed Potato Act, defining terms and providing for the formation, regulations and administration of the Act, and providing a penalty.

—Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kee	Ringsak
Brooks	Klefstad	Roen
Erickson	Krause	Saumur
Erickstad	Lautenschlager	Thompson
Fiedler	Livingston	Trenbeath
Foss	Luick	Van Horn
Freed	Meidinger	Wartner
George	Miller	Wenstrom
Gilbertson	Morgan	Yunker
Hernett	Mutch	Wadeson
Gronvold	Nesvig	

Those voting in the negative were:

Garaas	Murphy	Schrock
Gefreh		

Absent and not voting:

Kisse	Longmire	Vendsel
Larson		

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 209 has had the same under con-

sideration and recommends that the House recede from its amendments and that Senate Bill No. 209 be amended as follows:

In line 2 of the bill after the parenthesis delete the remainder of line 2 and delete all of lines 3, 4, 5 and 6, and insert in lieu thereof the following: "The secretary of state shall be authorized to dispose of all volumes of the 1947 and 1953 Supplements to the North Dakota Revised Code of 1943 in his possession except ten volumes of each which he shall keep for historical purposes."

Renumber the lines accordingly.

For the Senate:

George Longmire
Clayton Paulson
Aloys Wartner, Jr.

For the House:

Rep. Bratcher
Rep. Menz
Rep. Gronhovd

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Paulson moved that the rules be suspended and that Senate Bill No. 209 be deemed properly reengrossed and placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 209. A Bill for an Act authorizing the disposal of volumes containing obsolete laws.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Luick	Thompson
Freed	Meidinger	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold		Yunker
Hernett		

Absent and not voting:

Kisse	Longmire	Vendsel
Larson		

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has indefinitely postponed Senate Bill No. 282.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has concurred with the Conference Committee report on House Bill No. 518.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 209.

The Vote:

103 ayes

1 nay

9 absent

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 537.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 113 and the Speaker has appointed a new Conference Committee, Representatives:

Brown

Neukircher

Van Sickle

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 49.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Mutch moved that the House be requested to return House Bill No. 821, which motion was carried.

SECOND READING OF HOUSE BILLS

House Bill No. 783. A Bill for an Act to amend and reenact subsection 1 of section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the sale of property exempt from sales tax, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 20; nays, 24; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Gefreh	Miller
Baeverstad	Hernett	Morgan
Becker	Holand	Paulson
Brooks	Johnson	Saumur
Freed	Kee	Wadeson
Garaas	Klefstad	Wartner
George	Lautenschlager	Yunker

Those voting in the negative were:

Berube	Krause	Ringsak
Erickson	Livingston	Roen
Erickstad	Meidinger	Schrock
Fiedler	Murphy	Thompson
Foss	Mutch	Trenbeath
Gilbertson	Nesvig	Van Horn
Gronvold	O'Brien	Wenstrom
Hystad	Redlin	

Absent and not voting:

Kisse	Longmire	Vendsel
Larson	Luick	

So the bill was declared lost.

House Bill No. 586. A Bill for an Act to amend and re-enact section 57-0220 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the exemption of farm machinery from personal property tax, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 23; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Gilbertson	Murphy
Baeverstad	Gronvold	Nesvig
Becker	Holand	Paulson
Berube	Hystad	Redlin
Fiedler	Johnson	Roen
Foss	Klefstad	Van Horn
Garaas	Lautenschlager	Yunker
Gefreh		

Those voting in the negative were:

Brooks	Livingston	Saumur
Erickson	Luick	Schrock
Erickstad	Meidinger	Thompson
Freed	Miller	Trenbeath
George	Morgan	Wadeson
Hernett	Mutch	Wartner
Kee	O'Brien	Wenstrom
Krause	Ringsak	

Absent and not voting:

Kisse	Longmire	Vendsel
Larson		

So the bill was declared lost.

FRIDAY, MARCH 6, 1959

929

House Bill No. 501. A Bill for an Act making an appropriation for the general maintenance, plant improvements, and new buildings of the state institutions of higher learning of the State of North Dakota, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien
Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Luick	Thompson
Freed	Meidinger	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold		Yunker
Hernett		

Absent and not voting:

Kisse	Longmire	Vendsel
Larson		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: The Senate requests the return of House Bill No. 821.

VIC GILBREATH, Secretary.

MOTIONS

Senator Brooks moved that the Senate reconsider its action in refusing to concur in the House amendments to Senate Bill No. 42 and appoint a Conference Committee, which motion prevailed.

Senator Brooks moved that the Senate do concur in the House amendments to Senate Bill No. 42, which motion prevailed.

Senator Brooks moved that the rules be suspended and that Senate Bill No. 42 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 42. A Bill for an Act to create and enact section 39-0110, to amend and reenact sections 39-0205, subsection 4 of section 39-0501, subsection 1 of section 39-0505 and section 39-1207 of the North Dakota Revised

Code of 1943, and section 39-0102, subsection 1 of section 39-0309, sections 39-04A06, 39-04A07, 39-0510, 39-0803, 39-0902, 39-1102, and 39-1208 of the 1957 Supplement to the North Dakota Revised Code of 1943; to amend and reenact chapter 39-04 of the North Dakota Revised Code of 1943, as it may be amended, and to repeal subsection 4 of section 39-04A04, and sections 39-0504 and 39-0514 of the North Dakota Revised Code of 1943, as they may be amended, and to repeal section 39-0513 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to motor vehicles' operation and registration and the use of motor vehicles on the highways and streets of this state.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Holand	O'Brien
Baeverstad	Hystad	Paulson
Berube	Johnson	Redlin
Brooks	Kee	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Wenstrom
Gronvold	Nesvig	Yunker
Hernett		

Absent and not voting:

Becker	Larson	Meidinger
Kisse	Longmire	Vendsel

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Erickson moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "CC", which motion prevailed.

Senator Erickson moved that the rules be suspended and that Senate Concurrent Resolution "CC" be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "CC". A concurrent resolution providing for the amendment of Article 56 of the Amendments to the Constitution of the state of North Dakota.

Was read the second time.

Senator Erickson moved that Senate Concurrent Resolution "CC" be adopted, as amended by the House, which motion prevailed.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 4

Senate Bill No. 45

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 4

Senate Bill No. 45

Senate Bill No. 163

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a new Conference Committee on House Bill No. 632, Representatives:

Dahlund

Trom

Karabensh

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 538

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as Conference Committee on Senate Bill No. 290, Representatives:

Neukircher

Doherty

Larson

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 1.

The Vote:

108 ayes

1 nay

4 absent

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 65.

The Vote:
 94 ayes
 16 nays
 3 absent

GERALD L. STAIR, Chief Clerk.

Senate Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 266.

The Vote:
 76 ayes
 25 nays
 12 absent

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 282.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 8
 Senate Bill No. 13
 Senate Bill No. 31
 Senate Bill No. 36
 Senate Bill No. 50
 Senate Bill No. 98
 Senate Bill No. 126
 Senate Bill No. 160
 Senate Bill No. 165
 Senate Bill No. 191
 Senate Bill No. 272

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 219
 Senate Concurrent Resolution "F"

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 166
 Senate Bill No. 293

Senate Concurrent Resolution "BB"
Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 55

Which the House has amended as follows:

In line 101, strike the word "highway".

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 2

Senate Bill No. 7

Senate Bill No. 15

Senate Bill No. 89

Which the House has amended as follows:

Senate Bill No. 2:

In the fourth line of the title of the bill, after the word "Dakota" insert the following language: "and making a supplemental appropriation for the construction of the school for the blind provided for in the initiated measure which was approved in June, 1958"

Following line 18 of the bill insert the following language:

"SECTION 2. SUPPLEMENTAL APPROPRIATION FOR CONSTRUCTION OF SCHOOL FOR THE BLIND AT GRAND FORKS.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of twenty-five thousand dollars or so much thereof as may be necessary for the purpose of supplementing the appropriation made by the initiated measure which was number three on the ballot and passed at the June 24, 1958 primary election for the construction of a state school for the blind. Such funds shall be expended in accordance with the provisions of such initiated measure."

Renumber the lines accordingly.

Senate Bill No. 7:

In the title of the bill following the word "Dakota" insert the words "and declaring an emergency in regard to section 2 of the bill"

Following line 29 of the bill insert the following words:

"SECTION 2. APPROPRIATION.) There is hereby appropriated from the money accumulated from the school districts in the payment of interest and principal to the state pursuant to the provisions of chapter 15-60 of the 1957 Supplement to the North Dakota Revised Code of 1943, the sum of \$425,000.00 or so much thereof as may be necessary to the state training school at Mandan, North Dakota for the construction of an administration and educational building. Such appropriation and transfer shall be made prior to any transfer of such funds pursuant to Senate Bill No. 105 of the Thirty-sixth Legislative Assembly.

SECTION 3. EMERGENCY.) Section 2 of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

Senate Bill No. 15:

Line 8, change the figure "\$33,075.00" to the figure "\$33,025.00".

Line 23, change the figure "\$1,750.00", to the figure "\$1,800.00".

Senate Bill No. 89:

Delete the title and insert the following in lieu thereof:

"For an Act transferring certain moneys to the general fund of this state and making an appropriation to the state highway department from the general fund."

In line 6 delete the words " a like" and in line 7 delete the word "amount" and insert in lieu thereof the numeral "\$1,000,000"

Following line 14 insert the following words:

"SECTION 3. APPROPRIATION.) There is hereby appropriated and transferred to the general fund of this state the sum of \$250,000 from the accumulated profits and surplus of the Bank of North Dakota. Such funds shall be transferred during the 1959-61 biennium by order of the Industrial Commission.

SECTION 4. APPROPRIATION.) There is hereby appropriated and transferred to the general fund of the state of North Dakota the sum of \$500,000 from the accumulated profits and surplus of the State Mill and Elevator Association. Such funds shall be transferred during the 1959-61 biennium upon order of the Industrial Commission."

Renumber the lines accordingly.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 42 and Senate Concurrent Resolution "CC"

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 209.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 266.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on Senate Bill No. 113 and has concurred in the House amendments.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 586

House Bill No. 783

Which the Senate has indefinitely postponed.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 501

Which the Senate has amended.

VIC GILBREATH, Secretary.

REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 65 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 65 be amended as follows:

Strike out everything after "A BILL" and insert the following:

"For an Act to prohibit the use of daylight saving time for a portion of this state, and providing for an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DAYLIGHT SAVING TIME IN STATE.) No city, village, municipality, taxing district, county or other political subdivision within that part of the state lying and being east and north of the center stream of the Missouri River shall possess power to adopt permanently or temporarily what is commonly known as daylight saving time.

SECTION 2. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

For the Senate:

Amos Freed
Fred Krause, Jr.
Clark Van Horn

For the House:

Rep. Einarson
Rep. Halverson
Rep. Smedhammer

Senator Freed requested a call of the Senate, which request was granted.

Senator Freed moved that the call of the Senate be dispensed with, which motion prevailed.

The question being on the motion of Senator Freed that the Conference Committee report on Senate Bill No. 65 be adopted, which motion prevailed.

Senator Freed moved that Senate Bill No. 65 be indefinitely postponed, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 538 has had the same under consideration and recommends that the Senate amendments be adopted.

For the Senate:

Gail Hernet
H. W. George
O. S. Johnson

For the House:

Rep. Doherty
Rep. Hjelle
Rep. Fitch

Senator Hernet moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 29 has had the same under consideration and recommends that the Senate concur with House amendments.

For the Senate:

A. W. Luick
C. W. Schrock
Frank Wenstrom

For the House:

Rep. Beede
Rep. Solberg
Rep. Tough

Senator Luick moved that the report be adopted, which motion prevailed.

Senator Luick moved that the rules be suspended and that Senate Bill No. 29 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No.-29. A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the Division of Supervised Study.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	O'Brien
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Brooks	Kee	Ringsak
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Meidinger	Wartner
George	Miller	Wenstrom
Gilbertson	Murphy	Yunker

Those voting in the negative were:

Gronvold	Luick	Roen
Larson	Mutch	Thompson
Absent and not voting:		
Foss	Morgan	Wadeson
Kisse		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to transmit:

House Bill No. 821

Which the Senate has requested.

GERALD L. STAIR, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 4

Senate Bill No. 45

Senate Bill No. 163

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 29.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 65 and has indefinitely postponed Senate Bill No. 65.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 538.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4

Senate Bill No. 45

Senate Bill No. 163

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and recommends that the Senate concur with the House amendments.

For the Senate:

Kenneth Morgan

Edwin C. Becker, Jr.

Rolland Redlin

For the House:

Rep. Johnston

Rep. Sjaastad

Rep. Vinje

Senator Morgan moved that the report be adopted, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 49. A Bill for an Act to create and enact sections 34-06011 and 34-06012 of the North Dakota Revised Code of 1943, providing minimum wages for all employees except persons covered under federal minimum wage Acts, and farm labor, and domestic employment, and persons who are under sixteen years of age; providing for exceptions to the minimum wage in regard to employees who are incapacitated or who have limited ability due to age, physical or mental condition, or experience and training, providing penalties; to amend and re-enact subsection 1 of section 34-0602, sections 34-0601, 34-0607, 34-0609, 34-0610, 34-0612, 34-0613, and 34-0616 of the North Dakota Revised Code of 1943, relating to minimum wage and hours for women and minors in order to include all employees except minors under regulations affecting minimum wages; and to repeal subsection 3 of section 34-0602, subsections 3 and 4 of section 34-0603, subsections 3 and 4 of section 34-0605 and section

34-0615 of the North Dakota Revised Code of 1943, relating to powers and procedures in the establishment of minimum wages of women.

Was read the second time.

Senator Gronvold moved that the amendments to Senate Bill No. 49 be laid on the table.

Senator Holand moved that the Senate recess at the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 551, Senators Trenbeath, Lautenschlager, and Saumur.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 551 and the President has appointed as a new Conference Committee,

Senators:

Saumur

Trenbeath

Lautenschlager

VIC GILBREATH, Secretary.

The question being on the motion of Senator Gronvold that the amendments to Senate Bill No. 49 be laid on the table, which motion was lost.

MOTIONS

Senator Hernett moved that the Senate reconsider the action by which the Conference Committee report on Senate Bill No. 49 was adopted, which motion prevailed.

Senator Holand moved that a new Conference Committee be appointed on Senate Bill No. 49, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 49, Senators Hernett, Murphy and Miller.

REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 282 has had the same under consideration and recommends that the same be indefinitely postponed.

For the Senate:

Elton W. Ringsak

Charles L. Murphy

Lee F. Brooks

For the House:

Rep. Wheeler

Rep. Hornstein

Rep. Anderson of Stutsman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 537 has had the same under con-

sideration and recommends that the Senate recede from its amendments.

For the Senate:
Gail Hernet
Amos Freed
Philip Berube

For the House:
Rep. Brown
Rep. Neukircher
Rep. Hjelle

Senator Hernet moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 1 has had the same under consideration and recommends that the Senate concur with the House amendments except in lines 431, 438, 441, 450, and 451 of the engrossed bill, and recommends further the following amendments:

In line 431 change the figure "\$18,000.00" to "\$20,000.00".
In line 438 change the total figure "\$46,000.00" to read "\$48,000.00".

In line 441 change the figure "\$24,000.00" to "\$27,000.00".
In line 450 change the total figure "\$88,192.00" to "\$91,192.00".

In line 451 change the grand total figure "\$6,445.127.00" to "\$6,450,127.00".

For the Senate:
Donald C. Holand
Ralph J. Erickstad
Raymond G. Vendsel

For the House:
Rep. Thompson, McLean
Rep. Sorlie
Rep. Collette

Senator Holand moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 1 be deemed properly reengrossed and placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 1. A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State government, and for all of the subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien

Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vensel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on Senate Bill No. 49 and the President has appointed as a new Conference Committee,

Senators:
Hernett
Murphy
Miller

VIC GILBREATH, Secretary.

CONSIDERATION OF MESSAGE
FROM THE HOUSE

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 55, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 55 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 55. A Bill for an Act relating to purchase of a building for highway maintenance offices, providing for its maintenance and management, for transfer of certain land incident thereto, and making an appropriation, and amending section 54-2118 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Nesvig
Becker	Johnson	O'Brien
Berube	Kee	Paulson
Brooks	Klefstad	Redlin

Erickson	Krause	Ringsak
Erickstad	Larson	Roen
Fiedler	Lautenschlager	Saumur
Foss	Livingston	Schrock
Freed	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wenstrom
Gronvold	Murphy	Yunker
Hernett	Mutch	

Those voting in the negative were:

Andre	Van Horn	Vendsel
Hystad		

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senator Foss moved that the Senate do not concur in the House amendments to Senate Bill No. 2 and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 2, Senators Livingston, Kee and Paulson.

Senator Foss moved that the Senate do not concur in the House amendments to Senate Bill No. 7 and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 7, Senators Erickstad, Erickson and Berube.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 501.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to transmit:

House Concurrent Resolution "G 2"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF MESSAGE FROM THE HOUSE

Senator Foss moved that the Senate do concur in the House amendments to Senate Bill No. 15, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 15 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 15. A Bill for an Act making an appropriation for the purpose of paying the administrative ex-

penses and the state aid of the State Equalization Fund, the administrative expenses and the teaching preparation scholarships of the teacher preparation scholarship plan, and the two agricultural schools on the basis of enrollment.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	O'Brien
Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Livingston	Schrock
Foss	Longmire	Thompson
Freed	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wenstrom
Gronvold	Mutch	Yunker
Holand	Nesvig	

Those voting in the negative were:

Brooks Vendsel

Absent and not voting:

Hernett Kisse Larson

So the bill passed and the title was agreed to.

Senator Foss moved that the Senate do concur in the House amendments to Senate Bill No. 89, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 89 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senator Vendsel requested a roll call vote on the motion to concur, which request was ruled out of order.

Senate Bill No. 89. A Bill for an Act relating to the Bank of North Dakota and providing for the transfer of certain funds from the collection and land department to the general fund and from the general fund to the state highway construction fund and making appropriations therefor and providing for the transfer of funds in the attorney general licensing fund to the general fund of this state.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 32; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hernett	Morgan
Becker	Holand	Mutch

Brooks	Kee	Ringsak
Erickson	Klefstad	Roen
Erickstad	Krause	Saumur
Foss	Larson	Schrock
Freed	Livingston	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gilbertson	Meidinger	Wenstrom
Gronvold	Miller	

Those voting in the negative were:

Andre	Lautenschlager	Redlin
Berube	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	O'Brien	Vendsel
Hystad	Paulson	Yunker
Johnson		

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 219.

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 1.

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2 and the President has appointed as a Conference Committee to act with a like committee from the House,

Senators:

Livingston

Kee

Paulson

VIC GILBREATH, Secretary.

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 7 and the President has appointed as a Conference Committee to act with a like committee from the House,

Senators:

Erickstad

Erickson

Berube

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 282.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on House Bill No. 537.

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand moved that the Senate accede to the request of the House and that Senate Bill No. 219 be returned to the House, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 15
Senate Bill No. 55
Senate Bill No. 89

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

Senate Bill No. 219

Which the House has requested.

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 7, Representatives:

Anderson of Richland
Knudsen of LaMoure
Anderson of McHenry

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 2, Representatives:

Lindberg
Lowe
Strege

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 49, Representatives:

Aamoth
Wilkie
Dahlund

GERALD L. STAIR, Chief Clerk.

FIRST READING OF A HOUSE
CONCURRENT RESOLUTION

House Concurrent Resolution "G 2". A concurrent resolution authorizing the governor to appoint a special committee to study labor laws.

Was read for the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "G 2" be placed on second reading and final action, which motion prevailed.

SECOND READING OF A HOUSE
CONCURRENT RESOLUTION

House Concurrent Resolution "G 2". A concurrent resolution authorizing the governor to appoint a special committee to study labor laws.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "G 2" be adopted, which motion prevailed.

FIRST READING OF A HOUSE
CONCURRENT RESOLUTION

House Concurrent Resolution "Z 1". A concurrent resolution directing the legislative research committee to study certain trade practices.

Was read for the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "Z 1" be placed upon second reading and final action, which motion prevailed.

SECOND READING OF A HOUSE
CONCURRENT RESOLUTION

House Concurrent Resolution "Z 1". A concurrent resolution directing the legislative research committee to study certain trade practices.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "Z 1" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "G 2"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "Z 1"

Which the Senate has passed unchanged.

VIC GILBREATH, Secretary.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 290.

The vote:
85 Ayes
22 Nays
6 Absent

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Concurrent Resolution "G"
Senate Concurrent Resolution "K"
Senate Concurrent Resolution "M"
Senate Concurrent Resolution "O"
Senate Concurrent Resolution "V"
Senate Concurrent Resolution "W"
Senate Concurrent Resolution "Z"
Senate Concurrent Resolution "AA"
Senate Concurrent Resolution "II"
Senate Concurrent Resolution "MM"
Senate Concurrent Resolution "NN"
Senate Concurrent Resolution "OO"
Senate Bill No. 219

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 290 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 290 be amended as follows:

In the second line of the title of the engrossed bill delete the words "and grants"

In the fourth line of the title of the bill delete the word "and"

In the fifth line of the title of the bill delete the word "grant"

In line 3 of the bill delete the words "and grants"

In line 10 of the bill delete the words "and grants"

In line 14 of the bill delete the words "and grants"

In line 16 of the bill delete the words "and grants"

In line 31 of the bill delete the words "and grants"

In line 35 delete the word "two" and insert the following words in lieu thereof: "one third of cost of construction or reconstruction including the cost or value of real estate upon which the facility is located and in no event exceeding one"

In line 45 delete the words "and grants"

In line 68 of the bill delete the words "and grants"

In line 72 of the bill delete the words "and grants"

In line 79 of the bill delete the words "and grants"

In line 90 of the bill delete the words "carry out the provisions of this" and in line 91 delete the word "Act" and insert the following words in lieu thereof: "negotiate said loans"

In line 92 of the bill delete the words "as may be deemed necessary to secure any" and in line 93 delete the word "loan" and insert the following words in lieu thereof: "as prescribed herein"

In line 96 following the period insert the following words: "In the event the applicant's plan for financing the construction or reconstruction of the facilities provides for a loan of funds from sources other than the state of North Dakota, then the state of North Dakota shall take a second mortgage upon the facilities constructed or reconstructed from the proceeds of the loan."

In line 99 of the bill delete the word "three" and insert the word "one" in lieu thereof

Delete all of lines 103 through 114 inclusive.

Re-number the lines accordingly.

For the Senate:

George Longmire

Raymond G. Vendsel

Guy Larson

For the House:

Rep. Doherty

Rep. Neukircher

Rep. Larson

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 290 be deemed properly reengrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 290. A Bill for an Act establishing a revolving fund for the purpose of making loans and grants

to non-profit corporations for the construction of nursing homes and homes for the aged, providing for the administration of such loan and grant program, and making an appropriation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Murphy
Baeverstad	Holand	Nesvig
Becker	Hystad	O'Brien
Berube	Johnson	Paulson
Brooks	Kee	Redlin
Erickson	Klefstad	Saumur
Erickstad	Krause	Schrock
Fiedler	Larson	Thompson
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Van Horn
Garaas	Longmire	Vendsel
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wenstrom
Gronvold	Morgan	Yunker

Those voting in the negative were:

Mutch Ringsak

Absent and not voting:

Kisse Roen

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on Senate Bill No. 290.

VIC GILBREATH, Secretary.

REPORT OF SELECT COMMITTEE

Senator Holand moved that the reading of the amendments to House Bill No. 632, as set forth on the Conference Committee report, be dispensed with, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 632 has had the same under consideration and recommends that the Senate recede from its amendments to House Bill No. 632 and that the following amendments be inserted in lieu thereof:

Delete everything after "A BILL" and insert in lieu thereof the following language: "For an Act to amend and reenact subsection 2 of section 11-1010 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries and mileage of county officials.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- SECTION 1. AMENDMENT.) Subsection 2 of section
- 11-1010 of the 1957 Supplement to the North Dakota

2a Revised

3 Code of 1943 is hereby amended and reenacted to read
3a as

4 follows:

5 2. The county auditor, county treasurer, sheriff, county
6 superintendent of schools, register of deeds, county
7 judge, state's attorney, and clerk of the district
8 court

9 each shall receive the following annual salary,
10 payable monthly, for official services rendered:

11 a. (((Three thousand four))) Three thousand nine
12 hundred

13 dollars in counties having a population not
14 exceeding

15 six thousand;

16 b. (((Three thousand five))) Four thousand
17 (((hundred)))

18 dollars in counties having a population exceeding
19 six

20 thousand and not exceeding eight thousand;

21 c. (((Three thousand six))) Four thousand one
22 hundred

23 dollars in counties having a population exceeding
24 eight

25 thousand population plus additional compensa-
26 tion of

27 seventy-five dollars per year for each one thou-
28 sand

29 additional population or major fraction thereof,
30 but

31 not to exceed the total sum of (((four thousand
32 six)))

33 five thousand one hundred dollars;

34 d. In counties having a population in excess of
35 thirty

36 thousand the sum of five thousand five hundred
37 dollars;

38 (((e. In counties having a county court of increased
39 jurisdiction and a population of not to exceed

40 fifteen thousand the county judge shall receive
41 the sum of four thousand six hundred dollars;

42 f. In counties having a county court of increased
43 jurisdiction and a population in excess of fifteen

44 thousand but not in excess of forty thousand
population the county judge shall receive the

sum of five thousand dollars; and

g. In counties having a county court of increased
jurisdiction and a population in excess of forty

thousand a county judge shall receive the sum
of six thousand eight hundred dollars.

38 Provided that all fees, collected by judges of county
39 courts of

40 increased jurisdiction in counties having a population
41 in excess

42 of forty thousand, for certified copies of public records
43 shall be

44 paid over by such county judge to the county treasurer
to be

credited to the general fund of the county. The salaries
provided in this subsection shall be the only salaries

paid to such officers by the county and the salary pro-

45 vided for the county superintendent shall be full
 45a compen-
 46 sation for services rendered as superintendent of
 46a schools and
 47 as secretary of the school district reorganization com-
 47a mittee.)))
 48 In counties having a county court of increased juris-
 48a diction
 49 the salaries of the judges of county courts of increased
 50 jurisdiction shall be as set out in section 27-0808 of the
 51 North Dakota Revised Code of 1943, as it may be
 51a amended.
 52 The county commissioners may in their discretion com-
 52a pensate
 53 the county superintendent of schools by an amount not
 53a to
 54 exceed two hundred fifty dollars per year, which shall
 54a be
 55 in addition to any other compensation received by the
 55a county
 56 superintendent, for duties performed by the county
 56a superintendent
 57 of schools in school district reorganization within the
 57a county.
 58 The county superintendent of schools shall receive for
 58a any trips
 59 necessarily made within his county in the performance
 59a of
 60 school district reorganization duties the same mileage
 60a as he
 61 receives under the provisions of section 15-2205 of the
 61a 1957
 62 Supplement to the North Dakota Revised Code of 1943."

For the Senate:

Grant Trenbeath
 Harry W. Wadeson
 Rolland Redlin

For the House:

Rep. Dahlund
 Rep. Trom
 Rep. Karabensh

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that House Bill No. 632 be placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 632. A Bill for an Act to amend and reenact section 11-1010 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries of county officers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	O'Brien

Becker	Johnson	Paulson
Berube	Kee	Redlin
Brooks	Klefstad	Ringsak
Erickson	Krause	Roen
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Vendsel
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Wenstrom
Hernett	Mutch	Yunker

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senator Trenbeath: I have a statement which I have taken to the desk that I would like to have read into the record so that there will be no mistake as to the intent of this amendment.

The following statement was read from the desk at the request of Senator Trenbeath.

STATEMENT OF LEGISLATIVE INTENT

It is hereby declared to be the intent of the Legislative Assembly in the passage of House Bill No. 632 that only the following amendments are intended in the passage of such bill:

1. That all salary scales of county officials shall be increased \$500.
2. That county judges of courts of increased jurisdiction shall receive compensation as provided in section 27-0808 of the 1957 Supplement to the North Dakota Revised Code of 1943, and as amended by Senate Bill No. 74 of the 36th Legislative Assembly.
3. That the county commissioners may in their discretion give additional compensation to the county superintendent of schools, in an amount not to exceed \$250 per year, for duties performed by the county superintendent in school district reorganization, in addition to mileage.
4. That the county superintendent of schools shall receive the same mileage as he receives under the provisions of section 15-2205 of the 1957 Supplement to the North Dakota Revised Code of 1943 for any trips necessarily made for school district reorganization purposes within the county.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 632.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 632.

The Vote:
48 ayes
0 nays
1 absent

VIC GILBREATH, Secretary.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

SECOND READING OF A HOUSE BILL

House Bill No. 537. A Bill for an Act to define, license, and regulate the business of lending in amounts of one thousand dollars or less; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of the Act by the state examiner, and to prescribe 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, 37; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Becker	Holand	Mutch
Berube	Hystad	O'Brien
Brooks	Johnson	Redlin
Erickson	Kee	Ringsak
Erickstad	Klefstad	Roen
Fiedler	Larson	Saumur
Foss	Lautenschlager	Trenbeath
Freed	Livingston	Vendsel
Garaas	Longmire	Wadeson
Gefreh	Luick	Wartner
George	Miller	Yunker
Gronvold		

Those voting in the negative were:

Baeverstad	Nesvig	Van Horn
Murphy	Paulson	

Absent and not voting:

Gilbertson	Meidinger	Thompson
Kisse	Schrock	Wenstrom
Krause		

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and has been unable to agree and request that the committee be discharged and that a new Conference Committee be appointed.

For the Senate:
 Gail Hernet
 Alex Miller
 Charles L. Murphy

For the House:
 Rep. Aamoth
 Rep. Dahlund
 Rep. Wilkie

Senator Hernet moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber
 Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 7.

The Vote:
 109 ayes
 0 nays
 4 absent

GERALD L. STAIR, Chief Clerk.
 House Chamber
 Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 49 and has appointed a new Conference Committee on Senate Bill No. 49. Representatives:

Hilleboe
 Sjaastad
 Doherty

GERALD L. STAIR, Chief Clerk.
 House Chamber
 Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 551.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on Senate Bill No. 49 and the President has appointed as a new Conference Committee to act with a like committee from the House,

Senators:
 Brooks
 Thompson
 Holand

VIC GILBREATH, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 551 has had the same under consideration and recommends that the Senate recede from its

amendment to House Bill No. 551 and that it be further amended as follows:

In line 218 delete the word "nineteen" and insert in lieu thereof the word "twenty"

In line 508 delete the word "eighteen" and insert in lieu thereof the word "nineteen"

In line 512 delete the word "twenty" and insert in lieu thereof the word "twenty-one"

In line 515 delete the word "three" and insert in lieu thereof the word "four"

In line 518 delete the word "twenty-six" and insert in lieu thereof the word "twenty-seven"

In line 521 delete the word "one" and insert in lieu thereof the word "two"

In line 531 delete the word "twenty" and insert in lieu thereof the word "twenty-one"

In line 545 delete the word "twenty" and insert in lieu thereof the word "twenty-one"

For the Senate:

Grant Trenbeath

George Saumur

Lester N. Lautenschlager

For the House:

Rep. Tollefson

Rep. Streibel

Rep. Hauf

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that House Bill No. 551 be deemed properly reengrossed and placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 551. A Bill for an Act to provide financial assistance in the transportation of school children and to create and enact sections 15-40011 and 15-56011 of the North Dakota Revised Code of 1943 and to amend and reenact sections 15-4013, 15-4014, 15-40141, 15-4015, 15-4016, 15-4019, 15-4020, 15-4021, 15-5601, 15-5602, 15-5603, 15-5604, 15-5605, 15-5606, 15-5609, 57-1524, and 57-1525 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to county and state equalization funds and county tuition funds and school tax levies and limitations, and to repeal chapter 15-58 and section 57-15251 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 57-1526 of the North Dakota Revised Code of 1943.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Johnson	Paulson
Becker	Kee	Redlin
Berube	Klefstad	Ringsak
Brooks	Krause	Roen

Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Freed	Longmire	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Vendsel
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Hernett	Nesvig	Wenstrom
Holand	O'Brien	Yunker
Hystad		

Those voting in the negative were:

Andre	Gronvold	Mutch
Erickson	Luick	

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 7 has had the same under consideration and recommends that the House recede from its amendments and that the bill be modified as follows:

In the title of the bill following the word "Dakota" insert the words "and declaring an emergency in regard to Section 2 of the bill".

Following line 29 of the bill insert the following words:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any money in the state school construction fund, as created under the provisions of Chapter 15-60 of the 1957 Supplement to the North Dakota Revised Code of 1943, the sum of four hundred twenty-five thousand dollars or so much thereof as may be necessary for the construction of an administration and education building at the state training school at Mandan, North Dakota.

SECTION 3. EMERGENCY.) Section 2 of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

For the Senate:

Ralph Erickstad
Lloyd Erickson
Philip Berube

For the House:

Rep. Anderson of Richland
Rep. Anderson of McHenry
Rep. Knudsen of LaMoure

Senator Erickstad moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 7 be deemed properly reengrossed and placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 7. A Bill for an Act making an appropriation for the general maintenance, improvements and

repairs, equipment, miscellaneous, new building and special projects for the State Training School at Mandan, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	O'Brien
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Brooks	Kee	Saumur
Erickson	Klefstad	Schrock
Erickstad	Larson	Thompson
Fiedler	Lautenschlager	Trenbeath
Foss	Livingston	Van Horn
Freed	Longmire	Vendsel
Garaas	Luick	Wadeson
Gefreh	Miller	Wenstrom
George	Morgan	Yunker
Gilbertson	Murphy	Wartner

Those voting in the negative were:

Gronvold	Meidinger	Ringsak
Krause	Mutch	Roen

Absent and not voting:

Kisse

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 4
 Senate Bill No. 5
 Senate Bill No. 22
 Senate Bill No. 23
 Senate Bill No. 24
 Senate Bill No. 32
 Senate Bill No. 33
 Senate Bill No. 34
 Senate Bill No. 35
 Senate Bill No. 44
 Senate Bill No. 45
 Senate Bill No. 94
 Senate Bill No. 131
 Senate Bill No. 146
 Senate Bill No. 163
 Senate Bill No. 156
 Senate Bill No. 196
 Senate Bill No. 198
 Senate Bill No. 222

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to transmit:

House Bill No. 502
House Bill No. 506
House Bill No. 508
House Bill No. 510
House Bill No. 511
House Bill No. 512
House Bill No. 520
House Bill No. 521
House Bill No. 523
House Bill No. 524
House Bill No. 532
House Bill No. 533
House Bill No. 545
House Bill No. 547
House Bill No. 584
House Bill No. 589
House Bill No. 615
House Bill No. 627
House Bill No. 657
House Bill No. 703
House Bill No. 705
House Bill No. 728
House Bill No. 771
House Bill No. 784
House Bill No. 827
House Bill No. 849
House Bill No. 864
House Concurrent Resolution "U"
House Concurrent Resolution "W 1"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on Senate Bill No. 7.

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on House Bill No. 551.

The Vote:
43 ayes
5 nays
1 absent

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to transmit:

House Bill No. 503
House Bill No. 507

House Bill No. 516
 House Bill No. 517
 House Bill No. 519
 House Bill No. 528
 House Bill No. 534
 House Bill No. 535
 House Bill No. 579
 House Bill No. 622
 House Bill No. 629
 House Bill No. 631
 House Bill No. 660
 House Bill No. 662
 House Bill No. 676
 House Bill No. 696
 House Bill No. 698
 House Bill No. 702
 House Bill No. 707
 House Bill No. 712
 House Bill No. 718
 House Bill No. 723
 House Bill No. 737
 House Bill No. 745
 House Bill No. 779
 House Bill No. 810
 House Bill No. 820
 House Bill No. 823
 House Bill No. 836
 House Bill No. 838
 House Bill No. 842
 House Bill No. 843
 House Bill No. 850
 House Bill No. 862
 House Bill No. 863

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

MOTION

Senator Erickstad moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, at the call of the chair, the President presiding.

REPORT OF A SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and have been unable to agree and request to be discharged and that a new Conference Committee be appointed.

For the Senate:
 Lee F. Brooks
 Bronald Thompson
 Donald C. Holand

For the House:
 Rep. Hilleboe
 Rep. Sjaastad
 Rep. Doherty

Senator Brooks moved that the report be adopted.

Senator Larson made the substitute motion that the Senate do concur in the House amendments to Senate Bill No. 49.

Senator Holand requested a call of the Senate, which request was granted.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

The question was on the substitute motion of Senator Larson, which motion was lost.

The question was on the motion of Senator Brooks that the report of the Conference Committee be adopted on Senate Bill No. 49, which motion prevailed.

The President appointed as such Conference Committee on Senate Bill No. 49, Senators Brooks, Holand and Thompson.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on Senate Bill No. 49 and the President has appointed as a Conference Committee to act with a like committee from the House,

Senators:
Brooks
Thompson
Holand

VIC GILBREATH, Secretary.

MOTION

Senator Gronvold moved that the Senate reconsider the action by which House Bill No. 821 was passed.

Senator Mutch requested a call of the Senate, which request was denied.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2 has had the same under consideration and recommends that the Senate concur with the House amendments except in line 5 of "Section 2." change the sum of "twenty-five" to "one hundred".

For the Senate:
Ernest C. Livingston
C. G. Kee
Clayton Paulson

For the House:
Rep. Lindberg
Rep. Lowe
Rep. Strege

Senator Livingston moved that the report be adopted, which motion prevailed.

Senator Livingston moved that the rules be suspended and that Senate Bill No. 2 be deemed properly reengrossed and placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and miscellaneous items of the School for the Blind at Bathgate, North Dakota.

Was read the second time.

FRIDAY, MARCH 6, 1959

961

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Gronvold	Meidinger
Becker	Hernett	Miller
Berube	Holand	Mutch
Brooks	Hystad	O'Brien
Erickson	Johnson	Paulson
Erickstad	Kee	Roen
Foss	Klefstad	Saumur
Freed	Krause	Schrock
Garaas	Larson	Wadeson
Gefreh	Lautenschlager	Wartner
George	Livingston	Wenstrom
Gilbertson	Longmire	Yunker

Those voting in the negative were:

Andre	Murphy	Thompson
Fiedler	Nesvig	Trenbeath
Luick	Redlin	Van Horn
Morgan	Ringsak	Vendsel

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and recommends that the House recede from its amendments in the following particulars:

In line 4 of the title after the comma following the word "Acts" insert the words "and farm labor,"

In line 8 of the bill after the word "in" insert the words "farm labor or"

In line 46 of the bill delete the brackets around the words "agriculture or"

For the Senate:

Lee F. Brooks
Bronald Thompson
Donald C. Holand

For the House:

Rep. Johnston
Rep. Wilkie
Rep. Bye

Senator Brooks moved that the report be adopted.

Senator Trenbeath made the substitute motion that Senate Bill No. 49 be indefinitely postponed, which motion was declared lost.

The question being on the motion of Senator Brooks that the report of the Conference Committee on Senate Bill No. 49 be adopted, which motion prevailed.

Senator Brooks moved that the rules be suspended and that Senate Bill No. 49 be deemed properly reengrossed and placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 49. A Bill for an Act to create and enact sections 34-06011 and 34-06012 of the North Dakota Revised Code of 1943, providing minimum wages for all employees except persons covered under federal minimum wage Acts, and farm labor, and domestic employment, and persons who are under sixteen years of age; providing for exceptions to the minimum wage in regard to employees who are incapacitated or who have limited ability due to age, physical or mental condition, or experience and training, providing penalties; to amend and re-enact subsection 1 of section 34-0602, sections 34-0601, 34-0607, 34-0609, 34-0610, 34-0612, 34-0613, and 34-0616 of the North Dakota Revised Code of 1943, relating to minimum wage and hours for women and minors in order to include all employees except minors under regulations affecting minimum wages; and to repeal subsection 3 of section 34-0602, subsections 3 and 4 of section 34-0603, subsections 3 and 4 of section 34-0605 and section 34-0615 of the North Dakota Revised Code of 1943, relating to powers and procedures in the establishment of minimum wages of women.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Baeverstad	Kee	O'Brien
Berube	Klefstad	Paulson
Brooks	Krause	Redlin
Erickstad	Larson	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Livingston	Thompson
Garaas	Longmire	Van Horn
George	Luick	Vendsel
Gilbertson	Meidinger	Wadeson
Hernett	Miller	Wartner
Holand	Morgan	Wenstrom
Hystad	Murphy	Yunker

Those voting in the negative were:

Becker	Gefreh	Ringsak
Erickson	Gronvold	Roen
Freed	Mutch	Trenbeath

Absent and not voting:

Kisse

So the bill passed and the title was agreed to.

Senator Freed: I would like to explain my vote, and I would like to have my remarks recorded in the journal. I voted against this bill because I don't think it is going to do labor one bit of good, and it isn't going to do industry any good. Seventy-five cents an hour—I don't think there is a place in the country where they employ a man—a man—I will get to her after a while—employ a man that is getting less than seventy-five cents an hour. Yes, some women and some boys perhaps work in stores. They probably aren't worth seventy-five cents an hour, but tell

me if there is any man working with a family and earning less than seventy-five cents an hour—that employer ought to be ashamed of himself.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on Senate Bill No. 2

VIC GILBREATH, Secretary.

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on Senate Bill No. 49.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 2.

The vote:
81 ayes
18 Nays
14 absent

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Mutch moved that House Bill No. 821 be placed on the calendar.

Mr. President: We have a motion before the House by Senator Gronvold to reconsider our action on House Bill No. 821.

Senator Vendsel requested a recorded roll call vote on the motion of Senator Gronvold to reconsider, which request was granted.

ROLL CALL

The question being on the motion of Senator Gronvold that the Senate reconsider the action by which House Bill No. 821 was passed, the roll was called and there were ayes, 35; nays, 13; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Kee	Nesvig
Baeverstad	Klefstad	O'Brien
Becker	Krause	Paulson
Brooks	Larson	Ringsak
Erickstad	Lautenschlager	Roen
Freed	Livingston	Saumur
George	Longmire	Trenbeath
Gefreh	Meidinger	Vendsel
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wenstrom
Holand	Murphy	Yunker
Johnson	Mutch	

Those voting in the negative were:

Berube	Hernett	Schrock
Erickson	Hystad	Thompson
Fiedler	Luick	Van Horn
Foss	Redlin	Wadeson
Garaas		

Absent and not voting:

Kisse

So the motion was declared carried.

Senator Livingston moved that House Bill No. 821 be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 49 and have indefinitely postponed the bill.

The vote:

49 Ayes

56 Nays

8 Absent

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 821

Which the Senate has laid on the table.

VIC GILBREATH, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 97 has had the same under consideration and recommends that the House recede from its amendments to Senate Bill No. 97 and that the bill be amended as follows:

In line 5 of the title of the engrossed bill delete the word "commercial"

In line 6 of the engrossed bill delete the word "commercial"

In line 12 of the engrossed bill delete the word "commercial"

In line 24 of the engrossed bill delete the word "commercial"

In line 25 of the engrossed bill after the comma after the word "state" insert the following language: "provided, however, that any claim for refund on fuel used to propel watercraft shall not be permitted when any invoice shows a purchase of less than fifty gallons,"

In line 34 of the engrossed bill delete the words "as unclaimed refunds under the"

Delete all of the language in line 35 of the engrossed bill

Delete the following language in line 36 of the engrossed bill "and aviation motor fuels" and insert in lieu thereof

the following language: "after the refunds have been paid on aviation motor fuels"

In line 50 of the engrossed bill after the word "fuel" delete the following language: "for heating purposes which is"

Delete all of line 51 of the engrossed bill and insert in lieu thereof the following language: "to be used for heating, agricultural or railroad purposes"

In line 52 of the engrossed bill delete the word "appliance"

In line 58 of the engrossed bill delete the comma after the word "industrial" and the word "agricultural"

In line 60 of the engrossed bill delete the word "commercial"

In line 60 of the engrossed bill after the comma after the word "state" insert the following language: "provided, however, that any claim for refund on fuel used to propel watercraft shall not be permitted when any invoice shows a purchase of less than fifty gallons,"

In line 63 of the engrossed bill delete the words "as amended,"

In line 64 of the engrossed bill delete the word "Act" and insert in lieu thereof the word "chapter"

Renumber the lines accordingly.

For the Senate:

H. B. Baeverstad
Edwin C. Becker
Bronald Thompson

For the House:

Rep. Scott
Rep. Dahl
Rep. Witteman

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Senator Baeverstad moved that the rules be suspended and that Senate Bill No. 97 be deemed properly reengrossed and placed on second reading and final action, as amended in Conference Committee, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 97. A Bill for an Act to amend and re-enact sections 57-4308, 57-5001 and 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the refund of motor fuels and special fuels taxes on fuels used to propel commercial watercraft on waters in this state.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 36; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hernett	Redlin
Baeverstad	Holand	Ringsak
Becker	Hystad	Saumur
Brooks	Larson	Schrock
Erickson	Lautenschlager	Thompson

Erickstad	Livingston	Trenbeath
Fiedler	Longmire	Van Horn
Freed	Miller	Vendsel
Garaas	Murphy	Wadeson
Gefreh	Mutch	Wartner
George	Nesvig	Wenstrom
Gronvold	Paulson	Yunker

Those voting in the negative were:

Johnson	Luick	O'Brien
Klefstad	Meidinger	Roen
Krause	Morgan	

Absent and not voting:

Berube	Gilbertson	Kisse
Foss	Kee	

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on Senate Bill No. 97.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 97 and has indefinitely postponed Senate Bill No. 97 by a vote of:

47 Ayes
53 Nays
13 Absent

GERALD L. STAIR, Chief Clerk.

Senator Mutch moved that the absent Senator be excused, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 502
House Bill No. 503
House Bill No. 506
House Bill No. 507
House Bill No. 508
House Bill No. 510
House Bill No. 511
House Bill No. 512
House Bill No. 516
House Bill No. 517
House Bill No. 519
House Bill No. 520
House Bill No. 521
House Bill No. 523
House Bill No. 524
House Bill No. 528
House Bill No. 532
House Bill No. 533

House Bill No. 534
House Bill No. 535
House Bill No. 545
House Bill No. 547
House Bill No. 579
House Bill No. 584
House Bill No. 589
House Bill No. 615
House Bill No. 622
House Bill No. 627
House Bill No. 629
House Bill No. 631
House Bill No. 657
House Bill No. 660
House Bill No. 662
House Bill No. 676
House Bill No. 696
House Bill No. 698
House Bill No. 702
House Bill No. 703
House Bill No. 705
House Bill No. 707
House Bill No. 710
House Bill No. 712
House Bill No. 718
House Bill No. 723
House Bill No. 728
House Bill No. 737
House Bill No. 745
House Bill No. 771
House Bill No. 779
House Bill No. 784
House Bill No. 810
House Bill No. 820
House Bill No. 823
House Bill No. 827
House Bill No. 836
House Bill No. 838
House Bill No. 842
House Bill No. 843
House Bill No. 849
House Bill No. 850
House Bill No. 862
House Bill No. 863
House Bill No. 864
House Concurrent Resolution "U"
House Concurrent Resolution "W 1"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:
House Bill No. 502
House Bill No. 503
House Bill No. 506
House Bill No. 507
House Bill No. 508
House Bill No. 510
House Bill No. 511

House Bill No. 512
House Bill No. 516
House Bill No. 517
House Bill No. 519
House Bill No. 520
House Bill No. 521
House Bill No. 523
House Bill No. 524
House Bill No. 528
House Bill No. 532
House Bill No. 533
House Bill No. 534
House Bill No. 535
House Bill No. 545
House Bill No. 547
House Bill No. 579
House Bill No. 584
House Bill No. 589
House Bill No. 615
House Bill No. 622
House Bill No. 627
House Bill No. 629
House Bill No. 631
House Bill No. 657
House Bill No. 660
House Bill No. 662
House Bill No. 676
House Bill No. 696
House Bill No. 698
House Bill No. 702
House Bill No. 703
House Bill No. 705
House Bill No. 707
House Bill No. 710
House Bill No. 712
House Bill No. 718
House Bill No. 723
House Bill No. 728
House Bill No. 737
House Bill No. 745
House Bill No. 771
House Bill No. 779
House Bill No. 784
House Bill No. 810
House Bill No. 820
House Bill No. 823
House Bill No. 827
House Bill No. 836
House Bill No. 838
House Bill No. 842
House Bill No. 843
House Bill No. 849
House Bill No. 850
House Bill No. 862
House Bill No. 863
House Bill No. 864
House Concurrent Resolution "U"
House Concurrent Resolution "W 1"
Which the President has signed.

VIC GILBREATH, Secretary.

APPOINTMENT OF RESEARCH
COMMITTEE MEMBERS

Mr. President: At this time I would like to announce that the chair will appoint on the majority faction for the North Dakota Legislative Research Committee, Senators Wenstrom, Holand and Luick, and on the minority faction, Senators Vendsel and Fiedler.

Senator Trenbeath: I rise to a point of personal privilege.

Mr. President: State your point, Senator.

Senator Trenbeath: I rise to a point of personal privilege. Senator Saumur and I have discussed the matter of how to show our appreciation for the work that the Legislative Research Committee has done for us. I think they are the hardest working group I have ever seen, and I would like to have the Senate rise and give them a big hand.

Senator Saumur: I concur in the statements of Senator Trenbeath.

The Senate rose in recognition of the Legislative Research Committee.

Senator Holand moved that the President appoint a committee to escort Emerson Murry to the rostrum, which motion prevailed.

The President appointed as such committee Senators Holand and Vendsel and Emerson Murry was escorted to the rostrum and invited to address the Senate.

Mr. Murry: Thank you very much, Governor. I have never faced this body from here before. I am usually looking up from our office down there except for the last couple of days. Thank you very much for the standing vote of recognition. We do have a wonderful staff, not myself particularly, but we do have a wonderful staff in the Legislative Research Committee, and I know I speak for them when I say they like to work for you. This is the finest body of men in this legislative assembly that I have ever had occasion to come in contact with. I only wish the people of the State of North Dakota could fully realize what a wonderful bargain they have in the legislative assembly, the wonderful bargain they have to be led by a board of directors that costs less than one-fourth of one percent of the entire expenditure of the state. I think we have a fine body of men and as long as we have this type of representation we will continue to have the democratic type of government we all want. Thank you very much.

Senator Van Horn moved that the remarks of Emerson Murry be printed in the journal, which motion prevailed.

Senator Longmire: I rise to a point of personal privilege and I ask that my remarks be recorded.

Mr. President: State your point.

Senator Longmire: As most of the members here know some of us from out of town brought our families here, and have lived here in Bismarck since we started, and I just want to offer a word of appreciation to the people of Bismarck for the way they have treated us, and the way I know they have treated all of the others that did bring their families, and you who did not have an opportunity to do that. The only thing about it is that my

wife has had so many invitations she could not do the work at home. That is the only disadvantage, but I did want to express a word of appreciation for the fine manner in which the people of Bismarck have treated all of the legislators during this session. I know it is the best I have ever been treated at any time, anywhere and under any conditions.

MOTIONS

Senator Erickstad: Mr. President. According to custom and tradition, I move that the rules be suspended and that we devote the next few minutes to honor some of our leaders and some of our staff for the great work that has been accomplished by them during this session of the legislature. Which motion prevailed.

Senator Erickstad: I request that the President recognize Senator O'Brien.

Mr. President: Senator O'Brien.

Senator O'Brien: Mr. President: When the Senate is about to adjourn sine die we always have this little ceremony and it has been my privilege in the past three sessions to pay tribute to the Lieutenant Governor. I am most happy to do so again. Lieutenant Governor Dahl has been President of the Senate three of the four sessions I have been here. Yesterday we heard about the many years of service C. P. has had as a public servant and I should like to congratulate him on this outstanding record in giving so generously of his time and talents to the State. Incidentally, while speaking of long records—this marks the 13th session for the O'Briens in the legislature—my husband was here for nine sessions and as I mentioned before this is my fourth.

Getting back to C. P., his ability as a parliamentarian is well known and we who have heard him in action every day probably have taken his work for granted and may not realize how well he has to be informed and how adept his thinking has to be in order to rule on the large variety of situations that develop here.

In tribute to our presiding officer, I should like to mention that his treatment of all members of this body has been very fair. Even when he refereed the two warring factions in the 1953 and 1955 sessions, Lt. Governor Dahl managed to keep things on an even keel. This session we have also received fair treatment and I would like to express the thanks of all the Senators to President Dahl for his kindly consideration. On behalf of my colleagues, it gives me pleasure to present this gift to the Lieutenant Governor.

Lt. Governor Dahl: Thank you Senator O'Brien for those nice words and the nice gift. The gavel I hold in my hand I have used to preside over 6 sessions and it will now be placed among my many memoirs.

When the gavel falls to indicate that the motion to adjourn this 36th legislative session for the state of North Dakota Sine Die, it will end my career as presiding officer of the Senate, a position I have enjoyed very much, and an honor that has been bestowed upon me by the electorate of this great state six times. Many precarious parliamentary situations have arisen during my tenure as pre-

siding president of the Senate. Decisions have had to be made, that were often as thin as a spider's web, but strong enough to carry the one who spins them, this is the marvel of Roberts Rules of Order, rules governing parliamentary procedure so edited and constructed to apply to any situation that may arise in conducting any public meeting orderly and with decorum. There is no doubt that there are those in this assembly, who feel that rules should be inaugurated to fit the occasion or certain circumstances, I wish to admonish against going too far in this direction, special rules which would apply well today to a certain segment of the assembly could well be a detriment for the same position tomorrow or a future date, as what has been so often repeated on this floor this session, that today's minority may be the majority tomorrow, this I know is not beyond the realm of fair thinking, as I have in my career as presiding officer witnessed the majority become the minority over-night in the State Senate. Do not be alarmed over the procedure of last evening, Roberts Rules of Order have vested great power in the position of Chairman, and justly so, the rules of our Congress are based upon its directions, the British Parliament, the Forty Nine States of the Union and its outlying possessions are governed by its findings. I am convinced, that no question can be so complicated that it cannot be resolved by the proper application of the rules upon which our parliamentary procedure is based. The demonstrations in the last days of this session are our re-dedication to our Constitution and the Bill of Rights, our great American heritage, of Free Speech and peaceful assembly. What greater proverb do we have than this, by a great statesman: "I may disagree with what you say, but I will fight to preserve the right for you to say it." To me that is the real strength of our system of Government. Thank you.

Senator Erickstad: Mr. President, I now ask that you recognize Senator Baeverstad.

Mr. President: Senator Baeverstad.

Senator Baeverstad: Members of the Senate — It is my pleasure to talk to you about the veteran in the North Dakota State Senate, Senator P. L. Foss representing Barnes County. This man has the past two sessions had the great responsibility of understanding the needs of our state schools and state government as he has struggled to truly provide in a fair and just manner for their operation, as the Chairman of the Senate Appropriations Committee.

I know of no man that is as greatly respected and admired by all of his fellow Senators — Republicans and Democrats alike, as "Polly" Foss. It has been my pleasure to have served with him in the past five sessions — and I remember when I first became a member of the State Senate that he at that time was looked up to and respected for not only his exceptional ability as a legislator, but also for the reputation he had already established for his interest in helping every one of his fellow Senators, both of his own party and the opposition in doing more and better work for our State and their local communities, as they served their district in the North Dakota State Senate.

"Polly" — during the past two years you have served as the President Pro Tem until we convened as the 36th

Legislative Assembly, and it is indeed a privilege and an honor for me, on behalf of your fellow Senators to present to you this small gift in recognition of the great respect we have for you.

Senator Foss: Mr. President, Senator Baeverstad, and Members of the Senate. I do feel very humble at this moment. While I recognize that I am a senior Senator of this group I feel really young too. Many a day, gentlemen, I have sat around here during session and reminisced about the men that have been here, who sat there, and there, and there. There have been some wonderful men that have gone out over the state, some of them are in the capitol of our nation today, some of them have passed on. I have thought of these men many times. They were the assets of my best days. The greatest asset is the memory of the acquaintances that you have made. Today I know I am going to be enriched more so than ever because I have made the acquaintance of you men over there, over there and over there. I am going to take these memories back home with me. I hope I can come back and greet you here again, and meet you, work with you, possibly disagree with you at times but out of it all the best will come for all of the people so that the rule that we live by may be more equitably distributed. We want all of our people to prosper, to live and certainly we want our nation to continue. I often look at the beautiful flag back of you, Mr. President, and all the beautiful philosophy it symbolizes. That is a beautiful flag there. We Americans have had the wonderful opportunity to live, make our own rules, and to raise our families and to worship as we like. Senator Baeverstad, I thank you very much for those kind words, and all you Senators, I thank you very much.

Senator Erickstad: Mr. President, I now ask you to recognize Senator Hernet.

Senator Hernet: The gentleman that I have selected to honor today is not a man of real large stature—but what he lacks in size he surely makes up in quality.

As President Pro Tem he has had more difficulty this session than the average man should have.

First, he was made a charter member of a very exclusive club, which involved much physical torture, but the end result was worth all the pain and suffering.

Second, he has had more difficulty with TIME than any other person ever had.

And thirdly, he has been the most effective presiding officer we have ever had, in that, he was just about successful in making the gavel connect with the head of our outstanding secretary. He claims this was not intentional but we leave that to your best judgment.

At any rate, Amos has been one of the most colorful members of this Senate.

As President Pro Tem he has performed the duties of that office with decorum and dignity, and he is much respected by all of us.

One other title he should have is OFFICIAL STORY TELLER for the Senate.

At this time it gives me a great deal of pleasure to have

the honor of presenting President Pro Tem Freed with this gift.

Senator Freed: Thank you very kindly, Senator Hernett.

Mr. President, Members of the Senate, Desk Force, and all employees.

Whenever this special order of business arrives, we are again aware of the fact that another session has come to a close.

Most of us here are happy that in a short time we will return to our homes to look after our individual business or occupation.

During the past 60 days we all have had some ups and downs. However, I do know also that we all tried our utmost to serve our people, our country, and our state to the best of our ability and knowledge.

I wish to say that I sincerely appreciate having had the privilege of serving as your President Pro Tem for this session.

You were all very kind to me and I appreciate the cooperation and help that was extended to me during this session.

This is my 6th session and I want to say that every session has been most interesting and educational. However, I want to assure you all that the memories of this session will long remain with me and your gift shall often remind me of your good will and kindness.

In parting let me wish each and every one of you good health and success and may God be with you and protect you until we meet again.

I want to thank you all again, one and all.

Senator Erickstad: Mr. President, I now ask that you recognize Senator Garaas.

Mr. President: Senator Garaas.

Senator Garaas: Mr. President and members of the Senate.

It is an honor for me and a great privilege to have been delegated by this body to offer this gesture of esteem and respect to our majority floor leader, Senator Holand. His abilities have guided us through this session in the most efficient manner and, even though a floor leader might use his position to control and influence legislation, we can truthfully say that our majority floor leader has not used his position to his own advantage. He has been fair and impartial to both the majority and the minority. At all times he has conducted himself in a courteous manner showing great qualities of leadership. As a member of the minority faction in this Senate, I wish to state that at no time during this entire session has any member of the minority felt that the minority was not treated fairly by the majority floor leader.

The majority floor leader has never in his capacity as such, refused to allow any bill to be debated on its merits and Senator Holand has never used parliamentary procedure as a weapon against either the majority or the minority.

Senator Holand is very modest and tolerant, and has not monopolized on the Senate time. We have all enjoyed

our association with you and we appreciate your fine cooperation.

This gift is a small expression of our way of saying thank you for a job well done as majority floor leader in the session.

Senator Holand: Thank you, Senator Garaas. Mr. President, Members of the Senate, I want to say very little. I should say first that serving as majority floor leader has certainly been a pleasant and valuable experience as far as I am concerned. You have all been very kind and cooperative, and in the same breath I must say that the good things that come out of our session here are due to the hard work that I know all of you have been doing. You have all served well. I have been impressed with one thing and that is that each and everyone of you is truly a leader in his own right. Thank you.

Senator Erickstad: As Assistant Majority Floor Leader, according to custom, it is my privilege to present a gift from the entire Senate to the Minority Floor Leader. This gift is a token of the esteem of all of the members of the Senate.

Although the members of the majority and their leaders may have differed on many occasions with the members of the minority and their leaders, we sincerely believe that the laws which have come out of this session of the legislature are better because of the debates and discussions between the parties and their leaders.

Senator Vendsel: Mr. President, Senator Erickstad and fellow Members of the Senate. When I was elected to this body four years ago, or two years ago, in 1956, up until that time shall we say I had always felt, and have many times said in an offhand manner that the Republicans were always wrong, but after serving the last session, the 1957 session, then I suddenly discovered that they weren't always wrong, just wrong most of the time.

I want to express on behalf of the minority our sincere thanks to you for your consideration that has been given to us. I say that from the bottom of my heart. Many times we may feel that we have been bruised in the heat of debate, and in the final vote count we have been defeated, but I think we all recognize that is the basic thing in this great country of ours, and, therefore, even though we may disagree at the time as a minority yet when the bills we pass become law, then it is incumbent upon all of us to see that those laws are adhered to. There are 25 members, or 26 members of this body, including myself, who will be up for re-election. Many others may not be here, but I certainly hope that all of you, wherever you are, will continue to take an active part in the government because the valuable experience you have gained here, a basic insight into the government, is something that people who have not served here do not have, and, therefore, I hope that those of you who do not come back will continue to give leadership in your communities in the affairs of government, because only by knowledge of government, in my opinion, can our nation remain strong.

You know this little book "Roberts Rules of Order" — I realize that it is designed in such a fashion so that the majority rule may prevail. It could not be otherwise designed. A lot hinges on that little book, and if it was so

designed that the minority can stymie the decision of the majority we would not have good government in this country and we would not have rule by the majority.

I want you to know this, Mr. Lieutenant Governor, as you have presided over this body many times, I have asked you for advice many times, and you have been a real parliamentarian, and you have always pleasantly and efficiently offered that advice, not only to me, but to many members of the minority, and I say to you, Senators Holand and Erickstad, that you have been completely fair, completely fair.

I want to thank the members of the minority party who have helped me as minority floor leader. The mistakes I made have been mistakes made because of lack of knowledge, they certainly have not been the mistakes of the party. These individuals sitting in this body, in my opinion, I will say they are the finest group of people I have ever known. They have been completely cognizant of the rights of the individual—of the other persons in this body. Thank you.

Senator Erickstad: Mr. President, I now ask that you recognize Senator Roen.

Mr. President: Senator Roen.

Senator Roen: Mr. President, my people to honor this afternoon, I believe, is the largest group that is to be honored today. I am speaking of the Third House personnel who have assisted in this legislative assembly. Let us not forget them. I will name them—the sergeant-at-arms, enrolling and engrossing, pages, committee clerks, bill room personnel, door keepers, telephone operators, supply room attendant, and I wish also to include the good fellows out in the parking lot. Certainly these people have done a wonderful job for us, and I wish to thank them most sincerely for a terrific job well done.

There are a few of the Third House group that we want to honor especially today because their position demands, should we say, more talent, more ability. These folks along with Governor Dahl, keep the Senate working in a proper manner, and these people we want to honor in a little special way this afternoon, and from the Senate we have some little gifts that we want to present to them, and I am going to ask Mrs. Quanrud, our chief stenographer, to assist me in this presentation. I first want to present a gift to Mrs. Daner, our very efficient bill clerk. As you all know she is the daughter of our presiding officer, a terrific girl who keeps a complete record of all action taken on the various bills that pass through the Senate, and even though she is under tension at times, she still is pleasant and it is a pleasure to work with her at all times, and I am very happy that she has made herself available to the Senate this session also.

A gift was presented to Mrs. Daner and she expressed her thanks and appreciation to the Members of the Senate.

Senator Roen: Next, we have Mr. Herk, our assistant secretary. We don't hear too much from Mr. Herk as Mr. Gilbreath is generally always on the job, but should he be called upon we know that he stands ready to take over. I am going to ask you to say a few words, Mr. Herk.

A gift was presented to Mr. Herk and he expressed his thanks and appreciation to the Members of the Senate.

Senator Roen: And now, Mr. President, we come to our desk reporter, Dagny Olson. I have said on many occasions that I felt that I was one who could recognize talent when I see it. Certainly I speak for the members of the Senate when I say that we are most grateful to Dagny for consenting to be with us this session again. I am sure you Senate members are aware, as I am, that in spite of our very bad English and poor punctuation, and laymen's interpretation of parliamentary procedure, it all comes out in a proper and accepted record. Mrs. Quanrud, will you please present Dagny with this gift of appreciation, and Dagny, we would like to have you say a few words.

A gift was presented to Dagny Olson and she expressed her thanks and appreciation to the members of the Senate.

Senator Roen: Mr. President, now comes the head man himself. I think we will call him the quarterback on this team as he calls all the plays. I could go on talking about Mr. Gilbreath for a long time but I will merely say that he has the respect and admiration of every Senator in the chambers. Mr. Gilbreath, I ask Mrs. Quanrud to present you with this gift and hope that you will say a few words.

A gift was presented to Mr. Gilbreath and he expressed his thanks and appreciation to the Members of the Senate.

Senator Erickstad then expressed his thanks and appreciation to Mrs. Quanrud for the fine job performed as chief stenographer for the Senate, and Mrs. Quanrud was asked to rise and be recognized by the Senate.

Senator Erickstad then expressed his appreciation to Kenneth Johnson for his good work as director of personnel for the Senate, and Mr. Johnson was asked to rise and be recognized by the Senate.

All the committee chairmen then expressed their thanks and appreciation to the members of their committees and their vice chairmen.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 59

And finds the same correctly reengrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 55

Senate Bill No. 59

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 55

Senate Bill No. 59

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 55

Senate Bill No. 59

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

MESSAGE TO THE SENATE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 55

Senate Bill No. 59

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 55

Senate Bill No. 59

Were delivered to the Governor for his approval at the hour of 5:00 o'clock p.m., March 6, 1959.

SENATOR ERICKSON, Chairman.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 230

Senate Bill No. 239

Senate Bill No. 261

Senate Bill No. 264

Senate Concurrent Resolution "FF"

Senate Concurrent Resolution "KK"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 230

Senate Bill No. 239

Senate Bill No. 261

Senate Bill No. 264

Senate Concurrent Resolution "FF"

Senate Concurrent Resolution "KK"

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

MESSAGE TO THE SENATE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 230
Senate Bill No. 239
Senate Bill No. 261
Senate Bill No. 264
Senate Concurrent Resolution "FF"
Senate Concurrent Resolution "KK"
Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 230
Senate Bill No. 239
Senate Bill No. 261
Senate Bill No. 264

Were delivered to the Governor for his approval at the hour of 5:00 o'clock p.m., March 6, 1959.

SENATOR ERICKSON, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "FF"
Senate Concurrent Resolution "KK"

Were delivered to the Secretary of State at the hour of 5:00 o'clock p.m., March 6, 1959.

SENATOR ERICKSON, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 4
Senate Bill No. 5
Senate Bill No. 22
Senate Bill No. 23
Senate Bill No. 24
Senate Bill No. 32
Senate Bill No. 33
Senate Bill No. 34
Senate Bill No. 35
Senate Bill No. 44
Senate Bill No. 45
Senate Bill No. 94
Senate Bill No. 131
Senate Bill No. 146
Senate Bill No. 156
Senate Bill No. 163
Senate Bill No. 196
Senate Bill No. 198
Senate Bill No. 222

Were delivered to the Governor for his approval at the hour of 5:00 o'clock, p.m., March 6, 1959.

SENATOR ERICKSON, Chairman.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 555
House Bill No. 561
House Bill No. 563
House Bill No. 564
House Bill No. 574
House Bill No. 577
House Bill No. 578
House Bill No. 594
House Bill No. 614
House Bill No. 616
House Bill No. 653
House Bill No. 644
House Bill No. 645
House Bill No. 680
House Bill No. 683
House Bill No. 684
House Bill No. 685
House Bill No. 719
House Bill No. 721
House Bill No. 753
House Bill No. 799
House Bill No. 818
House Bill No. 833
House Bill No. 844
House Concurrent Resolution "J 1"
House Concurrent Resolution "O 1"
House Concurrent Resolution "P 1"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 555
House Bill No. 561
House Bill No. 563
House Bill No. 564
House Bill No. 574
House Bill No. 577
House Bill No. 578
House Bill No. 594
House Bill No. 614
House Bill No. 616
House Bill No. 653
House Bill No. 644
House Bill No. 645
House Bill No. 680
House Bill No. 683
House Bill No. 684
House Bill No. 685
House Bill No. 719
House Bill No. 721
House Bill No. 753

House Bill No. 799
 House Bill No. 818
 House Bill No. 833
 House Bill No. 844
 House Concurrent Resolution "J 1"
 House Concurrent Resolution "O 1"
 House Concurrent Resolution "P 1"
 Which the President has signed.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 6, 1959

Mr. President: I have the honor to transmit:

House Bill No. 501
 House Bill No. 504
 House Bill No. 505
 House Bill No. 518
 House Bill No. 522
 House Bill No. 525
 House Bill No. 526
 House Bill No. 527
 House Bill No. 529
 House Bill No. 531
 House Bill No. 537
 House Bill No. 538
 House Bill No. 541
 House Bill No. 551
 House Bill No. 582
 House Bill No. 587
 House Bill No. 598
 House Bill No. 632
 House Bill No. 638
 House Bill No. 643
 House Bill No. 650
 House Bill No. 667
 House Bill No. 691
 House Bill No. 695
 House Bill No. 706
 House Bill No. 708
 House Bill No. 711
 House Bill No. 713
 House Bill No. 726
 House Bill No. 730
 House Bill No. 733
 House Bill No. 767
 House Bill No. 776
 House Bill No. 800
 House Bill No. 804
 House Bill No. 811
 House Bill No. 822
 House Bill No. 857
 House Concurrent Resolution "J"
 House Concurrent Resolution "K"
 House Concurrent Resolution "O"
 House Concurrent Resolution "Q"
 House Concurrent Resolution "T"
 House Concurrent Resolution "W"
 House Concurrent Resolution "X"
 House Concurrent Resolution "A 1"

House Concurrent Resolution "E 1"
 House Concurrent Resolution "V 1"
 House Concurrent Resolution "Z 1"
 House Concurrent Resolution "A 2"
 House Concurrent Resolution "B 2"
 House Concurrent Resolution "C 2"
 House Concurrent Resolution "D 2"
 House Concurrent Resolution "E 2"
 House Concurrent Resolution "G 2"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 501
 House Bill No. 504
 House Bill No. 505
 House Bill No. 518
 House Bill No. 522
 House Bill No. 525
 House Bill No. 526
 House Bill No. 527
 House Bill No. 529
 House Bill No. 531
 House Bill No. 537
 House Bill No. 538
 House Bill No. 541
 House Bill No. 551
 House Bill No. 582
 House Bill No. 587
 House Bill No. 598
 House Bill No. 632
 House Bill No. 638
 House Bill No. 643
 House Bill No. 650
 House Bill No. 667
 House Bill No. 691
 House Bill No. 695
 House Bill No. 706
 House Bill No. 708
 House Bill No. 711
 House Bill No. 713
 House Bill No. 726
 House Bill No. 730
 House Bill No. 733
 House Bill No. 767
 House Bill No. 776
 House Bill No. 800
 House Bill No. 804
 House Bill No. 811
 House Bill No. 822
 House Bill No. 857
 House Concurrent Resolution "J"
 House Concurrent Resolution "K"
 House Concurrent Resolution "O"
 House Concurrent Resolution "Q"
 House Concurrent Resolution "T"
 House Concurrent Resolution "W"
 House Concurrent Resolution "X"

House Concurrent Resolution "A 1"
 House Concurrent Resolution "E 1"
 House Concurrent Resolution "V 1"
 House Concurrent Resolution "Z 1"
 House Concurrent Resolution "A 2"
 House Concurrent Resolution "B 2"
 House Concurrent Resolution "C 2"
 House Concurrent Resolution "D 2"
 House Concurrent Resolution "E 2"
 House Concurrent Resolution "G 2"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 6, 1959

Mr. Speaker: I have the honor to return:

House Bill No. 501
 House Bill No. 504
 House Bill No. 505
 House Bill No. 518
 House Bill No. 522
 House Bill No. 525
 House Bill No. 526
 House Bill No. 527
 House Bill No. 529
 House Bill No. 531
 House Bill No. 537
 House Bill No. 538
 House Bill No. 541
 House Bill No. 551
 House Bill No. 582
 House Bill No. 587
 House Bill No. 598
 House Bill No. 632
 House Bill No. 638
 House Bill No. 643
 House Bill No. 650
 House Bill No. 667
 House Bill No. 691
 House Bill No. 695
 House Bill No. 706
 House Bill No. 708
 House Bill No. 711
 House Bill No. 713
 House Bill No. 726
 House Bill No. 730
 House Bill No. 733
 House Bill No. 767
 House Bill No. 776
 House Bill No. 800
 House Bill No. 804
 House Bill No. 811
 House Bill No. 822
 House Bill No. 857
 House Concurrent Resolution "J"
 House Concurrent Resolution "K"
 House Concurrent Resolution "O"
 House Concurrent Resolution "Q"
 House Concurrent Resolution "T"
 House Concurrent Resolution "W"

House Concurrent Resolution "X"
House Concurrent Resolution "A 1"
House Concurrent Resolution "E 1"
House Concurrent Resolution "V 1"
House Concurrent Resolution "Z 1"
House Concurrent Resolution "A 2"
House Concurrent Resolution "B 2"
House Concurrent Resolution "C 2"
House Concurrent Resolution "D 2"
House Concurrent Resolution "E 2"
House Concurrent Resolution "G 2"

Which the President has signed.

VIC GILBREATH, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 2
Senate Bill No. 6
Senate Bill No. 8
Senate Bill No. 13
Senate Bill No. 15
Senate Bill No. 20
Senate Bill No. 29
Senate Bill No. 30
Senate Bill No. 31
Senate Bill No. 36
Senate Bill No. 48
Senate Bill No. 50
Senate Bill No. 62
Senate Bill No. 88
Senate Bill No. 89
Senate Bill No. 98
Senate Bill No. 99
Senate Bill No. 108
Senate Bill No. 111
Senate Bill No. 113
Senate Bill No. 119
Senate Bill No. 135
Senate Bill No. 139
Senate Bill No. 142
Senate Bill No. 150
Senate Bill No. 152
Senate Bill No. 157
Senate Bill No. 159
Senate Bill No. 160
Senate Bill No. 165
Senate Bill No. 178
Senate Bill No. 191
Senate Bill No. 194
Senate Bill No. 207
Senate Bill No. 209
Senate Bill No. 213
Senate Bill No. 216
Senate Bill No. 217
Senate Bill No. 220
Senate Bill No. 221
Senate Bill No. 249
Senate Bill No. 266

Senate Bill No. 272
Senate Bill No. 279
Senate Bill No. 293

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2
Senate Bill No. 6
Senate Bill No. 8
Senate Bill No. 13
Senate Bill No. 15
Senate Bill No. 20
Senate Bill No. 29
Senate Bill No. 30
Senate Bill No. 31
Senate Bill No. 36
Senate Bill No. 48
Senate Bill No. 50
Senate Bill No. 62
Senate Bill No. 88
Senate Bill No. 89
Senate Bill No. 98
Senate Bill No. 99
Senate Bill No. 108
Senate Bill No. 111
Senate Bill No. 113
Senate Bill No. 119
Senate Bill No. 135
Senate Bill No. 139
Senate Bill No. 142
Senate Bill No. 150
Senate Bill No. 152
Senate Bill No. 157
Senate Bill No. 159
Senate Bill No. 160
Senate Bill No. 165
Senate Bill No. 178
Senate Bill No. 191
Senate Bill No. 194
Senate Bill No. 207
Senate Bill No. 209
Senate Bill No. 213
Senate Bill No. 216
Senate Bill No. 217
Senate Bill No. 220
Senate Bill No. 221
Senate Bill No. 249
Senate Bill No. 266
Senate Bill No. 272
Senate Bill No. 279
Senate Bill No. 293

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 6, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2
Senate Bill No. 6
Senate Bill No. 8
Senate Bill No. 13
Senate Bill No. 15
Senate Bill No. 20
Senate Bill No. 29
Senate Bill No. 30
Senate Bill No. 31
Senate Bill No. 36
Senate Bill No. 48
Senate Bill No. 50
Senate Bill No. 62
Senate Bill No. 88
Senate Bill No. 89
Senate Bill No. 98
Senate Bill No. 99
Senate Bill No. 108
Senate Bill No. 111
Senate Bill No. 113
Senate Bill No. 119
Senate Bill No. 135
Senate Bill No. 139
Senate Bill No. 142
Senate Bill No. 150
Senate Bill No. 152
Senate Bill No. 157
Senate Bill No. 159
Senate Bill No. 160
Senate Bill No. 165
Senate Bill No. 178
Senate Bill No. 191
Senate Bill No. 194
Senate Bill No. 207
Senate Bill No. 209
Senate Bill No. 213
Senate Bill No. 216
Senate Bill No. 217
Senate Bill No. 220
Senate Bill No. 221
Senate Bill No. 249
Senate Bill No. 266
Senate Bill No. 272
Senate Bill No. 279
Senate Bill No. 293

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 2
Senate Bill No. 6

Senate Bill No. 8
 Senate Bill No. 13
 Senate Bill No. 15
 Senate Bill No. 20
 Senate Bill No. 29
 Senate Bill No. 30
 Senate Bill No. 31
 Senate Bill No. 36
 Senate Bill No. 48
 Senate Bill No. 50
 Senate Bill No. 62
 Senate Bill No. 88
 Senate Bill No. 89
 Senate Bill No. 98
 Senate Bill No. 99
 Senate Bill No. 108
 Senate Bill No. 111
 Senate Bill No. 113
 Senate Bill No. 119
 Senate Bill No. 135
 Senate Bill No. 139
 Senate Bill No. 142
 Senate Bill No. 150
 Senate Bill No. 152
 Senate Bill No. 157
 Senate Bill No. 159
 Senate Bill No. 160
 Senate Bill No. 165
 Senate Bill No. 178
 Senate Bill No. 191
 Senate Bill No. 194
 Senate Bill No. 207
 Senate Bill No. 209
 Senate Bill No. 213
 Senate Bill No. 216
 Senate Bill No. 217
 Senate Bill No. 220
 Senate Bill No. 221
 Senate Bill No. 249
 Senate Bill No. 266
 Senate Bill No. 272
 Senate Bill No. 279
 Senate Bill No. 293

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2
 Senate Bill No. 6
 Senate Bill No. 8
 Senate Bill No. 13
 Senate Bill No. 15
 Senate Bill No. 20
 Senate Bill No. 29
 Senate Bill No. 30
 Senate Bill No. 31
 Senate Bill No. 36
 Senate Bill No. 48

Senate Bill No. 50
 Senate Bill No. 62
 Senate Bill No. 88
 Senate Bill No. 89
 Senate Bill No. 98
 Senate Bill No. 99
 Senate Bill No. 108
 Senate Bill No. 111
 Senate Bill No. 113
 Senate Bill No. 119
 Senate Bill No. 135
 Senate Bill No. 139
 Senate Bill No. 142
 Senate Bill No. 150
 Senate Bill No. 152
 Senate Bill No. 157
 Senate Bill No. 159
 Senate Bill No. 160
 Senate Bill No. 165
 Senate Bill No. 178
 Senate Bill No. 191
 Senate Bill No. 194
 Senate Bill No. 207
 Senate Bill No. 209
 Senate Bill No. 213
 Senate Bill No. 216
 Senate Bill No. 217
 Senate Bill No. 220
 Senate Bill No. 221
 Senate Bill No. 249
 Senate Bill No. 266
 Senate Bill No. 272
 Senate Bill No. 279
 Senate Bill No. 293

Were delivered to the Governor for his approval at the hour of 5:00 o'clock p.m., March 6, 1959.

SENATOR ERICKSON, Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 43
 Senate Concurrent Resolution "CC"

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 2
 Senate Bill No. 15
 Senate Bill No. 30
 Senate Bill No. 119
 Senate Bill No. 152
 Senate Bill No. 207
 Senate Bill No. 209
 Senate Bill No. 213

Senate Bill No. 279

And finds the same correctly engrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 1
 Senate Bill No. 6
 Senate Bill No. 7
 Senate Bill No. 29
 Senate Bill No. 42
 Senate Bill No. 48
 Senate Bill No. 53
 Senate Bill No. 88
 Senate Bill No. 89
 Senate Bill No. 99
 Senate Bill No. 108
 Senate Bill No. 111
 Senate Bill No. 113
 Senate Bill No. 142
 Senate Bill No. 150
 Senate Bill No. 194
 Senate Bill No. 217
 Senate Bill No. 220
 Senate Bill No. 249
 Senate Bill No. 266
 Senate Bill No. 275
 Senate Bill No. 290

And finds the same correctly reengrossed.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 1
 Senate Bill No. 7
 Senate Bill No. 42
 Senate Bill No. 43
 Senate Bill No. 53
 Senate Bill No. 126
 Senate Bill No. 158
 Senate Bill No. 166
 Senate Bill No. 219
 Senate Bill No. 245
 Senate Bill No. 275
 Senate Bill No. 290
 Senate Concurrent Resolution "G"
 Senate Concurrent Resolution "T"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "M"
 Senate Concurrent Resolution "O"
 Senate Concurrent Resolution "Q"
 Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "V"
 Senate Concurrent Resolution "W"

Senate Concurrent Resolution "X"
 Senate Concurrent Resolution "Z"
 Senate Concurrent Resolution "AA"
 Senate Concurrent Resolution "BB"
 Senate Concurrent Resolution "CC"
 Senate Concurrent Resolution "II"
 Senate Concurrent Resolution "JJ"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "NN"
 Senate Concurrent Resolution "OO"

And finds the same correctly enrolled.

SENATOR ERICKSON, Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 1
 Senate Bill No. 7
 Senate Bill No. 42
 Senate Bill No. 43
 Senate Bill No. 53
 Senate Bill No. 126
 Senate Bill No. 158
 Senate Bill No. 166
 Senate Bill No. 219
 Senate Bill No. 245
 Senate Bill No. 275
 Senate Bill No. 290
 Senate Concurrent Resolution "G"
 Senate Concurrent Resolution "I"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "M"
 Senate Concurrent Resolution "O"
 Senate Concurrent Resolution "Q"
 Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "V"
 Senate Concurrent Resolution "W"
 Senate Concurrent Resolution "X"
 Senate Concurrent Resolution "Z"
 Senate Concurrent Resolution "AA"
 Senate Concurrent Resolution "BB"
 Senate Concurrent Resolution "CC"
 Senate Concurrent Resolution "II"
 Senate Concurrent Resolution "JJ"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "NN"
 Senate Concurrent Resolution "OO"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 6, 1959

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1
 Senate Bill No. 7
 Senate Bill No. 42

Senate Bill No. 43
 Senate Bill No. 53
 Senate Bill No. 128
 Senate Bill No. 158
 Senate Bill No. 166
 Senate Bill No. 219
 Senate Bill No. 245
 Senate Bill No. 275
 Senate Bill No. 290
 Senate Concurrent Resolution "G"
 Senate Concurrent Resolution "I"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "M"
 Senate Concurrent Resolution "O"
 Senate Concurrent Resolution "Q"
 Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "V"
 Senate Concurrent Resolution "W"
 Senate Concurrent Resolution "X"
 Senate Concurrent Resolution "Z"
 Senate Concurrent Resolution "AA"
 Senate Concurrent Resolution "BB"
 Senate Concurrent Resolution "CC"
 Senate Concurrent Resolution "II"
 Senate Concurrent Resolution "JJ"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "NN"
 Senate Concurrent Resolution "OO"

Which the President has signed and your signature is respectfully requested.

VIC GILBREATH, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 6, 1959

Mr. President: I have the honor to return:

Senate Bill No. 1
 Senate Bill No. 7
 Senate Bill No. 42
 Senate Bill No. 43
 Senate Bill No. 53
 Senate Bill No. 126
 Senate Bill No. 158
 Senate Bill No. 166
 Senate Bill No. 219
 Senate Bill No. 245
 Senate Bill No. 275
 Senate Bill No. 290
 Senate Concurrent Resolution "G"
 Senate Concurrent Resolution "I"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "M"
 Senate Concurrent Resolution "O"
 Senate Concurrent Resolution "Q"
 Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "V"
 Senate Concurrent Resolution "W"
 Senate Concurrent Resolution "X"
 Senate Concurrent Resolution "Z"

Senate Concurrent Resolution "AA"
 Senate Concurrent Resolution "BB"
 Senate Concurrent Resolution "CC"
 Senate Concurrent Resolution "II"
 Senate Concurrent Resolution "JJ"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "NN"
 Senate Concurrent Resolution "OO"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 1
 Senate Bill No. 7
 Senate Bill No. 42
 Senate Bill No. 43
 Senate Bill No. 53
 Senate Bill No. 126
 Senate Bill No. 158
 Senate Bill No. 166
 Senate Bill No. 219
 Senate Bill No. 245
 Senate Bill No. 275
 Senate Bill No. 290
 Senate Concurrent Resolution "G"
 Senate Concurrent Resolution "I"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "M"
 Senate Concurrent Resolution "O"
 Senate Concurrent Resolution "Q"
 Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "V"
 Senate Concurrent Resolution "W"
 Senate Concurrent Resolution "X"
 Senate Concurrent Resolution "Z"
 Senate Concurrent Resolution "AA"
 Senate Concurrent Resolution "BB"
 Senate Concurrent Resolution "CC"
 Senate Concurrent Resolution "II"
 Senate Concurrent Resolution "JJ"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "NN"
 Senate Concurrent Resolution "OO"

Were delivered to the Governor for his approval at the hour of 5:00 o'clock p.m., March 6, 1959.

SENATOR ERICKSON, Chairman.

ELECTION OF PRESIDENT PRO TEM

Senator Foss: Mr. President. I have a very pleasant duty to perform this afternoon, one that comes at the end of every session, and I do appreciate the privilege of having an opportunity to nominate at this time a President Pro Tem to serve during the coming interim. You men are about to complete your work now this afternoon and as we start home you are going to get involved in your own business again. I know each and everyone of you have, and will want to do a better job in civic affairs

when you go home than you ever did in the past. I know that you want to return two years from now with many new ideas that we can work on so that our people can make continued progress.

In this body today we have a gentleman who is a ranking member of the Republican party, with which I am affiliated, who has served here well, and he is a man of integrity, high principles, he has served on a great many committees, he does not hesitate to express himself, he isn't afraid of work. Without taking up too much time, Members of the Senate, I am going to place in nomination the name of Senator Baeverstad as President Pro Tem for the Interim.

Senator Luick: I would like to second the nomination of Senator Baeverstad. I have known Senator Baeverstad for a long time and wish to practically say the same things that Senator Foss said about this gentleman. He has served here a long time and done a lot of good work for this body.

Senator Wadeson: I am also very happy to second the nomination of Senator Baeverstad for President Pro Tem. I served with Senator Baeverstad in the House for several terms and he came over here before I did. He has been a wonderful man to work with. It is a great pleasure for me to second the nomination of Senator Baeverstad for President Pro Tem.

Senator Vendsel: Mr. President, I know this is a formality as far as the nomination I am going to offer. I would like to place in nomination, on behalf of the minority party, the name of a Senator of our group that we are very proud of, a man who has given much of his life to government, a man who has served continuously in this body beginning with the 1943 session. This will be his ninth session that he has served. He comes from the 32nd District of North Dakota, Eddy and Foster. At this time I think all of you will recognize his great experience in this body on education. I have observed him speak many times on bills dealing with education and I have observed, practically without exception, every member of this body respects his opinion regarding bills. This man is also a senior in number of years, as a member of this minority group. He is respected. He lends dignity to this body. He lends dignity to government as such. It is an honor for me, on behalf of the minority, to present in nomination the name Senator Schrock to serve as President Pro Tem during the interim period.

Senator Fiedler: I wish to rise to second the nomination of Senator Schrock for President Pro Tem. I feel he has done an outstanding job in the minority party and we are very proud of him.

Senator Livingston moved that nominations for President Pro Tem cease, which motion prevailed.

PRESIDENT PRO TEM FOR INTERIM

ROLL CALL

The question being on the election of a President Pro Tem for the Interim, the roll was called and there were 30 votes for Baeverstad; 18 for Schrock; absent and not voting, 1.

Those voting for Baeverstad were:

Becker	Holand	Morgan
Brooks	Kee	Mutch
Erickson	Klefstad	Ringsak
Erickstad	Krause	Roen
Foss	Larson	Saumur
Freed	Livingston	Schrock
Gefreh	Longmire	Trenbeath
George	Luick	Wadeson
Gronvold	Meidinger	Wartner
Hernett	Miller	Wenstrom

Those voting for Schrock were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Berube	Lautenschlager	Thompson
Fiedler	Murphy	Van Horn
Garaas	Nesvig	Vendsel
Gilbertson	O'Brien	Yunker

Absent and not voting:

Kisse

So Senator Baeverstad was declared elected as President Pro Tem for the Interim.

Senator Foss moved that a committee be appointed to escort Senator Baeverstad to the rostrum, which motion prevailed.

The President appointed as such committee Senators Foss and Schrock and Senator Baeverstad was escorted to the rostrum and invited to address the Senate.

Senator Baeverstad: Thank you, Mr. President. I want to say to the Members of the Senate that this is indeed an honor and I hope that everything will go along in our State and that it will not be necessary for me to occupy the chair in the absence of our Lieutenant Governor, and that we will not have a session in the interim. It is indeed an honor to be selected President Pro Tem of the Senate for the interim and I want to thank each and every one of you very much.

Senator Schrock: It would be remiss on my part if I did not thank those of you who nominated me for President Pro Tem for the interim. I appreciated that very much and thank you for your support. I would also say to the entire group of the Senate that I have appreciated this session of the legislature a little more perhaps than any other session in which I have ever served. I have found in this session a sincerity, hard work, and application, I believe, to the business at hand that was a little in excess of any session I have known, perhaps due to the fact I have been on the appropriations committee. While the work at times probably has not progressed as rapidly as in previous sessions, I believe there has been a very thorough job done, and I have certainly appreciated working with the group and I thank you for your consideration of me.

Senator Morgan moved that the President appoint a committee of three to inform the Governor that the Senate has finished its work and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee, Senators Morgan, Gefreh and Andre.

Senator O'Brien moved that the President appoint a committee of three to inform the House of Representatives that the Senate has finished its business and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee, Senators O'Brien, Meidinger and Ringsak.

Senator Morgan announced that the committee appointed to inform the Governor that the Senate had finished its business and is about to adjourn sine die, had completed its work and asked that the committee be discharged, which request was granted.

Senator O'Brien announced that the committee appointed to notify the House of Representatives that the Senate has finished its business and is about to adjourn sine die, had completed its work and asked that the committee be discharged, which request was granted.

A committee from the House was received by the Senate and the committee announced that the House had completed its business and was about to adjourn sine die.

Senate Krause moved that the Senate adjourn sine die, which motion prevailed.

And the Senate stood adjourned sine die, pursuant to the motion of Senator Krause.

VIC GILBREATH, Secretary.

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RECORD OF SENATE BILLS IN THE SENATE

Senate Bill No. 1—(Committee on Appropriations)

Senate Bill No. 1. A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State government, and for all of the subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

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Senate Bill No. 2—(Committee on Appropriations)

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and miscellaneous items of the School for the Blind at Bathgate, North Dakota and making a supplemental appropriation for the construction of the school for the blind provided for in the initiated measure which was approved in June, 1958.

Introduction, first reading, 41.
Referred to Committee on Appropriations, 41.
Reported back, do pass, 276.
Engrossed, 287.
Second reading, 315, 960.
To House, 332.

House amendments, 933.
 Returned to Senate, amended, 933.
 Senate does not concur, 942.
 Conference Committee, Senate, 942.
 Conference Committee, House, 946.
 Conference Committee report, adopted, 960.
 House Conference Committee report, adopted, 963.
 Final passage, 315, 961.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 985.
 Returned to Senate, 985.
 To Governor, 986.

Senate Bill No. 3—(Committee on Appropriations)

Senate Bill No. 3. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the School for the Deaf at Devils Lake, North Dakota.

Introduction, first reading, 41.
 Referred to Committee on Appropriations, 41.
 Reported back, amended 326, 327.
 Amendments adopted, 358.
 Engrossed, 367.
 Re-engrossed, 753.
 Second reading, 374, 737.
 To House, 398.
 House Amendments, 719.
 Returned to Senate, amended, 718.
 Senate concurred, 737.
 Final passage, 374, 737.
 Enrolled, 753.
 Signed by President, 775.
 To House, 800.
 Signed by Speaker, 866.
 Returned to Senate, 866.
 To Governor, 921.

Senate Bill No. 4—(Committee on Appropriations)

Senate Bill No. 4. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, and special projects for the Grafton State School at Grafton, North Dakota.

Introduction, first reading, 42.
 Referred to Committee on Appropriations, 42.
 Reported back, do pass, 327.
 Engrossed, 931.
 Second reading, 362, 860.
 To House, 383.
 House Amendments, 832.
 Returned to Senate, amended, 831.
 Senate concurred, 860.
 Final passage, 363, 860.

Enrolled, 931.
 Signed by President, 937.
 To House, 938.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 5—(Committee on Appropriations)

Senate Bill No. 5. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Introduction, first reading, 42.
 Referred to Committee on Appropriations, 42.
 Reported back, do pass, 276.
 Second reading, 315.
 To House, 332.
 Returned to Senate, 798.
 Final passage, 315.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 6—(Committee on Appropriations)

Senate Bill No. 6. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings and special projects for the State Hospital at Jamestown, North Dakota.

Introduction, first reading, 42.
 Referred to Committee on Appropriations, 42.
 Reported back, amended, 341.
 Amendments adopted, 371.
 Engrossed, 382.
 Re-engrossed, 988.
 Second reading, 387, 872.
 To House, 418.
 House amendments, 719.
 Returned to Senate, amended, 718.
 Amended, 872.
 Senate does not concur, 737.
 Conference Committee, Senate, 737.
 Conference Committee, House, 798.
 Conference Committee report, adopted, 872.
 House Conference Committee report, 901.
 Final passage, 988, 873.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 985.
 Returned to Senate, 985.
 To Governor, 986.

Senate Bill No. 7—(Committee on Appropriations)

Senate Bill No. 7. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, new buildings and special projects for the State Training School at Mandan, North Dakota and declaring an emergency in regard to Section 2 of the bill.

Introduction, first reading, 42.
 Referred to Committee on Appropriations, 42.
 Reported back, amended, 483.
 Amendments adopted, 496.
 Engrossed, 522.
 Re-engrossed, 988.
 Second reading, 529, 957.
 To House, 537.
 House amendments, 933.
 Returned to Senate, amended, 933.
 Amended, 956.
 Senate does not concur, 942.
 Conference Committee, Senate, 942.
 Conference Committee, House, 945.
 Conference Committee report, adopted, 956.
 House Conference Committee report, adopted, 954.
 Final passage, 529.
 Clincher, emergency clause carried, 957.
 Enrolled, 988.
 Signed by President, 989.
 To House, 989.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 8—(Committee on Appropriations)

Senate Bill No. 8. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, new building and special projects, of the State Penitentiary.

Introduction, first reading, 42.
 Referred to Committee on Appropriations, 42.
 Reported back, do pass, 111.
 Second reading, 131.
 To House, 145.
 Returned to Senate, 932.
 Final passage, 131.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 986.

Senate Bill No. 9—(Committee on Appropriations)

Senate Bill No. 9. A Bill for an Act making an appropriation for the general maintenance and operation of the North Dakota State Farm, Bismarck, North Dakota.

Introduction, first reading, 42.
 Referred to Committee on Appropriations, 42.
 Reported back, do pass, 111.
 Second reading, 131.
 To House, 145.
 Returned to Senate, 665.
 Final passage, 131.
 Enrolled, 670.
 Signed by President, 677.
 To House, 694.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 10—(Committee on Appropriations)

Senate Bill No. 10. A Bill for an Act making an appropriation for the general maintenance and operation of the Tag and Sign Plant of the State Penitentiary.

Introduction, first reading, 42.
 Referred to Committee on Appropriations, 42.
 Reported back, do pass, 111.
 Second reading, 132.
 To House, 145.
 Returned to Senate, 665.
 Final passage, 132.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 11—(Committee on Appropriations)

Senate Bill No. 11. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment and miscellaneous expenses of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Introduction, first reading, 42.
 Referred to Committee on Appropriations, 43.
 Reported back, do pass, 112.
 Second reading, 132.
 To House, 145.
 Returned to Senate, 665.
 Final passage, 132.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 12—(Committee on Appropriations)

Senate Bill No. 12. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Gasoline Tax Division in the office of the State Auditor.

Introduction, first reading, 43.
 Referred to Committee on Appropriations, 43.
 Reported back, do pass, 155.
 Second reading, 176.
 To House, 185.
 Returned to Senate, 718.
 Final passage, 176.
 Enrolled, 734.
 Signed by President, 735.
 To House, 736.
 Signed by Speaker, 764.
 Returned to Senate, 764.
 To Governor, 775.

Senate Bill No. 13—(Committee on Appropriations)

Senate Bill No. 13. A Bill for an Act making an appropriation for the enforcement and administration of the Attorney General Licensing Department.

Introduction, first reading, 43.
 Referred to Committee on Appropriations, 43.
 Reported back, amended, 277.
 Engrossed, 308.
 Second reading, 321.
 To House, 332.
 Returned to Senate, 932.
 Final passage, 321.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 986.

Senate Bill No. 14—(Committee on Appropriations)

Senate Bill No. 14. A Bill for an Act making an appropriation for Vocational Agriculture, Vocational Home Economics, Business Education, Trade and Industrial Education.

Introduction, first reading, 43.
 Referred to Committee on Appropriations, 43.
 Reported back, do pass, 112.
 Second reading, 133.
 To House, 145.
 Returned to Senate, 665.
 Final passage, 133.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 15—(Committee on Appropriations)

Senate Bill No. 15. A Bill for an Act making an appropriation for the purpose of paying the administrative expenses and the state aid of the State Equalization Fund, the

administrative expenses and the teaching preparation scholarships of the teacher preparation scholarship plan, and the two agricultural schools on the basis of enrollment.

Introduction, first reading, 43.
Referred to Committee on Appropriations, 43.
Reported back, do pass, 112.
Engrossed, 987.
Second reading, 133, 943.
To House, 145.
House amendments 934.
Returned to Senate, amended, 933.
Senate concurred, 942.
Final passage, 134, 943.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 986.

Senate Bill No. 16—(Committee on Appropriations)

Senate Bill No. 16. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Board of School District Reorganization.

Introduction, first reading, 43.
Referred to Committee on Appropriations, 43.
Reported back, do pass, 63.
Second reading, 74.
To House, 85.
Returned to Senate, 665.
Final passage, 74.
Enrolled, 670.
Signed by President, 677.
To House, 695.
Signed by Speaker, 716.
Returned to Senate, 716.
To Governor, 754.
Approved by Governor, 852.

Senate Bill No. 17—(Committee on Appropriations)

Senate Bill No. 17. A Bill for an Act making an appropriation for the use of special education of exceptional children.

Introduction, first reading, 43.
Referred to Committee on Appropriations, 43.
Reported back, amended, 181.
Amendments adopted, 205.
Engrossed, 213.
Second reading, 227.
To House, 241.
Returned to Senate, 665.
Final passage, 227.
Enrolled, 670.

Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.
 Approved by Governor, 852.

Senate Bill No. 18—(Committee on Appropriations)

Senate Bill No. 18. A Bill for an Act making an appropriation for the administrative expenses of the State School Construction Fund and State School Construction Board.

Introduction, first reading, 43.
 Referred to Committee on Appropriations, 43.
 Reported back, do pass, 63.
 Second reading, 74.
 To House, 85.
 Returned to Senate, 665.
 Final passage, 75.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.
 Approved by Governor, 852.

Senate Bill No. 19—(Committee on Appropriations)

Senate Bill No. 19. A Bill for an Act making appropriations for the Division of Vocational Rehabilitation and for the Governor's Committee on Employment of the physical-ly handicapped, and declaring an emergency.

Introduction, first reading, 43.
 Referred to Committee on Appropriations, 44.
 Re-referred to Committee on Appropriations, 128.
 Reported back, amended, 112, 327.
 Amendments adopted, 128, 358.
 Engrossed, 130.
 Re-engrossed, 367.
 Second reading, 374.
 To House, 398.
 Returned to Senate, 665.
 Final passage, emergency clause carried, 375.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.
 Approved by Governor, 852.

Senate Bill No. 20—(Committee on Appropriations)

Senate Bill No. 20. A Bill for an Act making an appropriation to the Department of Public Instruction, for the purpose of paying salaries and other expenses of the Director of Surplus Property.

Introduction, first reading, 44.
 Referred to Committee on Appropriations, 44.
 Reported back, do pass, 63.
 Second reading, 75, 82.
 Laid over one legislative day, 75.
 Placed at head of calendar, 82.
 To House, 87.
 Returned to Senate, 867.
 Final passage, 83.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 986.

Senate Bill No. 21—(Committee on Appropriations)

Senate Bill No. 21. A Bill for an Act making an appropriation for salaries and expenses for the State Seed Department.

Introduction, first reading, 44.
 Referred to Committee on Appropriations, 44.
 Reported back, do pass, 181, 182.
 Second reading, 207.
 To House, 214.
 Returned to Senate, 407.
 Final passage, 208.
 Signed by President, 418.
 To House, 420.
 Signed by Speaker, 465.
 Returned to Senate, 465.
 To Governor, 475.
 Approved by Governor, 497.

Senate Bill No. 22—(Committee on Appropriations)

Senate Bill No. 22. A Bill for an Act making an appropriation to carry out the provisions of Chapter 6-07 of the 1957 Supplement to the North Dakota Revised Code of 1943 for the Closed Bank Fund.

Introduction, first reading, 44.
 Referred to Committee on Appropriations, 44.
 Reported back, do pass, 182.
 Second reading, 208.
 To House, 214.
 Returned to Senate, 798.
 Final passage, 208.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 23—(Committee on Appropriations)

Senate Bill No. 23. A Bill for an Act making an appropriation for the payment of expenses of delegates to national conventions of political parties recognized as such by the laws of the State of North Dakota.

Introduction, first reading, 44.
 Referred to Committee on Appropriations, 44.
 Reported back, do pass, 63.
 Second reading, 75.
 To House, 85.
 Returned to Senate, 798.
 Final passage, 75.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 24—(Committee on Appropriations)

Senate Bill No. 24. A Bill for an Act making an appropriation to pay the expenses and per diem of presidential electors.

Introduction, first reading, 44.
 Referred to Committee on Appropriations, 44.
 Reported back, do pass, 64.
 Second reading, 75.
 To House, 85.
 Returned to Senate, 798.
 Final passage, 76.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 25—(Committee on Appropriations)

Senate Bill No. 25. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board and providing for a deficiency appropriation and declaring an emergency.

Introduction, first reading, 44.
 Referred to Committee on Appropriations, 44.
 Reported back, amended, 341, 397.
 Amendments adopted, 371.
 Placed at foot of calendar, 388.
 Engrossed, 382.
 Re-engrossed, 419.
 Second reading, 397.
 To House, 418.
 Returned to Senate, 718.
 Final passage, emergency clause carried, 398.
 Enrolled, 734.
 Signed by President, 735.

To House, 736.
Signed by Speaker, 764.
Returned to Senate, 764.
To Governor, 775.

Senate Bill No. 26—(Committee on Appropriations)

Senate Bill No. 26. A Bill for an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

Introduction, first reading, 44.
Referred to Committee on Appropriations, 44.
Reported back, amended, 155.
Amendments adopted, 172.
Engrossed, 181.
Second reading, 189.
To House, 214.
Returned to Senate, 665.
Final passage, 189.
Enrolled, 670.
Signed by President, 677.
To House, 695.
Signed by Speaker, 716.
Returned to Senate, 716.
To Governor, 754.
Approved by Governor, 852.

Senate Bill No. 27—(Committee on Appropriations)

Senate Bill No. 27. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

Introduction, first reading, 44.
Referred to Committee on Appropriations, 44.
Reported back, do pass, 155.
Second reading, 176.
To House, 185.
Returned to Senate, 665.
Final passage, 176.
Enrolled, 670.
Signed by President, 677.
To House, 695.
Signed by Speaker, 716.
Returned to Senate, 716.
To Governor, 754.

Senate Bill No. 28—(Committee on Appropriations)

Senate Bill No. 28. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Bonding Fund.

Introduction, first reading, 45.
Referred to Committee on Appropriations, 45.
Reported back, do pass, 155.
Second reading, 177.
To House, 185.
Returned to Senate, 665.

Final passage, 177.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 29—(Committee on Appropriations)

Senate Bill No. 29. A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the Division of Supervised Study.

Introduction, first reading, 45.
 Referred to Committee on Appropriations, 45.
 Reported back, amended, 452.
 Amendments adopted, 480.
 Engrossed, 488.
 Re-engrossed, 988.
 Second reading, 509, 937.
 To House, 537.
 House Amendments, 889.
 Returned to Senate, amended, 888.
 Senate does not concur, 909.
 Conference Committee, Senate, 909.
 Conference Committee, House, 919.
 Conference Committee report, adopted, 936.
 Final passage, 508.
 Clincher, 937.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 986.

Senate Bill No. 30—(Committee on Appropriations)

Senate Bill No. 30. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Bank of North Dakota.

Introduction, first reading, 45.
 Referred to Committee on Appropriations, 45.
 Reported back, do pass, 141.
 Engrossed, 987.
 Second reading, 164, 924.
 To House, 185.
 House amendments, 889.
 Returned to Senate, amended, 888.
 Senate concurred, 924.
 Final passage, 164, 924.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 986.

Senate Bill No. 31—(Committee on Appropriations)

Senate Bill No. 31. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State of North Dakota doing business as the North Dakota Mill and Elevator Association.

Introduction, first reading, 45.
Referred to Committee on Appropriations, 45.
Reported back, do pass, 277.
Second reading, 316.
To House, 332.
Returned to Senate, 932.
Final passage, 316.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 986.

Senate Bill No. 32—(Committee on Appropriations)

Senate Bill No. 32. A Bill for an Act making an appropriation to pay the costs of the administration of the Old Age and Survivor Insurance System.

Introduction, first reading, 45.
Referred to Committee on Appropriations, 45.
Reported back, do pass, 251.
Second reading, 287.
To House, 302.
Returned to Senate, 798.
Final passage, 287.
Enrolled, 831.
Signed by President, 839.
To House, 858.
Signed by Speaker, 957.
Returned to Senate, 957.
To Governor, 978.

Senate Bill No. 33—(Committee on Appropriations)

Senate Bill No. 33. A Bill for an Act to provide for payment of expenses to certain state officers, making an appropriation and declaring an emergency.

Introduction, first reading, 45.
Referred to Committee on Appropriations, 45.
Re-referred to Committee on Appropriations, 172.
Reported back, amended, 155, 156, 251.
Amendments adopted, 285.
Engrossed, 292.
Second reading, 316.
To House, 332.
Returned to Senate, 798.
Final passage, emergency clause carried, 317.
Enrolled, 831.

Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 34—(Committee on Appropriations)

Senate Bill No. 34. A Bill for an Act making an appropriation for the deficiency in salaries of the elected state officials of the State of North Dakota for the last six months of the biennium ending June 30, 1959; and declaring an emergency.

Introduction, first reading, 45.
 Referred to Committee on Appropriations, 45.
 Reported back, do pass, 156.
 Second reading, 177.
 To House, 185.
 Returned to Senate, 798.
 Final passage, emergency clause carried, 178.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 35—(Committee on Appropriations)

Senate Bill No. 35. A Bill for an Act making an appropriation for the purpose of paying the wolf, coyote, fox, bobcat and magpie bounty.

Introduction, first reading, 45.
 Referred to Committee on Appropriations, 45.
 Reported back, do pass, 112.
 Second reading, 134.
 To House, 145.
 Returned to Senate, 798.
 Final passage, 134.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 36—(Senators Gefreh, Longmire, Luick, Meidinger, Vendsel and Wartner)

Senate Bill No. 36. A Bill for an Act providing for the implementation of the governmental reorganization by authorizing the emergency commission to transfer funds from departments and agencies relinquishing functions to departments assuming these functions, and by making appropriations for the purpose of establishing and operating a department of accounts and purchases, and declaring an emergency.

Introduction, first reading, 45.
 Returned to Senate, 302.
 Referred to Committee on State and Federal Government, 46, 302.
 Re-referred to Committee on Appropriations, 285, 432.
 Reported back, amended, 251, 398, 399, 400.
 Reported back, do pass, 488.
 Amendments adopted, 285, 428.
 Engrossed, 292.
 Re-engrossed, 446.
 Placed at head of calendar.
 Second reading, 518.
 To House, 537.
 Returned to Senate, 932.
 Final passage, emergency clause carried, clincher, 519.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 986.

Senate Bill No. 37—(Senators Johnson, Luick, Saumur, Krause and Roen)

Senate Bill No. 37. A Bill for an Act transferring the weight control division of the state highway department, together with all records and equipment used by the weight control division to the state highway patrol, to amend and reenact section 39-03A18 of the 1957 Supplement to the North Dakota Revised Code of 1943, and making an appropriation to the state highway patrol.

Introduction, first reading, 46.
 Referred to Committee on Transportation, 46.
 Re-referred to Committee on Appropriations, 482.
 Reported back, divided report, 482.
 Reported back, do pass, 489.
 Indefinitely postponed, 489.
 Clincher, 489.

Senate Bill No. 38—(Senators Johnson, Luick, Saumur, Krause and Roen)

Senate Bill No. 38. A Bill for an Act providing for the construction of access routes necessitated by the construction of the inter-state highway; to amend and re-enact section 24-0236 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the expenditure of state highway funds; and to amend and re-enact section 24-A0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of interstate highway system; and to declare legislative intent.

Introduction, first reading, 46.
 Referred to Committee on Transportation, 46.
 Reported back, amended, 284, 285.
 Engrossed, 308.
 Second reading, 321.
 To House, 332.

Returned to Senate, 550.
 Final passage, 322.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 632.
 Returned to Senate, 632.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 39—(Senators Johnson, Luick, Saumur, Krause and Roen)

Senate Bill No. 39. A Bill for an Act to amend and re-enact sections 24-0118, 24-0518 and 24-0404 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the cost and expense of acquisition of right-of-way for the state highway system and declaring an emergency.

Introduction, first reading, 46.
 Referred to Committee on State and Federal Government, 46.
 Reported back, do pass, 52.
 Engrossed, 233.
 Rules suspended, deemed re-engrossed and placed for final passage, 225.
 Second reading, 60, 226.
 To House, 85.
 House amendments, 206.
 Returned to Senate, amended, 206.
 Senate concurred, 225.
 Final passage, 60, 226.
 Enrolled, 233.
 Signed by President, 233.
 To House, 236.
 Signed by Speaker, 245.
 Returned to Senate, 245.
 To Governor, 256.
 Approved by Governor, 326.

Senate Bill No. 40—(Senators Gefreh, Brooks, Erickstad and Holand)

Senate Bill No. 40. A Bill for an Act relating to partnerships, adopting the Uniform Partnership Act and the Uniform Limited Partnership Act as a part of Title 45 of the Code, and repealing chapters 45-01, 45-02, 45-03, and 45-04 of the North Dakota Revised Code of 1943, as amended.

Introduction, first reading, 46.
 Referred to Committee on Judiciary, 46.
 Reported back, amended, 64.
 Amendments adopted, 72.
 Engrossed, 79.
 Placed at foot of calendar, 83.
 Second reading, 84.
 To House, 87.
 Returned to Senate, 550.
 Final passage, 84.
 Enrolled, 655.

Signed by President, 655.
 To House, 664.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 41—(Senators Gefreh, Brooks, Erickstad and Holand)

Senate Bill No. 41. A Bill for an Act relating to creation, organization, reorganization, operation, powers, purposes, reports, fees, charges, and dissolution of domestic and foreign nonprofit corporations organized or operating within this state for any lawful purpose, providing certain penalties for violations of this Act, and relating to deferred repeal of chapters 10-08, 10-09, 10-10, and 10-11 of the North Dakota Revised Code of 1943, as amended, and to assign chapters 10-24, 10-25, 10-26, 10-27, and 10-28 of the North Dakota Revised Code of 1943 to this Act.

Introduction, first reading, 46.
 Referred to Committee on Judiciary, 47.
 Reported back, amended, 102.
 Amendments adopted, 115.
 Engrossed, 126.
 Second reading, 134.
 To House, 145.
 Returned to Senate, 550.
 Final passage, 135.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 42—(Senators Johnson, Luick, Saumur Krause and Roen)

Senate Bill No. 42. A Bill for an Act to create and enact section 39-0110, to amend and reenact sections 39-0205, subsection 4 of section 39-0501, subsection 1 of section 39-0505 and section 39-1207 of the North Dakota Revised Code of 1943, and section 39-0102, subsection 1 of section 39-0309, sections 39-04A06, 39-04A07, 39-0510, 39-0803, 39-0902, 39-1102, and 39-1208 of the 1957 Supplement to the North Dakota Revised Code of 1943; to amend and reenact chapter 39-04 of the North Dakota Revised Code of 1943, as it may be amended, and to repeal subsection 4 of section 39-04A04, and sections 39-0504 and 39-0514 of the North Dakota Revised Code of 1943, as they may be amended, and to repeal section 39-0513 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to motor vehicles' operation and registration and the use of motor vehicles on the highways and streets of this state.

Introduction, first reading, 47.
 Referred to Committee on Transportation, 47.
 Reported back, amended, 453, 454, 455.

Amendments adopted, 480.
 Engrossed, 488.
 Re-engrossed, 988.
 Second reading, 508, 929.
 To House, 537.
 House amendments, 890.
 Returned to Senate, amended, 888.
 Senate does not concur, 915.
 Senate concurred, 929.
 Conference Committee, Senate, 915.
 Senate reconsiders, withdraws Conference Committee, 929.
 Final passage, 509.
 Clincher, 930.
 Enrolled, 988.
 Signed by President, 989.
 To House, 989.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 43—(Senators Gefreh, Longmire, Luick, Meidinger, Vandsel and Wartner)

Senate Bill No. 43. A Bill for an Act to create and enact chapter 54-44 and section 54-23411 of the North Dakota Revised Code of 1943 relating to the establishment of a department of accounts and purchases and the setting forth of the powers and duties of such a department and to the examination and payment of monthly purchases by this department of accounts and purchases; to amend and reenact sections 4-0114, 6-0917, 12-4906, subsection 4 of section 15-3916, sections 15-3932, 15-4006, 15-4402, 15-4403, 18-0303, 18-0304, 18-0305, 18-0307, 18-0512, 19-0509, 19-0510, 26-2209, 32-1203, 32-1204, 37-0602, 37-0603, 37-0606, 37-1513, 46-0101, 46-0102, 46-0201, 46-0203, 46-0210, 46-0211, 46-0212, 46-0214, 50-0607, 50-0614, 54-0606, 54-0608, 54-1001, 54-1002, 54-1003, 54-1004, 54-1101, 54-1102, 54-1103, 54-1207, 54-1401, 54-1402, 54-1505, 54-1506, 54-1508, 54-1509, 54-1608, 54-1609, 54-2119, 54-2306, 54-2330, 54-2331, 54-2333, 54-2334, 54-2335, 54-2336, 54-2337, 54-2338, 54-2340, 54-2614, 54-2703, 54-2704, 54-2705, 54-2706, 54-2707, 54-2709, 54-2711, 54-2714, 54-2715, 54-3016, 55-0104, 55-0107, 57-4508, and 61-0213 of the North Dakota Revised Code of 1943 and sections 6-01214, 15-3921, 15-4020, 15-4021, 18-0308, 18-0402, 18-0403, 18-0405, 18-0406, 18-0513, 19-0508, 20-1307, 20-1408, 24-0212, 24-0213, 24-0216, 24-0217, 24-0237, 24-0312, 24-0313, 24-0314, 36-2209, 37-1515, 39-0308, 44-0801, 46-0204, 46-0205, 46-0206, 46-0207, 46-0209, 46-0213, 54-1504, 54-1513, 54-1814, 54-2341, 54-2708, 54-27151, 57-27154 and 57-3724, of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the reorganization of certain departments and agencies of the state government, abolishing and consolidating certain departments; reorganizing fiscal, administrative, and purchasing procedures; transferring certain duties of the state auditor to a department of accounts and purchases; vesting the state auditor with the responsibility of conducting a true post audit; transferring authority to purchase for the various state departments and agencies from the board of administration to a department of accounts and purchases; and transferring certain tax collecting functions from the state

treasurer to the state tax commissioner; and to repeal chapter 54-22 and sections 12-4907, 46-0103, 54-1005, 54-1006, 54-1007, 54-1008, 54-1009, 54-1011, 54-2115, 54-2116, 54-2332 and 65-0210 of the North Dakota Revised Code of 1943 and sections 6-0121, 54-1512, 54-1513, 54-1514, and 54-27152 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to state fiscal, administrative, and purchasing procedures, the director of state budget board, board of auditors, state purchasing agent, state printer and printing commission, and to provide for an effective date of July 1, 1960.

Introduction, first reading, 47.
 Referred to Committee on State and Federal Government, 48.
 Reported back, do pass, 292.
 Mimeographed copy substituted for original Bill, 292.
 Engrossed, 987.
 Second reading, 322, 909.
 To House, 332.
 House amendments, 890, 891.
 Returned to Senate, amended, 888.
 Senate concurred, 909.
 Final passage, 323, 911.
 Enrolled, 988.
 Signed by President, 989.
 To House, 990.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 44—(Senators Johnson, Luick, Saumur, Krause and Roen)

Senate Bill No. 44. A Bill for an Act to create and enact subsection 4 of section 39-0602 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the exemption of military personnel from obtaining a North Dakota driver's license.

Introduction, first reading, 48.
 Referred to Committee on Social Welfare and Veterans Affairs, 48.
 Reported back, do pass, 112.
 Second reading, 135.
 To House, 145.
 Returned to Senate, 798.
 Final passage, 135.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 45—(Senators Johnson, Luick, Saumur, Krause and Roen)

Senate Bill No. 45. A Bill for an Act to amend and reenact section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the designation of the state highway system.

Introduction, first reading, 48.
 Referred to Committee on Transportation, 48.
 Reported back, do pass, 420.
 Engrossed, 931.
 Second reading, 469, 472, 860.
 Placed at foot of calendar, 469.
 Placed at head of calendar, 472.
 To House, 497, 938.
 House amendments, 832.
 Returned to Senate, amended, 831.
 Senate concurred, 860.
 Final passage, 472, 861.
 Enrolled, 931.
 Signed by President, 937.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 46—(Senators Johnson, Luick, Saumur, Krause and Roen)

Senate Bill No. 46. A Bill for an Act to amend and reenact section 39-1101 of the North Dakota Revised Code of 1943 relating to parking lights on motor vehicles.

Introduction, first reading, 48.
 Referred to Committee on Transportation, 48.
 Reported back, do pass, 72.
 Second reading, 83.
 To House, 87.
 Returned to Senate, 407.
 Final passage, 83.
 Signed by President, 418.
 To House, 420.
 Signed by Speaker, 465.
 Returned to Senate, 465.
 To Governor, 475.
 Approved by Governor, 497.

Senate Bill No. 47—(Senators Gefreh, Longmire, Luick, Meidinger, Vendsel and Wartner)

Senate Bill No. 47. A Bill for an Act to amend and reenact sections 5-0308, 5-0309, 5-0310, 5-0313, 5-0314, 5-0315, 5-0317, and 5-0402 of the North Dakota Revised Code of 1943, and sections 5-0205, 5-0206, 5-0211, 5-0212, 5-0213, 5-0217, 5-0218, 5-0220, 5-0222, 5-0307, 5-0311 and 5-0322 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the transfer of a part of the tax collection functions of the state treasurer, to the state tax commissioner.

Introduction, first reading, 48.
 Referred to Committee on Finance and Taxation, 48.
 Re-referred to Committee on Finance and Taxation, 97.
 Reported back, do pass, 87.
 Reported back, without recommendation, 142.
 Second reading, 165.
 Placed below Senate Bill No. 43.
 Indefinitely postponed, 165.

Senate Bill No. 48—(Senators Gefreh, Longmire, Luick, Meidinger, Vendsel and Wartner)

Senate Bill No. 48. A Bill for an Act to amend and re-enact sections 19-0108, 25-0810, 25-0813, 25-0814, 25-0816, 25-0817, 25-0819, 25-0820, and 25-0821 of the North Dakota Revised Code of 1943, and sections 15-2102, 25-0811, 25-0815 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of a part of the functions of the state auditor to the department of accounts and purchases, and to repeal chapter 54-13 of the North Dakota Revised Code of 1943 and chapter 54-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state board of auditors.

Introduction, first reading, 48.
 Referred to Committee on State and Federal Government, 49.
 Reported back, amended, 252, 253.
 Amendments adopted, 285.
 Engrossed, 292.
 Re-engrossed, 988.
 Placed below Senate Bill No. 43, 317.
 Second reading, 317, 323, 912.
 To House, 332.
 House amendments, 891.
 Returned to Senate, amended, 888.
 Senate concurred, 912.
 Final passage, 323, 913.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 986.

Senate Bill No. 49—(Senators Luick, Longmire and Fiedler)

Senate Bill No. 49. A Bill for an Act to create and enact sections 34-06011 and 34-06012 of the North Dakota Revised Code of 1943, providing minimum wages for all employees except persons covered under federal minimum wage Acts, and farm labor, and domestic employment, and persons who are under sixteen years of age; providing for exceptions to the minimum wage in regard to employees who are incapacitated or who have limited ability due to age, physical or mental condition, or experience and training, providing penalties; to amend and re-enact subsection 1 of section 34-0602, sections 34-0601, 34-0607, 34-0609, 34-0610, 34-0612, 34-0613, and 34-0616 of the North Dakota Revised Code of 1943, relating to minimum wage and hours for women and minors in order to include all employees except minors under regulations affecting minimum wages; and to repeal subsection 3 of section 34-0602, subsections 3 and 4 of section 34-0603, subsections 3 and 4 of section 34-0605 and section 34-0615 of the North Dakota Revised Code of 1943, relating to powers and procedures in the establishment of minimum wages of women.

Introduction, first reading, 49.
 Referred to Committee on Business, Industry and Labor, 49.
 Reported back, amended, 292 to 297.
 Amended, 349.
 Placed on calendar, 372.
 Amendments adopted, 311.
 Engrossed, 326.
 Re-engrossed, 358.
 Second reading, 348, 378, 938, 962.
 Placed at foot of calendar, 349.
 To House, 398.
 House amendments, 891.
 Returned to Senate, amended, 888.
 Amended, 961.
 Senate does not concur, 905.
 Reconsidered action on report, 939.
 Conference Committee, Senate, 906, 915, 960.
 Conference Committee, House, 919, 946, 954.
 Conference Committee report, adopted, 938, 959, 961.
 House Conference Committee report, adopted, 927, 964.
 Final passage, 378, 962.
 House indefinitely postponed, 964.

Senate Bill No. 50—(Senators Gefreh, Brooks, Erickstad and Holand)

Senate Bill No. 50. A Bill for an Act authorizing the republication of the North Dakota Revised Code of 1943 and providing an appropriation therefor to the secretary of state.

Introduction, first reading, 49.
 Referred to Committee on Judiciary, 49.
 Re-referred to Committee on Appropriations, 64.
 Reported back, do pass, 64, 182.
 Second reading, 208.
 To House, 214.
 Returned to Senate, 932.
 Final passage, 209.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 51—(Senators Erickstad, Hernett, Holand, and Wenstrom)

Senate Bill No. 51. A Bill for an Act providing for meetings of legislators and legislators-elect in advance of legislative sessions.

Introduction, first reading, 49.
 Referred to Committee on State and Federal Government, 49.
 Reported back, amended, 53.
 Amendments adopted, 59.
 Engrossed, 64.

Second reading, 65.
 To House, 85.
 Returned to Senate, indefinitely postponed, 866.
 Final passage, 66.

Senate Bill No. 52—(Senators Erickstad, Hernet, Holand and Wenstrom)

Senate Bill No. 52. A Bill for an Act to amend and re-enact sections 46-0204 and 46-0305 of the 1957 Supplement to the North Dakota Revised Code of 1943, and sections 46-0412, 46-0413, 46-0414, and 46-0415 of the North Dakota Revised Code of 1943, relating to legislative bills, journals, and resolutions, and to repeal sections 46-0307 of the 1957 Supplement to the North Dakota Revised Code of 1943 and 46-0308 of the North Dakota Revised Code of 1943.

Introduction, first reading, 49.
 Referred to Committee on Judiciary, 49.
 Reported back, do pass, 57.
 Engrossed, 154.
 Second reading, 66, 152.
 To House, 85.
 House amendments, 140.
 Returned to Senate, amended, 139.
 Senate concurred, 152.
 Rules suspended, deemed re-engrossed, placed for final passage, 152.
 Final passage, 66, 152.
 Enrolled, 154.
 Signed by President, 160.
 To House, 161.
 Signed by Speaker, 184.
 Returned to Senate, 184.
 To Governor, 205.
 Approved by Governor, 238.

Senate Bill No. 53—(Senators Erickstad, Hernet, Gefreh, Luick and Johnson)

Senate Bill No. 53. A Bill for an Act to amend and re-enact subsection 1 of section 10-0403, subsection 3 of section 10-0405, and sections 10-0406, 10-0408, 10-0409, 10-0410, 10-0411, 10-0413, 10-0415 and 10-0418 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to create and enact sections 10-04081, 10-04082, and 10-04121 as a part of chapter 10-04 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the administration of the securities laws; the registration of securities for sale to the public and of dealers, salesmen, and investment counsels; fraudulent practices; and the penalty for violation of the securities laws.

Introduction, first reading, 49.
 Referred to Committee on Judiciary, 50.
 Reported back, amended, 253, 254, 255.
 Amendments adopted, 286.
 Engrossed, 292.
 Re-engrossed, 988.
 Second reading, 317, 861.
 To House, 332.

House amendments, 832.
 Returned to Senate, amended, 832.
 Senate concurred, 861.
 Final passage, emergency clause declared carried, 862.
 Enrolled, 988.
 Signed by President, 989.
 To House, 990.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 54—(Senators Holand, Roen, Johnson, Gefreh, Wenstrom and Krause)

Senate Bill No. 54. A Bill for an Act authorizing the board of administration to obtain additional office space outside the state capitol for state departments, agencies, and boards, which office space shall be considered to be a part of the state capitol.

Introduction, first reading, 50.
 Referred to Committee on State and Federal Government, 50.
 Reported back, do pass, 53.
 Second reading, 60.
 To House, 85.
 Returned to Senate, 283.
 Final passage, 60.
 Enrolled, 291.
 Signed by President, 305.
 To House, 307.
 Signed by Speaker, 331.
 Returned to Senate, 331.
 To Governor, 339.
 Approved by Governor, 376.

Senate Bill No. 55—(Senators Holand, Johnson, Wenstrom, Gefreh, Krause and Roen)

Senate Bill No. 55. A Bill for an Act relating to purchase of a building for highway maintenance offices, providing for its maintenance and management, for transfer of certain land incident thereto, and making an appropriation, and amending section 54-2118 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading, 50.
 Referred to Committee on State and Federal Government, 50.
 Re-referred to Committee on Appropriations, 345.
 Reported back, amended, 342, 343, 344, 345, 489.
 Amendments adopted, 371, 498.
 Engrossed, 382.
 Re-engrossed, 502.
 Second reading, 530, 941.
 To House, 537.
 House amendments, 933.
 Returned to Senate, amended, 933.
 Final passage, 531, 942.
 Clincher, 942.
 Enrolled, 976.

Signed by President, 977.
To House, 977.
Signed by Speaker, 977.
Returned to Senate, 977.
To Governor, 977.

Senate Bill No. 56—(Senators Holand, Johnson, Gefreh, Wenstrom and Krause)

Senate Bill No. 56. A Bill for an Act relating to the construction of certain buildings by the state highway department.

Introduction, first reading, 50.
Referred to Committee on State and Federal Government, 50.
Reported back, do pass, 142.
Second reading, 165.
To House, 185.
Returned to Senate, 597.
Final passage, 165.
Enrolled, 611.
Signed by President, 612.
To House, 625.
Signed by Speaker, 669.
Returned to Senate, 669.
To Governor, 693.
Approved by Governor, 793.

Senate Bill No. 57—(Senators Holand, Roen, Johnson, Gefreh, Wenstrom and Krause)

Senate Bill No. 57. A Bill for an Act to create and enact section 39-01081 of the North Dakota Revised Code of 1943 relating to insurance on state-owned motor vehicles.

Introduction, first reading, 50.
Referred to Committee on Industry, Business and Labor, 50.
Re-referred to Committee on Industry, Business and Labor, 67.
Reported back, do pass, 57.
Reported back, indefinitely postponed, 297.

Senate Bill No. 58—(Senators Holand, Roen, Johnson, Gefreh, Wenstrom and Krause)

Senate Bill No. 58. A Bill for an Act to amend and re-enact section 50-0104 of the North Dakota Revised Code of 1943, and sections 50-0736, 50-0827, 50-0912 and 50-10A34 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to public welfare records and providing penalties.

Introduction, first reading, 50.
Referred to Committee on Social Welfare and Veterans Affairs, 50.
Reported back, amended, 72.
Amendments adopted, 80.
Engrossed, 86.

Second reading, 93.
 To House, 106.
 Returned to Senate, indefinitely postponed, 866.
 Final passage, 93.

Senate Bill No. 59—(Senators Gefreh, Erickstad, Larson, Schrock and Baeverstad)

Senate Bill No. 59. A Bill for an Act relating to payments to school districts operating junior colleges, creating and enacting sections 15-1807, 15-1808, and 15-1809 of the North Dakota Revised Code of 1943, and providing an appropriation.

Introduction, first reading, 51.
 Referred to Committee on Education, 51.
 Re-referred to Committee on Appropriations, 87.
 Reported back, do pass, 87.
 Reported back, amended, 277.
 Engrossed, 308.
 Re-engrossed, 976.
 Second reading, 323, 862.
 To House, 332.
 House amendments, 833.
 Returned to Senate, amended, 832.
 Senate concurred, 862.
 Final passage, 324, 862.
 Enrolled, 976.
 Signed by President, 977.
 To House, 977.
 Signed by Speaker, 977.
 Returned to Senate, 977.
 To Governor, 977.

Senate Bill No. 60—(Senator Wadeson)

Senate Bill No. 60. A Bill for an Act to amend and reenact subsection 2 of section 20-0802 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the nonmigratory waterfowl bag limit and to repeal section 20-0806 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to nonmigratory waterfowl season.

Introduction, first reading, 51.
 Referred to Committee on Natural Resources, 51.
 Reported back, amended, 182.
 Amendments adopted, 205.
 Engrossed, 213.
 Second reading, 227.
 To House, 241.
 Returned to Senate, 718.
 Final passage, 228.
 Enrolled, 734.
 Signed by President, 735.
 To House, 736.
 Signed by Speaker, 764.
 Returned to Senate, 764.
 To Governor, 775.

Senate Bill No. 61—(Senators Klefstad and Vendsel)

Senate Bill No. 61. A Bill for an Act to amend and re-enact Section 1-0304 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to business days.

Introduction, first reading, 51.
 Referred to Committee on Industry, Business and Labor, 51.
 Reported back, do pass, 95.
 Second reading, 107.
 To House, 127.
 Returned to Senate, 718.
 Final passage, 107.
 Enrolled, 734.
 Signed by President, 735.
 To House, 736.
 Signed by Speaker, 764.
 Returned to Senate, 764.
 To Governor, 775.

Senate Bill No. 62—(Senator Krause)

Senate Bill No. 62. A Bill for an Act to amend and re-enact sub-section 7 of section 20-0101, subsection 1 of section 20-0302 and section 20-0702 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to repeal sections 20-0711, 20-0712, 20-0714, 20-0715, 20-0716, 20-0717, and 20-0718 of the North Dakota Revised Code of 1943 and sections 20-0710 and 20-0713 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of game animals, license to take beaver, season for taking fur-bearing animals and to authorize the governor by proclamation to protect beavers, raccoons, and badgers.

Introduction, first reading, 51.
 Referred to Committee on Natural Resources, 51.
 Reported back, amended, 113, 114, 150.
 Rules suspended, deemed re-engrossed, placed for final passage, 150.
 Amendments adopted, 128.
 Engrossed, 130.
 Re-engrossed, 154.
 Second reading, 149.
 To House, 155.
 Returned to Senate, 867.
 Final passage, 150.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 63—(Senator Krause)

Senate Bill No. 63. A Bill for an Act to amend and re-enact section 57-1528 of the North Dakota Revised Code of 1943 relating to the county emergency fund levy.

Introduction, first reading, 51.
 Referred to Committee on Finance and Taxation, 51.
 Reported back, amended, 87.
 Amendments adopted, 95.
 Engrossed, 102.
 Second reading, 108.
 To House, 127.
 Returned to Senate, indefinitely postponed, 597.
 Final passage, 108.

Senate Bill No. 64—(Senators Saumur, Morgan, Erickson and Roen)

Senate Bill No. 64. A Bill for an Act to amend and reenact section 36-1517 of the North Dakota Revised Code of 1943, relating to tuberculin and brucellosis testing of entire counties being enforced under certain conditions.

Introduction, first reading, 51.
 Referred to Committee on Agriculture, 51.
 Reported back, do pass, 156.
 Second reading, 178.
 To House, 185.
 Returned to Senate, 550.
 Final passage, 178.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 632.
 Returned to Senate, 632.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 65—(Senators Wadson, Berube and Morgan)

Senate Bill No. 65. A Bill for an Act providing that the time fixed by the United States Congress or by order of the Interstate Commerce Commission for all portions of this state be adopted, and providing for an emergency.

Introduction, first reading, 52.
 Referred to Committee on Industry, Business and Labor, 52.
 Reported back, amended, 214.
 Amendments adopted, 236.
 Engrossed, 241.
 Second reading, 246, 265.
 Placed at foot of calendar, 246.
 To House, 283.
 House amendments, 891.
 Returned to Senate, amended, 888.
 Senate does not concur, 907.
 Conference Committee, Senate, 907.
 Conference Committee, House, 920.
 Conference Committee report, adopted, 935.
 House Conference Committee report, adopted, 932.
 Final passage, emergency clause carried, 266.
 Indefinitely postponed, 936.

Senate Bill No. 66—(Senators Wadeson and Ringsak)

Senate Bill No. 66. A Bill for an Act authorizing the establishment of a book salvage industry at the state penitentiary and making an appropriation therefor.

Introduction, first reading, 52.
Referred to Committee on Appropriations, 52.
Reported back, do pass, 114.
Second reading, 135.
To House, 145.
Returned to Senate, 665.
Final passage, 136.
Enrolled, 670.
Signed by President, 677.
To House, 695.
Signed by Speaker, 716.
Returned to Senate, 716.
To Governor, 754.

Senate Bill No. 67—(Senator Wenstrom)

Senate Bill No. 67. A Bill for an Act authorizing the board of county commissioners in any county in this state to transfer certain real or personal property or the proceeds therefrom to nonprofit fair corporations.

Introduction, first reading, 52.
Referred to Committee on Political Subdivisions, 52.
Reported back, do pass, 114.
Second reading, 136.
To House, 145.
Returned to Senate, 632.
Final passage, 136.
Enrolled, 655.
Signed by President, 655.
To House, 664.
Signed by Speaker, 669.
Returned to Senate, 669.
To Governor, 693.
Approved by Governor, 793.

Senate Bill No. 68—(Committee on Education)

Senate Bill No. 68. A Bill for an Act to amend and reenact Section 15-5314 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to reorganization of school districts.

Introduction, first reading, 54.
Referred to Committee on Education, 54.
Reported back, do pass, 88.
Second reading, 97.
To House, 111.
Returned to Senate, 597.
Final passage, 97.
Enrolled, 611.
Signed by President, 612.
To House, 625.
Signed by Speaker, 669.
Returned to Senate, 669.
To Governor, 693.
Approved by Governor, 793.

Senate Bill No. 69—(Committee on Education)

Senate Bill No. 69. A Bill for an Act to amend and re-enact Section 15-2406 of the North Dakota Revised Code of 1943, relating to common school district elections.

Introduction, first reading, 54.
 Referred to Committee on Education, 54.
 Reported back, do pass, 79.
 Second reading, 90, 663.
 To House, 106.
 House amendments, 631.
 Returned to Senate, amended, 631.
 Senate, does not concur, 661.
 Senate concurred, 663.
 Senate reconsiders action, 663.
 Conference Committee, Senate, 661.
 Conference Committee discharged, 663.
 Final passage, 91, 663.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 70—(Committee on Education)

Senate Bill No. 70. A Bill for an Act to amend and re-enact Section 15-4009 of the North Dakota Revised Code of 1943, relating to the emergency fund.

Introduction, first reading, 54.
 Referred to Committee on Education, 54.
 Reported back, do pass, 79.
 Second reading, 91.
 To House, 106.
 Returned to Senate, 597.
 Final passage, 91.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 71—(Committee on Education)

Senate Bill No. 71. A Bill for an Act to amend and re-enact Sections 15-5708 and 15-5710 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to teaching scholarships.

Introduction, first reading, 54.
 Referred to Committee on Education, 54.
 Reported back, amended, 142.
 Amendments adopted, 157.
 Engrossed, 170.
 Second reading, 178.
 To House, 185.
 Returned to Senate, 632.

Final passage, 179.
 Enrolled, 655.
 Signed by President, 655.
 To House, 664.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 72—(Committee on Education)

Senate Bill No. 72. A Bill for an Act to amend and reenact Section 15-3611 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to teachers' certificates.

Introduction, first reading, 54.
 Referred to Committee on Education, 54.
 Reported back, do pass, 80.
 Second reading, 91.
 To House, 106.
 Returned to Senate, 632.
 Final passage, 92.
 Enrolled, 655.
 Signed by President, 655.
 To House, 664.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 73—(Senator Holand)

Senate Bill No. 73. A Bill for an Act to divide the state of North Dakota into two congressional districts, and defining the boundaries thereof.

Introduction, first reading, 57.
 Referred to Committee on Political Subdivisions, 57.
 Reported back, divided report, majority do pass, 215.
 Committee report adopted, 219.
 Second reading, 238.
 To House, 264.
 Returned to Senate, 695.
 Final passage, 239.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 74—(Senators Kee, Garaas, Luick, Hernet, Gefreh, O'Brien, Fiedler and Erickstad)

Senate Bill No. 74. A Bill for an Act to amend and reenact sections 27-0202, 27-0503, and 27-0808 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the salaries of judges of the supreme court, the salaries and expenses of judges of the district courts, and the salaries of judges of county courts of increased jurisdiction.

Introduction, first reading, 59.
 Referred to Committee on Judiciary, 59.
 Reported back, amended, 103.
 Amendments adopted, 115.
 Engrossed, 126.
 Second reading, 136.
 To House, 145.
 Returned to Senate, 407.
 Final passage, 137.
 Signed by President, 418.
 To House, 420.
 Signed by Speaker, 465.
 Returned to Senate, 465.
 To Governor, 475.
 Approved by Governor, 497.

Senate Bill No. 75—(Senator Erickstad)

Senate Bill No. 75. A Bill for an Act to amend and reenact Section 12-0113 of the North Dakota Revised Code of 1943 relating to the disposition of moneys resulting from fines, forfeitures, and penalties for violations of state laws and disposition of moneys resulting from forfeiture of bail.

Introduction, first reading, 64.
 Referred to Committee on Judiciary, 64.
 Reported back, do pass, 103.
 Second reading, 118.
 To House, 138.
 Returned to Senate, 550.
 Final passage, 119.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 632.
 Returned to Senate, 632.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 76—(Senator Erickstad)

Senate Bill No. 76. A Bill for an Act to provide that any person charged with or convicted of a felony who willfully forfeits his bail shall be guilty of a misdemeanor.

Introduction, first reading, 64.
 Referred to Committee on Judiciary, 64.
 Reported back, do pass, 103.
 Second reading, 119.
 To House, 138.
 Returned to Senate, 550.
 Final passage, 119.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 632.
 Returned to Senate, 632.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 77—(Senator Gronvold)

Senate Bill No. 77. A Bill for an Act to amend and re-enact Section 57-3818 of the North Dakota Revised Code of 1943, as amended, relating to the exemption from the state income tax of all income accruing from federal social security retirement payments.

Introduction, first reading, 64.
 Referred to Committee on Finance and Taxation, 65.
 Reported back, do pass, 143.
 Second reading, 165, 661.
 To House, 185.
 House amendments, 631.
 Returned to Senate, amended, 631.
 Senate concurred, 661.
 Final passage, 166, 662.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 78—(Senators Miller, Becker, Vendsel, Klefstad and Baeverstad)

Senate Bill No. 78. A Bill for an Act to amend and re-enact sections 16-1706, 16-1710 and 16-1716 of the North Dakota Revised Code of 1943 relating to per diem and mileage of precinct committeemen, and election of precinct committeemen.

Introduction, first reading, 65.
 Referred to Committee on Political Subdivisions, 65.
 Re-referred to Committee on Political Subdivisions, 228, 413.
 Reported back, amended, 182, 385, 466 to 468, 495.
 Placed on calendar, without recommendations, 182, 385.
 Amendments adopted, 205, 495.
 Engrossed, 213.
 Re-engrossed, 522.
 Second reading, 228, 409, 527.
 Placed at foot of calendar, 409.
 Placed on calendar, 495.
 To House, 537.
 Returned to Senate, indefinitely postponed, 744.
 Final passage, clincher, 527.

Senate Bill No. 79—(Senators Nesvig, Andre, Miller, Trenbeath, Baeverstad, Hystad, Wadson, Thompson and Gilbertson)

Senate Bill No. 79. A Bill for an Act providing that all loaves of packaged bread shall have printed on the package amount of money the farmer received from the sale of cereal grains or potatoes used in the manufacture of such bread.

Introduction, first reading, 65.
 Referred to Committee on Agriculture, 65.
 Re-referred to Committee on Agriculture, 184.
 Reported back, amended, 170.
 Returned to Senate, 306.
 Withdrawn, 307.

Senate Bill No. 80—(Senator Garaas)

Senate Bill No. 80. A Bill for an Act to amend and reenact subdivision a of subsection 1 of Section 27-1608 of the North Dakota Revised Code of 1943, relating to original jurisdiction of juvenile court over children violating ordinances and laws, and providing for concurrent jurisdiction in certain cases.

Introduction, first reading, 65.
 Referred to Committee on Judiciary, 65.
 Reported back, amended, 298.
 Amendments adopted, 311.
 Engrossed, 326.
 Second reading, 349.
 Lost due to lack of constitutional majority, 349.

Senate Bill No. 81—(Senators Wadson, Paulson, Livingston, Klefstad, Gilbertson, George and Berube)

Senate Bill No. 81. A Bill for an Act to create and enact Section 15-3428 of the North Dakota Revised Code of 1943, relating to transportation of elementary school children and to amend and reenact Section 15-3419 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to qualifications of school bus drivers.

Introduction, first reading, 65.
 Referred to Committee on Education, 65.
 Re-referred to Committee on Education, 179.
 Reported back, amended, 143, 233.
 Amendments adopted, 157, 246.
 Engrossed, 170.
 Re-engrossed, 256.
 Second reading, 179, 266.
 Final passage, 267.
 To House, 283.
 Returned to Senate, indefinitely postponed, 597.

Senate Bill No. 82—(Senators Trenbeath and Gefreh)

Senate Bill No. 82. A Bill for an Act to provide for reimbursement to certain employees from the workmen's compensation fund for judgments rendered against them involving employee's injuries.

Introduction, first reading, 72.
 Referred to Committee on Judiciary, 72.
 Reported back, do pass, 171.
 Engrossed, 753.
 Second reading, 189, 209, 738.
 Laid over one legislative day, 189.
 Placed at head of calendar, 209.
 To House, 214.

House amendments, 696.
 Returned to Senate, amended, 696.
 Senate concurred, 738.
 Final passage, 209, 738.
 Enrolled, 754.
 Signed by President, 775.
 To House, 800.
 Signed by Speaker, 866.
 Returned to Senate, 866.
 To Governor, 921.

Senate Bill No. 83—(Senators Trenbeath and Gefreh)

Senate Bill No. 83. A Bill for an Act to amend and re-enact section 65-0429 of the North Dakota Revised Code of 1943 relating to employers carrying workmen's compensation insurance on nonhazardous employment.

Introduction, first reading, 73.
 Referred to Committee on Judiciary, 73.
 Reported back, amended, 171.
 Amendments adopted, 184.
 Engrossed, 205.
 Second reading, 209.
 To House, 214.
 Returned to Senate, 695.
 Final passage, 210.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 84—(Senator George)

Senate Bill No. 84. A Bill for an Act to amend and re-enact section 11-3202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to memorial funds.

Introduction, first reading, 73.
 Referred to Committee on Political Subdivisions, 73.
 Reported back, do pass, 114.
 Second reading, 137.
 To House, 145.
 Returned to Senate, 632.
 Final passage, 137.
 Enrolled, 655.
 Signed by President, 655.
 To House, 664.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 85—(Senator Longmire)

Senate Bill No. 85. A Bill for an Act to prohibit the sale of contraceptives through vending machines, and providing a penalty.

Introduction, first reading, 73.
 Referred to Committee on Social Welfare and Veterans Affairs, 73.
 Reported back, amended, 115.
 Amendments adopted, 128.
 Engrossed, 85.
 Second reading, 150.
 To House, 155.
 Returned to Senate, 550.
 Final passage, 151.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 632.
 Returned to Senate, 632.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 86—(Senators Gronvold, Baeverstad, Kee, Becker and Erickstad)

Senate Bill No. 86. A Bill for an Act to establish a geriatrics hospital for the care of the aged to be maintained under the administration of the state hospital.

Introduction, first reading, 73.
 Referred to Committee on State and Federal Government, 73.
 Re-referred to Committee on Appropriations, 432.
 Reported back, amended, 400.
 Reported back, indefinitely postponed, 489.
 Amendments adopted, 428.
 Engrossed, 446.
 Second reading, 533.
 Placed on calendar, 490.
 To House, 537.
 Returned to Senate, indefinitely postponed, 921.
 Final passage, 533.
 Clincher, 533.
 Indefinitely postponed, 921.

Senate Bill No. 87—(Senator Longmire)

Senate Bill No. 87. A Bill for an Act to amend and reenact section 30-1915 of the North Dakota Revised Code of 1943, relating to written bids of estate realty.

Introduction, first reading, 73.
 Referred to Committee on Judiciary, 73.
 Reported back, do pass, 171.
 Second reading, 189.
 To House, 214.
 Returned to Senate, 550.
 Final passage, 190.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 632.
 Returned to Senate, 632.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 88—(Senators Longmire and Garaas)

Senate Bill No. 88. A Bill for an Act to amend and re-enact Section 24-0220 and Section 48-0204 of the North Dakota Revised Code, as amended, relating to the bidding requirements for state highway department contracts and to the construction of public buildings, contents for advertising bids, and providing for bidder's bond.

Introduction, first reading, 73.

Referred to Committee on Judiciary, 73.

Reported back, amended, 171.

Amendments adopted, 184.

Engrossed, 205.

Re-engrossed, 988.

Second reading, 210, 909.

To House, 214.

House amendments, 892 and 893.

Returned to Senate, amended, 888.

Final passage, 210, 909.

Enrolled, 983.

Signed by President, 984.

To House, 985.

Signed by Speaker, 986.

Returned to Senate, 986.

To Governor, 987.

Senate Bill No. 89—(Senator Hernet)

Senate Bill No. 89. A Bill for an Act transferring certain moneys to the general fund of this state and making an appropriation to the state highway department from the general fund.

Introduction, first reading, 73.

Referred to Committee on Appropriations, 73.

Reported back, amended, 345.

Amendments adopted, 371.

Engrossed, 382.

Re-engrossed, 988.

Second reading, 388.

To House, 418.

House amendments, 934.

Returned to Senate, amended, 933.

Senate concurred, 943.

Final passage, 389, 943.

Enrolled, 983.

Signed by President, 984.

To House, 985.

Signed by Speaker, 986.

Returned to Senate, 986.

To Governor, 987.

Senate Bill No. 90—(Senators Morgan and Gronvold)

Senate Bill No. 90. A Bill for an Act to amend and re-enact section 61-0610 of the North Dakota Revised Code of 1943 relating to notice of election in an irrigation district after district is organized and declaring an emergency.

Introduction, first reading, 73.
 Referred to Committee on State and Federal Government, 73.
 Reported back, do pass, 127.
 Second reading, 151.
 To House, 155.
 Returned to Senate, 597.
 Final passage, 151.
 Emergency clause carried, 151.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 91—(Senators Meidinger, Wenstrom, Morgan, Wadeson and Klefstad)

Senate Bill No. 91. A Bill for an Act to amend and reenact section 57-0208 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 21 relating to the exemption of clothing, household goods, and musical instruments of certain persons from personal property taxation.

Introduction, first reading, 74.
 Referred to Committee on Finance and Taxation, 74.
 Reported back, amended, 156.
 Amendments adopted, 173.
 Engrossed, 181.
 Second reading, 190, 662.
 To House, 214.
 House amendments, 632.
 Returned to Senate, amended, 631.
 Senate concurred, 662.
 Final passage, 190, 663.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 92—(Senators Garaas, Berubè, Andre, Van Horn, Fiedler, Nesvig, Hystad, Thompson, Redlin, Yunker, Murphy, Schrock, Lautenschlager, Brooks, Vendsel, Livingston, O'Brien and Gilbertson)

Senate Bill No. 92. A Bill for an Act to amend and reenact sections 16-0415 and 16-1705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to primary election ballots and precinct committeemen, and to amend and reenact section 16-1703 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to precinct committeemen ballot.

Introduction, first reading, 80.
 Referred to Committee on Judiciary, 80.

Reported back, divided report, without recommendation, 420.

Second reading, 469.

Final passage, lost, 470.

Clincher, 470.

Senate Bill No. 93—(Senators Hystad and Longmire)

Senate Bill No. 93. A Bill for an Act to amend and reenact section 14-0319 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 14-0320 and 14-0321 of the North Dakota Revised Code of 1943, relating to marriage licenses and certificates of marriage and the manner of their disposition.

Introduction, first reading, 80.

Referred to Committee on Judiciary, 80.

Reported back, do pass, 171.

Second reading, 191.

To House, 214.

Returned to Senate, 550.

Final passage, 191.

Enrolled, 562.

Signed by President, 584.

To House, 593.

Signed by Speaker, 632.

Returned to Senate, 632.

To Governor, 693.

Approved by Governor, 793.

Senate Bill No. 94—(Senators Luick, Wadson, Livingston, George, Johnson, Foss, Kee, Gilbertson, Kisse and Baeverstad)

Senate Bill No. 94. A Bill for an Act to amend and reenact section 49-1309 of the North Dakota Revised Code of 1943 relating to the number of brakemen required on trains.

Introduction, first reading, 81.

Referred to Committee on Transportation, 81.

Reported back, amended, 298.

Amendments adopted, 311.

Engrossed, 326.

Second reading, 352, 355.

Laid over one legislative day, 355.

To House, 383.

Returned to Senate, 799.

Final passage, 355.

Clincher, 355.

Enrolled, 831.

Signed by President, 839.

To House, 858.

Signed by Speaker, 957.

Returned to Senate, 957.

To Governor, 978.

Senate Bill No. 95—(Senator Gefreh)

Senate Bill No. 95. A Bill for an Act to amend and reenact sections 39-03A13, 39-03A14, 39-03A17, and 39-03A18

of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the highway patrol retirement system, and providing for a retroactive date.

Introduction, first reading, 81.
Referred to Committee on Transportation, 81.
Reported back, amended, 277.
Amendments adopted, 301.
Engrossed, 308.
Second reading, 324.
To House, 332.
Returned to Senate, 550.
Final passage, 324.
Enrolled, 562.
Signed by President, 584.
To House, 593.
Signed by Speaker, 632.
Returned to Senate, 632.
To Governor, 693.
Approved by Governor, 793.

Senate Bill No. 96—(Senator Gefreh)

Senate Bill No. 96. A Bill for an Act to amend and reenact section 40-2410 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the constitutional debt limit of municipalities.

Introduction, first reading, 81.
Referred to Committee on Political Subdivisions, 81.
Reported back, do pass, 115.
Second reading, 137.
Final passage, 138.
To House, 145.
Returned to Senate, indefinitely postponed, 718.

Senate Bill No. 97—(Senators Becker, Erickson, Mutch and Baeverstad)

Senate Bill No. 97. A Bill for an Act to amend and reenact sections 57-4308, 57-5001 and 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the refund of motor fuels and special fuels taxes on fuels used to propel commercial watercraft on waters in this state.

Introduction, first reading, 81.
Referred to Committee on Finance and Taxation, 81.
Re-referred to Committee on Finance and Taxation, 191.
Reported back, amended, 156.
Reported back, do pass, 234.
Amendments adopted, 173.
Engrossed, 181.
Second reading, 246, 965.
To House, 264.
House amendments, 899.
Returned to Senate, amended, 899, 964.
Senate does not concur, 915.
Conference Committee, Senate, 915.

Conference Committee, House, 920.
Conference Committee report, adopted, 964.
Conference Committee report, House adopted, 966.
Final passage, 247, 966.
Indefinitely postponed in House, 966.

Senate Bill No. 98—(Senators Foss and Livingston)

Senate Bill No. 98. A Bill for an Act to provide for the education of deaf-blind children outside the state of North Dakota; providing appropriation for this purpose.

Introduction, first reading, 81.
Referred to Committee on Appropriations, 81.
Reported back, amended, 367.
Amendments adopted, 387.
Engrossed, 408.
Second reading, 415.
To House, 450.
Returned to Senate, 932.
Final passage, 415.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 99—(Senators Wenstrom, Roen and Freed)

Senate Bill No. 99. A Bill for an Act to amend and re-enact subdivision d of subsection 1 of section 38-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943, providing for oil well drilling bonds.

Introduction, first reading, 81.
Referred to Committee on Natural Resources, 81.
Reported back, amended, 183.
Amendments adopted, 205.
Engrossed, 213.
Re-engrossed, 988.
Second reading, 228, 863.
To House, 241.
House amendments, 834.
Returned to Senate, amended, 832.
Senate concurred, 862.
Final passage, 229, 863.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 100—(Senators Vendsel and Morgan)

Senate Bill No. 100. A Bill for an Act to amend and re-enact sections 26-2701 and 26-2708 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to participation of chiropractors in nonprofit medical service corporations.

Introduction, first reading, 81.
 Referred to Committee on Social Welfare and Veterans
 Affairs, 81.
 Reported back, indefinitely postponed, 203.

Senate Bill No. 101—(Senators O'Brien and Thompson)

Senate Bill No. 101. A Bill for an Act to create and enact section 15-53011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the classification of certain elementary school districts as high school districts for the purpose of reorganization.

Introduction, first reading, 81.
 Referred to Committee on Education, 82.
 Returned to Senate, 95.
 Re-referred to Committee on Education, 186.
 Reported back, do pass, 234.
 Withdrawn, 95.
 Reconsidered, 186.
 Second reading, 247.
 To House, 264.
 Returned to Senate, 597.
 Final passage, 247.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 102—(Senators Garaas, Vendsel and
 Murphy)

Senate Bill No. 102. A Bill for an Act to amend and re-enact section 48-0201 of the North Dakota Revised Code of 1943, relating to the construction of public buildings.

Introduction, first reading, 82.
 Referred to Committee on Industry, Business and
 Labor, 82.
 Reported back, do pass, 103.
 Second reading, 119.
 To House, 138.
 Returned to Senate, 696.
 Final passage, 119.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 103—(Senators Fiedler, O'Brien, Livingston,
 Larson, Morgan, Longmire and Schrock)

Senate Bill No. 103. A Bill for an Act to amend and re-enact sections 57-2201 and 57-2202 of the North Dakota Revised Code of 1943, relating to collection of personal

property taxes, and the publication of delinquent personal property taxes and maintaining a record of all such delinquent taxes.

Introduction, first reading, 82.
 Referred to Committee on Finance and Taxation, 82.
 Reported back, amended, 171, 172.
 Amendments adopted, 184.
 Engrossed, 205.
 Second reading, 210.
 To House, 214.
 Returned to Senate, 597.
 Final passage, 211.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 104—(Senator Garaas)

Senate Bill No. 104. A Bill for an Act to amend and reenact section 16-1204 of the North Dakota Revised Code of 1943, relating to election ballots.

Introduction, first reading, 82.
 Referred to Committee on Political Subdivisions, 82.
 Reported back, do pass, 385.
 Second reading, 409.
 Final passage, lost, 409.
 Clincher, 409.

Senate Bill No. 105—(Senator Larson)

Senate Bill No. 105. A Bill for an Act to transfer funds received in the payment of interest and principal under Chapter 15-60, of the 1957 Supplement to the North Dakota Revised Code of 1943, to the state school construction revolving fund and declaring an emergency.

Introduction, first reading, 88.
 Referred to Committee on Education, 88.
 Reported back, amended, 143.
 Amendments adopted, 157.
 Engrossed, 170.
 Second reading, 179.
 To House, 185.
 Returned to Senate, 597.
 Final passage, emergency clause carried, 179.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 106—(Senators Freed and Krause)

Senate Bill No. 106. A Bill for an Act to amend and reenact section 20-0337 of the North Dakota Revised Code of 1943, relating to forfeiture and reinstatement of fishing licenses.

Introduction, first reading, 88.
 Referred to Committee on Natural Resources, 88.
 Reported back, amended, 183.
 Amendments adopted, 205.
 Engrossed, 213.
 Second reading, 229.
 To House, 241.
 Returned to Senate, 718.
 Final passage, 229.
 Enrolled, 734.
 Signed by President, 735.
 To House, 736.
 Signed by Speaker, 764.
 Returned to Senate, 764.
 To Governor, 775.

Senate Bill No. 107—(Senators Murphy, Krause, Vendsel and Lautenschlager)

Senate Bill No. 107. A Bill for an Act to amend and reenact section 49-0506 of the North Dakota Revised Code of 1943, relating to the filing by public utilities of rates, fares, schedules, classifications, contracts, rules, and regulations, with the public service commission, and the investigation thereof by the commission.

Introduction, first reading, 89.
 Referred to Committee on Transportation, 89.
 Re-referred to Committee on Industry, Business and Labor, 97.
 Reported back, amended, 421, 422.
 Amendments adopted, 496.
 Laid over one legislative day, 465.
 Engrossed, 522.
 Second reading, 527.
 To House, 537.
 Returned to Senate, 666.
 Final passage, 528.
 Clincher, 528.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 108—(Senators Murphy, Klefstad, Gefreh, Fiedler, Livingston and Vendsel)

Senate Bill No. 108. A Bill for an Act to appropriate money for the creation and development of a children's psychiatric outpatient clinic to be administered by the state board of administration.

Introduction, first reading, 89.
 Referred to Committee on Appropriations, 89.
 Reported back, amended, 490.
 Amendments adopted, 498.
 Engrossed, 517.
 Re-engrossed, 988.
 Second reading, 531, 905.
 To House, 537.
 House amendments, 894.
 Returned to Senate, amended, 888.
 Senate concurred, 905.
 Final passage, 531.
 Clincher, 906.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 109—(Senators Vendsel, Hernet, Fiedler, Gronvold and Meidinger, by request)

Senate Bill No. 109. A Bill for an Act relating to sale, regulation, and control of drugs, medicines, chemicals, compounds, and pharmacists and amending and reenacting sections 43-1501, 43-1502, 43-1505, 43-1506, 43-1509, 43-1510, 43-1514, 43-1515, 43-1518, 43-1525 and 43-1530 of the North Dakota Revised Code of 1943, as amended.

Introduction, first reading, 89.
 Referred to Committee on Industry, Business and Labor, 89.
 Re-referred to Committee on Industry, Business and Labor, 312.
 Reported back, amended, 298, 345, 346, 371.
 Amendments adopted, 312, 371.
 Engrossed, 382.
 Re-engrossed, 382.
 Second reading, 389.
 To House, 418.
 Returned to Senate, 666.
 Final passage, 389.
 Enrolled, 734.
 Signed by President, 735.
 To House, 736.
 Signed by Speaker, 764.
 Returned to Senate, 764.
 To Governor, 775.

Senate Bill No. 110—(Senators Gefreh and Baeverstad, by request)

Senate Bill No. 110. A Bill for an Act to amend and reenact the initiated measure approved June 29, 1948 entitled "making it unlawful for the state of North Dakota, its political subdivisions, counties, cities, villages, and the State Highway Department, to establish and maintain any mechanical device or devices known as 'parking meters', or by whatever name designated, requiring the deposit

therein of coins or tokens for the privilege of parking cars or vehicles upon the streets and highways in the state of North Dakota," constituting Chapter 357 of the 1949 Session Laws and Section 39-0109 of the 1957 Supplement to the North Dakota Revised Code of 1943; by providing for the use of parking meters by cities and villages having a population of 3,000 or more upon approval of the electors, and declaring an emergency.

Introduction, first reading, 89.
 Referred to Committee on Industry, Business and Labor, 89.
 Re-referred to Committee on Industry, Business and Labor, 225.
 Re-referred to Committee on Judiciary, 327.
 Reported back, do pass, 172, 277.
 Reported back, amended, 277, 327, 422.
 Placed at foot of calendar, 191.
 Reconsidered, 327.
 Amendments adopted, 465.
 Laid over one legislative day, 207.
 Engrossed, 308.
 Re-engrossed, 478.
 Second reading, 324, 502.
 Final passage, lost for lack of two-thirds majority, 325.
 Lost, 503.
 Clincher, 503.

Senate Bill No. 111—(Senators Hernet, Fiedler, Krause, Wadeson and Vendsel)

Senate Bill No. 111. A Bill for an Act to amend subsection 1 of section 20-0205 of the North Dakota Revised Code of 1943 to provide for the appointment and removal of a chief warden, district deputy wardens, biologists and technicians, and other employees and to repeal sections 20-0208 of the North Dakota Revised Code of 1943 and 20-0211 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the appointment of a chief warden and deputy district wardens.

Introduction, first reading, 89.
 Referred to Committee on Natural Resources, 89.
 Reported back, amended, 468.
 Amendments adopted, 496.
 Engrossed, 522.
 Re-engrossed, 988.
 Second reading, 528, 863.
 To House, 537.
 House amendments, 834.
 Returned to Senate, amended, 832.
 Senate concurred, 863.
 Final passage, 528.
 Clincher, 864.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 112—(Senators Wartner and Garaas, by request of the State Highway Commissioner)

Senate Bill No. 112. A Bill for an Act to amend and re-enact Section 24-0211 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to records of the Highway Department open to public; certified copies.

Introduction, first reading, 95.
 Referred to Committee on State and Federal Government, 95.
 Reported back, do pass, 143.
 Second reading, 166.
 To House, 185.
 Returned to Senate, indefinitely postponed, 744.
 Final passage, 166.

Senate Bill No. 113—(Senators Larson, Livingston, Longmire and Vendsel)

Senate Bill No. 113. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

Introduction, first reading, 95.
 Referred to Committee on Industry, Business and Labor, 95.
 Reported back, do pass, 242.
 Amended, 328.
 Engrossed, 357.
 Re-engrossed, 988.
 Second reading, 267, 290, 328, 329, 923.
 Laid over one legislative day, 267, 290.
 To House; 357.
 House amendments, 834.
 Returned to Senate, amended, 832.
 Senate does not concur, 864.
 Senate concurred on House amendments, 923.
 Conference Committee, Senate, 873, 904.
 Conference Committee, House, 899, 917.
 Conference Committee report, discharged, 903, 922.
 Final passage, 329, 924.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 114—(Senators Kee and Luick)

Senate Bill No. 114. A Bill for an Act to authorize the North Dakota State Highway Department to purchase, install and maintain a Highway Maintenance Radio Net.

Introduction, first reading, 95.
 Referred to Committee on Transportation, 95.
 Reported back, do pass, 203.
 Second reading, 229.
 To House, 241.
 Returned to Senate, 550.
 Final passage, 230.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 632.
 Returned to Senate, 632.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 115—(Senators Mutch, Kee, Johnson and Ringsak)

Senate Bill No. 115. A Bill for an Act to amend and reenact section 57-5011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the assignment of refund claims on motor fuel tax.

Introduction, first reading, 95.
 Referred to Committee on Finance and Taxation, 95.
 Reported back, do pass, 143.
 Engrossed, 611.
 Second reading, 166, 603.
 House requests return, 551.
 To House, 185, 551, 563.
 House amendments, 407, 597.
 Returned to Senate, amended, 407, 597.
 Senate does not concur, 413.
 Senate concurred, 603.
 Conference Committee, Senate, 413, 493.
 Conference Committee, House, 415, 497.
 Conference Committee report, 493.
 House requests return of message on new Conference Committee, 501.
 Returned, 502.
 Return message naming Senate Conference Committee, 539.
 Final passage, 167, 603.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 116—(Senators Longmire and Luick)

Senate Bill No. 116. A Bill for an Act regulating the use of cigars, cigarettes, pipes and tobacco so as not to endanger life or property, and providing a penalty.

Introduction, first reading, 95.
 Referred to Committee on Social Welfare and Veterans Affairs, 95.
 Re-referred to Committee on Social Welfare and Veterans Affairs, 230.

Reported back, do pass, 203.
 Reported back, amended, 242.
 Amendments adopted, 263.
 Engrossed, 280.
 Second reading, 230, 287.
 To House, 302.
 Returned to Senate, 597.
 Final passage, 288.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 117—(Senators Trenbeath and Berube)

Senate Bill No. 117. A Bill for an Act to amend and re-enact section 5-0306 of the North Dakota Revised Code of 1943, relating to stamps representing tax on liquor in this state, and allowing a limited amount of liquor to be brought into this state from foreign countries by tourists or other people.

Introduction, first reading, 96.
 Referred to Committee on Finance and Taxation, 96.
 Reported back, amended, 144.
 Amendments adopted, 157.
 Engrossed, 170.
 Second reading, 179.
 To House, 185.
 Returned to Senate, 597.
 Final passage, 180.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 118—(Senators Livingston, Vendsel, Yunker and Larson)

Senate Bill No. 118. A Bill for an Act to amend and re-enact sections 43-1401, 43-1409 and 43-1413 of the North Dakota Revised Code of 1943, relating to the practice of osteopathy.

Introduction, first reading, 96.
 Referred to Committee on Social Welfare and Veterans Affairs, 96.
 Reported back, indefinitely postponed, 203.

Senate Bill No. 119—(Senators Morgan, O'Brien, Fiedler and Wadson)

Senate Bill No. 119. A Bill for an Act to amend and re-enact section 57-2001 of the North Dakota Revised Code of 1943, relating to the penalty for delinquent personal property taxes.

Introduction, first reading, 96.
 Referred to Committee on Finance and Taxation, 96.
 Reported back, do pass, 144.
 Engrossed, 987.
 Second reading, 167, 865.
 To House, 185.
 House amendments, 834.
 Returned to Senate, amended, 832.
 Senate concurred, 864.
 Final passage, 167, 865.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 120—(Senators Kee, Garaas, Morgan, Longmire, Wenstrom, Gilbertson, Yunker and Paulson)

Senate Bill No. 120. A Bill for an Act to amend and reenact section 24-0209 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to Highway Department budgets.

Introduction, first reading, 96.
 Referred to Committee on State and Federal Government, 96.
 Reported back, do pass, 144.
 Second reading, 167.
 To House, 185.
 Returned to Senate, 597.
 Final passage, 168.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 753.

Senate Bill No. 121—(Senators Kee, Garaas, Morgan, Longmire, Wenstrom, Gilbertson, Yunker and Paulson)

Senate Bill No. 121. A Bill for an Act to provide Highway Department short term financing.

Introduction, first reading, 96.
 Referred to Committee on State and Federal Government, 96.
 Re-referred to Committee on State and Federal Government, 168.
 Reported back, do pass, 144, 234.
 Second reading, 168, 248.
 To House, 264.
 Returned to Senate, 597.
 Final passage, 248.
 Enrolled, 611.

Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 122—(Senator George)

Senate Bill No. 122. A Bill for an Act to amend and re-enact section 61-1614 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the deposit of funds of water conservation and flood control districts.

Introduction, first reading, 104.
 Referred to Committee on Industry, Business and Labor, 104.
 Reported back, do pass, 172.
 Second reading, 191.
 To House, 214.
 Returned to Senate, 550.
 Final passage, 192.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 633.
 Returned to Senate, 633.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 123—(Senator Ringsak)

Senate Bill No. 123. A Bill for an Act to amend and re-enact section 14-0302 of the North Dakota Revised Code of 1943, relating to the lawful age for marriage.

Introduction, first reading, 104.
 Referred to Committee on Social Welfare and Veterans Affairs, 104.
 Reported back, do pass, 203.
 Second reading, 230.
 To House, 241.
 Returned to Senate, indefinitely postponed, 696.
 Final passage, 230.

Senate Bill No. 124—(Senators Ringsak, Wartner, Becker and Mutch)

Senate Bill No. 124. A Bill for an Act to amend and re-enact subsection 2 of section 11-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries of County Officers.

Introduction, first reading, 104.
 Referred to Committee on Political Subdivisions, 104.
 Reported back, amended, 385.
 Amendments adopted, 409.
 Engrossed, 420.
 Second reading, 447.
 Indefinitely postponed, 447.

Senate Bill No. 125—(Senators Ringsak and O'Brien)

Senate Bill No. 125. A Bill for an Act to amend and reenact section 15-4902 of the North Dakota Revised Code of 1943, and sections 12-1006 and 40-1305 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to personal interests in contracts by public officers.

Introduction, first reading, 104.
Referred to Committee on Industry, Business and Labor, 104.
Reported back, do pass, 413.
Second reading, 447.
To House, 479.
Returned to Senate, 666.
Final passage, 447.
Enrolled, 734.
Signed by President, 735.
To House, 736.
Signed by Speaker, 764.
Returned to Senate, 764.
To Governor, 775.

Senate Bill No. 126—(Senator Longmire)

Senate Bill No. 126. A Bill for an Act defining, regulating, and registering physical therapists, providing for the appointment of an examining committee, and providing a penalty for the violation of the provisions of the Act.

Introduction, first reading, 104.
Referred to Committee on State and Federal Government, 104.
Reported back, amended, 234.
Amendments adopted, 246.
Engrossed, 256.
Second reading, 267.
To House, 283.
Returned to Senate, 932.
Final passage, 268.
Enrolled, 988.
Signed by President, 989.
To House, 990.
Signed by Speaker, 990.
Returned to Senate, 990.
To Governor, 991.

Senate Bill No. 127—(Senator Meidinger, by request)

Senate Bill No. 127. A Bill for an Act to amend and reenact section 15-3936 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to military service in war counted as teaching service.

Introduction, first reading, 104.
Referred to Committee on Education, 104.
Reported back, do pass, 309.
Second reading, 358.
To House, 383.
Returned to Senate, 597.
Final passage, 359.

Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 792.

Senate Bill No. 128—(Senator Meidinger, by request)

Senate Bill No. 128. A Bill for an Act to amend and reenact section 15-3931 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to power of board to diminish annuities.

Introduction, first reading, 104.
 Referred to Committee on Education, 105.
 Reported back, indefinitely postponed, 219.

Senate Bill No. 129—(Senator Meidinger, by request)

Senate Bill No. 129. A Bill for an Act to amend and reenact subsections 1 and 2 of section 15-3928 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to retirement annuity of teachers.

Introduction, first reading, 105.
 Referred to Committee on Education, 105.
 Reported back, amended, 219.
 Amendments adopted, 236.
 Engrossed, 241.
 Second reading, 248, 249.
 To House, 264.
 Returned to Senate, 632.
 Final passage, 249.
 Enrolled, 655.
 Signed by President, 655.
 To House, 664.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 753.

Senate Bill No. 130—(Senator Meidinger, by request)

Senate Bill No. 130. A Bill for an Act to amend and reenact subsection 1 of section 15-3901 of the North Dakota Revised Code of 1943, relating to definitions.

Introduction, first reading, 105.
 Referred to Committee on Education, 105.
 Reported back, amended, 219.
 Amendments adopted, 236.
 Engrossed, 241.
 Second reading, 248.
 To House, 264.
 Returned to Senate, 632.
 Final passage, 249.
 Enrolled, 655.

Signed by President, 655.
To House, 664.
Signed by Speaker, 669.
Returned to Senate, 669.
To Governor, 693.
Approved by Governor, 753.

Senate Bill No. 131—(Senator Meidinger, by request)

Senate Bill No. 131. A Bill for an Act to repeal section 15-3938 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to withdrawal from fund by members of armed forces.

Introduction, first reading, 105.
Referred to Committee on Social Welfare and Veterans Affairs, 105.
Re-referred to Committee on Education, 204.
Reported back, do pass, 203, 220.
Second reading, 239.
To House, 264.
Returned to Senate, 798.
Final passage, 239.
Enrolled, 831.
Signed by President, 839.
To House, 858.
Signed by Speaker, 957.
Returned to Senate, 957.
To Governor, 978.

Senate Bill No. 132—(Senator Meidinger, by request)

Senate Bill No. 132. A Bill for an Act to amend and reenact subsections 1 and 3 of section 15-3927 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the eligibility to participate in fund.

Introduction, first reading, 105.
Referred to Committee on Education, 105.
Reported back, do pass, 220.
Second reading, 239.
To House, 264.
Returned to Senate, 666.
Final passage, 240.
Enrolled, 705.
Signed by President, 706.
To House, 715.
Signed by Speaker, 744.
Returned to Senate, 744.
To Governor, 754.

Senate Bill No. 133—(Senators Ringsak, O'Brien, Wartner and Brooks)

Senate Bill No. 133. A Bill for an Act to amend and reenact section 39-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 60 of such section relating to a definition of an authorized emergency vehicle and to amend and reenact sections 39-1003 and 39-1026 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to operation of authorized emergency vehicles.

Introduction, first reading, 105.
 Referred to Committee on Transportation, 105.
 Reported back, do pass, 278.
 Engrossed, 753.
 Second reading, 318, 738.
 To House, 332.
 House amendments, 719.
 Returned to Senate, amended, 719.
 Senate concurred, 738.
 Final passage, 318, 739.
 Enrolled, 754.
 Signed by President, 775.
 To House, 800.
 Signed by Speaker, 866.
 Returned to Senate, 866.
 To Governor, 921.

Senate Bill No. 134—(Senators Kisse and Garaas)

Senate Bill No. 134. A Bill for an Act to amend and reenact section 10-1202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to mutual aid cooperatives in order to provide that such an organization which was established prior to the effective date of the present Act governing such cooperatives shall not have to mandatorily change its name.

Introduction, first reading, 105.
 Referred to Committee on Industry, Business and Labor, 105.
 Reported back, amended, 368.
 Amendments adopted, 387.
 Engrossed, 408.
 Second reading, 416.
 To House, 450.
 Returned to Senate, 550.
 Final passage, 416.
 Enrolled, 562.
 Signed by President, 584.
 To House, 593.
 Signed by Speaker, 633.
 Returned to Senate, 633.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 135—(Senators Vendsel, Klefstad and O'Brien)

Senate Bill No. 135. A Bill for an Act to amend and reenact section 52-0606 of the North Dakota Revised Code of 1943 relating to weekly benefits for unemployment.

Introduction, first reading, 105.
 Referred to Committee on Industry, Business and Labor, 106.
 Reported back, amended, 455.
 Amendments adopted, 480.
 Engrossed, 488.
 Second reading, 509.
 To House, 537.
 Returned to Senate, 867.

Final passage, clincher, 510.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 136—(Senators Hernet, Klefstad and Murphy)

Senate Bill No. 136. A Bill for an Act to amend and reenact Subsection 1 of Section 57-1512 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to tax levy limitations in park districts.

Introduction, first reading, 106.
 Referred to Committee on Finance and Taxation, 106.
 Reported back, amended, 309, 310, 332.
 Amendments adopted, 332.
 Engrossed, 356.
 Re-engrossed, 357.
 Second reading, 363.
 To House, 383.
 Returned to Senate, indefinitely postponed, 632.
 Final passage, 363.

Senate Bill No. 137—(Senators Kee and Luick)

Senate Bill No. 137. A Bill for an Act authorizing the state highway commissioner to determine the percentage of payments to contractors for work completed prior to acceptance and to amend section 24-0225 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading, 106.
 Referred to Committee on Transportation, 106.
 Reported back, do pass, 204.
 Second reading, 230.
 To House, 241.
 Returned to Senate, 666.
 Final passage, 231.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 138—(Senators Wenstrom and Longmire)

Senate Bill No. 138. A Bill for an Act to amend and reenact Section 32-1503 of the North Dakota Revised Code of 1943 relating to the classification of the estates and rights in private property which may be taken for public use.

Introduction, first reading, 115.
 Referred to Committee on Political Subdivisions, 115.
 Reported back, do pass, 204.
 Engrossed, 676.
 Second reading, 231, 676.
 House requests return, 696.

House withdraws request for return, 716.
 To House, 241.
 House amendments, 666.
 Returned to Senate, amended, 666.
 Senate concurred, 676.
 Final passage, 231, 676.
 Enrolled, 754.
 Signed by President, 775.
 To House, 800.
 Signed by Speaker, 866.
 Returned to Senate, 866.
 To Governor, 921.

Senate Bill No. 139—(Senator Fiedler)

Senate Bill No. 139. A Bill for an Act to amend and reenact subdivision a of subsection 2 of section 10-1533 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the apportionment and distribution of proceeds of cooperative associations.

Introduction, first reading, 116.
 Referred to Committee on Judiciary, 116.
 Re-referred to Committee on Judiciary, 427.
 Reported back, amended, 422.
 Reported back, divided report, 456.
 Amendments adopted, 480.
 Engrossed, 488.
 Second reading, 510.
 To House, 537.
 Returned to Senate, 867.
 Final passage, clincher, 510.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 140—(Senators Andre, Holand and Garaas,
 by request of State Tax Commissioner)

Senate Bill No. 140. A Bill for an Act to amend Section. 57-3822 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 14 of this section to provide for deduction of an additional depreciation allowance; and declaring an emergency.

Introduction, first reading, 116.
 Referred to Committee on Finance and Taxation, 116.
 Reported back, do pass, 220.
 Second reading, 240.
 To House, 265.
 Returned to Senate, 666.
 Final passage, 240.
 Emergency clause declared carried, 240.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 141—(Senator Wadeson, by request)

Senate Bill No. 141. A Bill for an Act stating when dogs are a public nuisance, and the procedure to be followed when dogs are declared a public nuisance.

Introduction, first reading, 116.
Referred to Committee on Agriculture, 116.
Re-referred to Committee on Agriculture, 180.
Reported back, do pass, 157.
Reported back, amended, 242.
Amendments adopted, 263.
Engrossed, 280.
Second reading, 180, 288.
To House, 302.
Returned to Senate, 563.
Final passage, 288.
Enrolled, 585.
Signed by President, 611.
To House, 625.
Signed by Speaker, 669.
Returned to Senate, 669.
To Governor, 693.
Approved by Governor, 753.

Senate Bill No. 142—(Senators Livingston, Erickstad, Longmire, Holand and Garaas)

Senate Bill No. 142. A Bill for an Act relating to chemical tests of intoxication for drivers of motor vehicles and providing for suspension of operator's license upon refusal to submit to proper test and to amend and reenact section 39-0101 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 61 and to amend and reenact section 39-0801 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to intoxicating liquor and persons under the influence of intoxicating liquor.

Introduction, first reading, 116.
Referred to Committee on Judiciary, 116.
Reported back, amended, 456, 457, 458, 499.
Amendments adopted, 481.
Engrossed, 488.
Re-engrossed, 502, 988.
Placed on calendar as amended from floor, 499.
Second reading, 534, 902.
To House, 539.
House amendments, 834.
Returned to Senate, amended, 832.
Senate does not concur, 865.
Conference Committee, Senate, 873.
Conference Committee, House, 899.
Conference Committee report, adopted, 902.
House Conference Committee report, 917.
Final passage, 535.
Clincher, 902.
Enrolled, 983.

Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 143—(Senators Livingston and Becker)

Senate Bill No. 143. A Bill for an Act to amend and reenact section 27-1631 of the North Dakota Revised Code of 1943 relating to the publication of names of children under the jurisdiction of juvenile court.

Introduction, first reading, 116.
 Referred to Committee on Judiciary, 116.
 Reported back, indefinitely postponed, 368.

Senate Bill No. 144—(Senators Krause, Kisse, George, Baeverstad, Schrock, Vendsel, Fiedler, Van Horn, Miller, Becker, Kee, Roen, Hernet and Erickson)

Senate Bill No. 144. A Bill for an Act to amend and reenact subsection 3 of section 39-0467 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to allocation of motor vehicle registration tax proceeds for counties.

Introduction, first reading, 116.
 Referred to Committee on Finance and Taxation, 116.
 Reported back, amended, 458, 510.
 Amendments adopted, 481.
 Engrossed, 488.
 Re-engrossed, 520, 522.
 Indefinitely postponed, clincher, 536.
 Second reading, 510, 536.
 Placed at foot of calendar, 511.
 Placed at head of calendar, 517.
 Reconsider action on amendments, 518.
 Placed on calendar, 518.
 Lost, clincher, 537.

Senate Bill No. 145—(Senators Roen and Erickson, by request)

Senate Bill No. 145. A Bill for an Act to amend and reenact section 62-0107 of the North Dakota Revised Code of 1943 relating to the issuance of a license to carry a pistol.

Introduction, first reading, 116.
 Referred to Committee on Social Welfare and Veterans Affairs, 116.
 Reported back, indefinitely postponed, 278.

Senate Bill No. 146—(Senators Wartner and Gefreh)

Senate Bill No. 146. A Bill for an Act to provide for lost stock and transfer books of corporations by providing a procedure for creating a new stock and transfer book where stock and transfer book lost or incomplete, providing procedure with respect thereto, and providing for effect to be given thereto.

Introduction, first reading, 117.
 Referred to Committee on Judiciary, 117.
 Reported back, do pass, 255.
 Second reading, 288.
 To House, 302.
 Returned to Senate, 798.
 Final passage, 289.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 147—(Senators Roen, Erickson, Krause and Freed)

Senate Bill No. 147. A Bill for an Act to amend and reenact subsection 3 of section 20-0402 of the North Dakota Revised Code of 1943 and subsection 4 of section 20-0802 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the seasons for hunting pheasants.

Introduction, first reading, 117.
 Referred to Committee on Natural Resources, 117.
 Reported back, indefinitely postponed, 278.

Senate Bill No. 148—(Senators Livingston, Lautenschlager and Luick)

Senate Bill No. 148. A Bill for an Act requiring bodily injury liability and property damage liability insurance on every motor vehicle or operator thereof or the showing of financial responsibility, providing exceptions and providing a penalty.

Introduction, first reading, 117.
 Referred to Committee on Industry, Business and Labor, 117.
 Reported back, indefinitely postponed, 368.

Senate Bill No. 149—(Senators Yunker, Luick, Gilbertson and Krause)

Senate Bill No. 149. A Bill for an Act to amend and reenact section 57-4003 of the North Dakota Revised Code of 1943 by creating and enacting subsection 9 to amend and reenact section 57-4012 of the North Dakota Revised Code of 1943, relating to use tax on motor vehicles purchased outside this state.

Introduction, first reading, 117.
 Referred to Committee on Finance and Taxation, 117.
 Reported back, amended, 459.
 Amendments adopted, 481.
 Indefinitely postponed, clincher, 481.

Senate Bill No. 150—(Senators Brooks, Livingston, Garaas and Longmire)

Senate Bill No. 150. A Bill for an Act to amend and reenact sections 40-4501, 40-4502, 40-4508, 40-4513 and 40-4516, of the 1957 Supplement to the North Dakota Revised Code

of 1943, and section 40-4509 of the North Dakota Revised Code of 1943 relating to police pensions in cities.

Introduction, first reading, 117.
 Referred to Committee on Industry, Business and Labor, 117.
 Reported back, amended, 243.
 Amendments adopted, 263.
 Engrossed, 280.
 Re-engrossed, 988.
 Second reading, 289, 907.
 To House, 302.
 House amendments, 894.
 Returned to Senate, amended, 888.
 Senate concurred, 906.
 Final passage, 289, 907.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 151—(Senator Vendsel)

Senate Bill No. 151. A Bill for an Act relating to corrupt practices of candidates for state and national office.

Introduction, first reading, 117.
 Referred to Committee on Political Subdivisions, 117.
 Reported back, amended, 386.
 Amendments adopted, 409.
 Engrossed, 420.
 Second reading, 447.
 To House, 479.
 Returned to Senate, indefinitely postponed, 666.
 Final passage, 448.

Senate Bill No. 152—(Senators Longmire and O'Brien)

Senate Bill No. 152. A Bill for an Act to amend and reenact section 50-0705 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership of property by applicants for old age assistance.

Introduction, first reading, 117.
 Referred to Committee on Social Welfare and Veterans Affairs, 118.
 Reported back, do pass, 243.
 Engrossed, 987.
 Placed below House Concurrent Resolution "G", 269.
 Second reading, 269, 274, 867.
 To House, 302, 593.
 House amendments, 834.
 Returned to Senate, indefinitely postponed, 563.
 Returned to Senate, amended, 832.
 House requests return, 563.
 Senate concurred, 867.
 Final passage, 275, 868.
 Enrolled, 983.

Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 153—(Senator Klefstad, by request)

Senate Bill No. 153. A Bill for an Act to repeal Section 15-29082 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the admission of pupils and tuition.

Introduction, first reading, 118.
 Referred to Committee on Education, 118.
 Reported back, indefinitely postponed, 144, 172.
 Laid over until Bill No. 152 is printed, 144.

Senate Bill No. 154—(Senators Morgan, Meidinger, Klefstad, Kee, Wadson, Vendsel and Gronvold)

Senate Bill No. 154. A Bill for an Act providing for the election and terms of office of directors of the Garrison Diversion Conservancy District, relating to powers and duties of its board of directors, amending sections 61-2405, 61-2408 and 61-2409 of the 1957 Supplement to the North Dakota Revised Code of 1943 and levying a tax of one-tenth of one mill for administrative purposes and declaring an emergency.

Introduction, first reading, 118.
 Referred to Committee on Political Subdivisions, 118.
 Reported back, do pass, 183.
 Second reading, 211.
 To House, 214.
 Returned to Senate, 666.
 Final passage, emergency clause carried, 211.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 155—(Senators Brooks, Livingston and Longmire)

Senate Bill No. 155. A Bill for an Act relating to municipal police officers' witness fees in criminal actions.

Introduction, first reading, 118.
 Referred to Committee on Political Subdivisions, 118.
 Reported back, amended, 184.
 Amendments adopted, 205.
 Engrossed, 213.
 Second reading, 231.
 To House, 241.
 Returned to Senate, indefinitely postponed, 597.
 Final passage, 232.

Senate Bill No. 156—(Senators Wartner and Holand)

Senate Bill No. 156. A Bill for an Act to repeal sections 47-0304 and 47-0305 of the North Dakota Revised Code of 1943 relating to the accumulation of income.

Introduction, first reading, 121.
 Returned to Senate, 246.
 Referred to Committee on Industry, Business and Labor, 121.
 Re-referred to Committee on Judiciary, 246.
 Reported back, do pass, 368.
 Second reading, 389.
 To House, 418.
 Returned to Senate, 798.
 Final passage, 390.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 157—(Senators Hernett, Kee and George)

Senate Bill No. 157. A Bill for an Act to amend and reenact subsection 2 of section 52-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to definitions; section 52-0405 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to standard rate of contributions; reduction of rates; section 52-0406 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to variations in standard rate of contributions; how determined; section 52-0409 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to classification of employers to determine contributions; regulations governing; and section 52-0411 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to unpaid contributions to bear interest; interest collected paid into unemployment compensation fund.

Introduction, first reading, 121.
 Referred to Committee on Industry, Business and Labor, 121.
 Reported back, amended, 459.
 Amendments adopted, 481.
 Engrossed, 488.
 Second reading, 511.
 To House, 537.
 Returned to Senate, 867.
 Final passage, clincher, 511.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 158—(Senators Hernett, Kee and George)

Senate Bill No. 158. A Bill for an Act to create and enact subsection 9 of section 52-0602, North Dakota Revised Code of 1943, relating to disqualifications for benefits; and to

amend and reenact section 52-0603 of the North Dakota Revised Code of 1943, relating to benefits payable when; section 52-0604 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to schedule of benefits, qualifying wages and definitions; section 52-0605 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to maximum potential benefits.

Introduction, first reading, 121.
 Referred to Committee on Industry, Business and Labor, 121.
 Reported back, amended, 460, 512.
 Amendments adopted, 481.
 Engrossed, 488.
 Re-engrossed, 522.
 Second reading, 511.
 To House, 537.
 Returned to Senate, 867.
 Final passage, clincher, 512.
 Enrolled, 988.
 Signed by President, 989.
 To House, 990.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 159—(Senator Erickstad)

Senate Bill No. 159. A Bill for an Act to create and enact section 29-2406 of the North Dakota Revised Code of 1943 relating to time within which motion for new trial may be made.

Introduction, first reading, 122.
 Referred to Committee on Judiciary, 122.
 Reported back, do pass, 243.
 Second reading, 269.
 To House, 302.
 Returned to Senate, 867.
 Final passage, 270.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 160—(Senator Erickstad)

Senate Bill No. 160. A Bill for an Act making an appropriation for the purpose of paying special assessments levied against property of the state of North Dakota by the city of Devils Lake.

Introduction, first reading, 122.
 Referred to Committee on Appropriations, 122.
 Reported back, do pass, 184.
 Second reading, 211.
 To House, 214.
 Returned to Senate, 932.
 Final passage, 212.

Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 161—(Senators Ringsak, Yunker, Kee, Van Horn, Andre, Wartner and Hernet)

Senate Bill No. 161. A Bill for an Act to amend and reenact section 6-0305 of the North Dakota Revised Code of 1943, relating to limitation of real estate loans by state banking associations.

Introduction, first reading, 128.
Referred to Committee on Industry, Business and Labor, 128.
Reported back, do pass, 300.
Second reading, 329.
To House, 357.
Returned to Senate, 718.
Final passage, 330.
Enrolled, 734.
Signed by President, 735.
To House, 736.
Signed by Speaker, 764.
Returned to Senate, 764.
To Governor, 775.

Senate Bill No. 162—(Senators Johnson and Baeverstad, by request)

Senate Bill No. 162. A Bill for an Act to amend and reenact section 24-0132 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the acquisition of property for controlled-access facilities.

Introduction, first reading, 146.
Referred to Committee on Transportation, 146.
Reported back, do pass, 204.
Second reading, 232.
To House, 241.
Returned to Senate, 666.
Final passage, 232.
Enrolled, 705.
Signed by President, 706.
To House, 715.
Signed by Speaker, 744.
Returned to Senate, 744.
To Governor, 754.

Senate Bill No. 163—(Senator Wenstrom, by request)

Senate Bill No. 163. A Bill for an Act relating to and regulating the practice of dentistry, providing for exceptions, establishing state board of dental examiners, prescribing qualifications of membership, providing for meetings, appointment of officers, and payment of compensation, prescribing the powers and duties of board, requiring examinations, prescribing qualifications of applicants, au-

thorizing the issuance of licenses and certificates of registration, prescribing grounds for suspension or revocation and imposing conditions for renewal thereof, prescribing procedure for hearings, issuance of orders and appeals, authorizing revocation and reinstatement of licenses, and certificates of registration upon payment of fees, declaring certain acts as misdemeanors and prescribing punishment therefor and to repeal Chapter 43-08, as amended, of the North Dakota Revised Code of 1943 and all acts in conflict herewith.

Introduction, first reading, 146.
 Referred to Committee on Social Welfare and Veterans Affairs, 146.
 Reported back, amended, 278.
 Amendments adopted, 302.
 Engrossed, 308.
 Second reading, 335.
 To House, 357.
 Returned to Senate, 799.
 Final passage, 336.
 Enrolled, 931.
 Signed by President, 937.
 Signed by Speaker, 957.
 To House, 938.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 164—(Senators Roen, Longmire and Erickson)

Senate Bill No. 164. A Bill for an Act to create and enact subsection 6 of section 40-3502 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of the word "undertaking" in the municipal revenue bond law, and declaring an emergency.

Introduction, first reading, 146.
 Referred to Committee on State and Federal Government, 146.
 Reported back, amended, 347, 371.
 Amendments adopted, 371.
 Placed at foot of calendar, 390.
 Engrossed, 382.
 Laid over one legislative day, 398.
 Second reading, 398, 416.
 Withdrawn, 416.

Senate Bill No. 165—(Senators Trenbeath, Wenstrom, Johnson, Meidinger, Roen, Luick, Garaas, Murphy, Erickstad and Yunker)

Senate Bill No. 165. A Bill for an Act making an appropriation to the state water conservation commission for continued participation in the investigation, planning, construction and maintenance of multiple-purpose projects for beneficial utilization, control and management of public waters and providing that moneys appropriated by this Act, and any unused balance of moneys remaining unexpended, appropriated for the purposes mentioned, shall be covered into a fund designated "multiple purpose fund" and that such fund shall remain available to the commission until expended.

Introduction, first reading, 146.
 Referred to Committee on Appropriations, 146.
 Reported back, amended, 460.
 Amendments adopted, 481.
 Engrossed, 488.
 Second reading, 512.
 To House, 537.
 Returned to Senate, 932.
 Final passage, clincher, 513.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 166—(Senators Livingston, Becker, Trenbeath, Vendsel, Fiedler, Yunker, Redlin, Kisse, Erickson, Saumur and Roen)

Senate Bill No. 166. A Bill for an Act to promote development, utilization and marketing of wheat grown in North Dakota; declaring public policy and purpose; creating the North Dakota State Wheat Commission and prescribing its powers, authority and duties; providing funds by the levy of an excise tax and appropriation of the proceeds; and declaring an emergency, and providing a penalty.

Introduction, first reading, 147.
 Referred to Committee on Agriculture, 147.
 Reported back, amended, 400, 429, 500, 518.
 Placed on calendar as amended from floor, 429, 500.
 Not adopted, 428.
 Placed at head of calendar, 499, 518.
 Engrossed, 446.
 Re-engrossed, 501, 522.
 Second reading, 470, 535.
 Laid over one legislative day, 470.
 Placed on calendar, 518.
 To House, 539.
 Returned to Senate, 932.
 Final passage, 535.
 Emergency clause carried, clincher, 536.
 Enrolled, 988.
 Signed by President, 989.
 To House, 990.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 167—(Senators Vendsel, Murphy and Brooks)

Senate Bill No. 167. A Bill for an Act requiring police vehicles used to stop motor vehicles at night to be equipped with flashing red lights and proper police markings.

Introduction, first reading, 147.
 Referred to Committee on Transportation, 147.
 Reported back, 278.
 Placed on calendar without recommendation, 278.
 Second reading, 318.
 Final passage, lost, 319.

Senate Bill No. 168—(Senators Ringsak, Mutch, Krause, Brooks and Kee)

Senate Bill No. 168. A Bill for an Act to amend and reenact section 48-0202 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the procurement of plans, drawings, and specifications from a licensed architect when a public building is altered, repaired, or constructed.

Introduction, first reading, 147.
 Referred to Committee on Industry, Business and Labor, 147.
 Reported back, amended, 413.
 Amendments adopted, 429.
 Engrossed, 446.
 Second reading, 470, 478.
 Placed at foot of calendar, 470.
 To House, 497.
 Returned to Senate, 718.
 Final passage, 479.
 Enrolled, 734.
 Signed by President, 735.
 To House, 736.
 Signed by Speaker, 764.
 Returned to Senate, 764.
 To Governor, 775.

Senate Bill No. 169—(Senator Holand)

Senate Bill No. 169. A Bill for an Act to amend and reenact section 39-0651 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to drivers license carrying warnings and convictions.

Introduction, first reading, 147.
 Referred to Committee on Judiciary, 147.
 Reported back, do pass, 243.
 Second reading, 270.
 To House, 302.
 Returned to Senate, 696.
 Final passage, 270.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 170—(Senator Holand, at request of the State Tax Commissioner)

Senate Bill No. 170. A Bill for an Act to amend Section 46-0420 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to destruction of public records of the state and permitting microfilmed copies of such records to be used as evidence.

Introduction, first reading, 147.
 Referred to Committee on State and Federal Government, 147.
 Reported back, indefinitely postponed, 310.

Senate Bill No. 171—(Senator Gefreh)

Senate Bill No. 171. A Bill for an Act to amend and reenact section 57-0228 of the North Dakota Revised Code of 1943, relating to valuation basis for computation of tax.

Introduction, first reading, 147.

Referred to Committee on Finance and Taxation, 147.

Reported back, indefinitely postponed, 235.

Senate Bill No. 172—(Senators Yunker, Longmire and O'Brien)

Senate Bill No. 172. A Bill for an Act to amend and reenact section 15-2905 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to compensation of school board members.

Introduction, first reading, 147.

Referred to Committee on Education, 147.

Reported back, do pass, 235.

Second reading, 249.

To House, 265.

Returned to Senate, 666.

Final passage, 250.

Enrolled, 705.

Signed by President, 706.

To House, 715.

Signed by Speaker, 744.

Returned to Senate, 744.

To Governor, 754.

Senate Bill No. 173—(Senators Erickson, Freed, Roën and Baeverstad)

Senate Bill No. 173. A Bill for an Act to create and enact section 57-38153 of the North Dakota Revised Code of 1943, relating to gains and losses on breeding, draft, and dairy livestock.

Introduction, first reading, 148.

Returned to Senate, 173.

Referred to Committee on Agriculture, 148.

Re-referred to Committee on Finance and Taxation, 173.

Reported back, do pass, 331.

Second reading, 363.

To House, 383.

Returned to Senate, indefinitely postponed, 632.

Final passage, 364.

Senate Bill No. 174—(Senator Murphy, by request)

Senate Bill No. 174. A Bill for an Act to create and enact Section 57-38154 of the North Dakota Revised Code of 1943 relating to income tax to provide for postponement of gain arising from the sale of a residence and providing for an effective date.

Introduction, first reading, 148.

Referred to Committee on Industry, Business and Labor, 148.

Reported back, amended, 300.
 Second reading, 336.
 To House, 357.
 Returned to Senate, indefinitely postponed, 666.
 Final passage, 337.

Senate Bill No. 175—(Senators Vendsel, Fiedler, Kisse and Roen)

Senate Bill No. 175. A Bill for an Act requiring inspection of livestock to determine ownership, providing certain exceptions and a penalty.

Introduction, first reading, 148.
 Referred to Committee on Agriculture, 148.
 Reported back, do pass, 243.
 Second reading, 270.
 To House, 302.
 Returned to Senate, 538.
 Final passage, 271.
 Enrolled, 550.
 Signed by President, 558.
 To House, 563.
 Signed by Speaker, 584.
 Returned to Senate, 584.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 176—(Senators Fiedler, Vendsel, Kisse and Roen)

Senate Bill No. 176. A Bill for an Act to amend and reenact section 36-0512 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to ownership and title of livestock sold through sales rings.

Introduction, first reading, 148.
 Referred to Committee on Agriculture, 148.
 Reported back, do pass, 244.
 Engrossed, 550.
 Second reading, 271, 523.
 To House, 302.
 Returned to Senate, amended, 486, 487.
 Senate concurred, 523.
 Final passage, 271, 523.
 Enrolled, 550.
 Signed by President, 558.
 To House, 563.
 Signed by Speaker, 584.
 Returned to Senate, 584.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 177—(Senators Baeverstad and Gronvold)

Senate Bill No. 177. A Bill for an Act to amend and reenact subsections 1.b., 1.c., 1.d., 2.f., and 2.h. of section 26-03A03 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to health and accident insurance policies, and to repeal section 26-03A07 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading, 148.
Referred to Committee on Industry, Business and
Labor, 148.
Reported back, indefinitely postponed, clincher, 461.

Senate Bill No. 178—(Senators Larson and Trenbeath)

Senate Bill No. 178. A Bill for an Act making an appropriation to the state board of administration for the purpose of lighting the exterior of the state capitol building and the capitol grounds.

Introduction, first reading, 148.
Re-referred to Committee on State and Federal
Government, 148.
Re-referred to Committee on Appropriations, 235, 379.
Reported back, do pass, 235, 347.
Reported back, amended, 461.
Amendments adopted, 481.
Placed at foot of calendar, 372.
Engrossed, 488.
Second reading, 378, 513.
To House, 537.
Returned to Senate, 867.
Final passage, 513.
Clincher, 514.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 179—(Senators Brooks, Larson and Longmire)

Senate Bill No. 179. A Bill for an Act to amend and reenact sections 57-1701, 57-1702 and 57-1705 of the North Dakota Revised Code of 1943 relating to excess levies.

Introduction, first reading, 157.
Referred to Committee on Finance and Taxation, 157.
Reported back, amended, 461.
Amendments adopted, 481.
Engrossed, 488.
Second reading, 514.
Final passage, lost due to lack of constitutional majority, 514.
Clincher, 514.

Senate Bill No. 180—(Senators Livingston, Brooks, Krause and Redlin)

Senate Bill No. 180. A Bill for an Act to amend and reenact section 26-2602 of the North Dakota Revised Code of 1943, relating to authorized contract provisions.

Introduction, first reading, 157.
Referred to Committee on Social Welfare and Veterans
Affairs, 157.
Reported back, amended, 279.
Amendments adopted, 302.
Engrossed, 308.

Second reading, 337.
 To House, 357.
 Returned to Senate, 597.
 Final passage, 337.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 753.

Senate Bill No. 181—(Senators Livingston, Brooks, Krause and Redlin)

Senate Bill No. 181. A Bill for an Act to amend and reenact section 26-2605 of the North Dakota Revised Code of 1943, relating to annual report to commissioner of insurance.

Introduction, first reading, 157.
 Referred to Committee on Finance and Taxation, 157.
 Reported back, do pass, 235.
 Second reading, 258.
 To House, 283.
 Returned to Senate, 597.
 Final passage, 259.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 753.

Senate Bill No. 182—(Senators Van Horn, Thompson and Wenstrom)

Senate Bill No. 182. A Bill for an Act providing that all new motor vehicles sold or registered in North Dakota after December 31, 1959, shall be equipped with a device that will notify the operator that he is exceeding a certain speed, and providing for the effective date.

Introduction, first reading, 157.
 Returned to Senate, 246.
 Referred to Committee on Industry, Business and Labor, 158.
 Re-referred to Committee on Judiciary, 246.
 Reported back, indefinitely postponed, 368.

Senate Bill No. 183—(Senator Andre)

Senate Bill No. 183. A Bill for an Act to amend and reenact section 57-5102 and subsection 1 of section 57-5115 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the oil and gas gross production tax and its distribution, creating a special education fund, and making an appropriation from such fund.

Introduction, first reading, 158.
 Referred to Committee on Finance and Taxation, 158.
 Reported back, indefinitely postponed, 235.

Senate Bill No. 184—(Senators Saumur and Longmire)

Senate Bill No. 184. A Bill for an Act to amend and re-enact Section 15-2012 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to vocational rehabilitation.

Introduction, first reading, 158.
 Referred to Committee on Education, 158.
 Reported back, ~~do~~ pass, 235.
 Second reading, 259.
 To House, 283.
 Returned to Senate, 666.
 Final passage, 259.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 185—(Senators Longmire and Saumur)

Senate Bill No. 185. A Bill for an Act providing for the transfer of certain real property for the benefit and use of the state blind school located at Grand Forks, North Dakota.

Introduction, first reading, 158.
 Referred to Committee on State and Federal Government, 158.
 Reported back, do pass, 220.
 Second reading, 240.
 To House, 265.
 Returned to Senate, 632.
 Final passage, 241.
 Enrolled, 655.
 Signed by President, 655.
 To House, 664.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 793.

Senate Bill No. 186—(Senators Baeverstad, Foss, Holand, Brooks, Wartner, Freed, Longmire, Trenbeath, Luick, Miller, Erickson and Becker)

Senate Bill No. 186. A Bill for an Act to amend and re-enact sections 57-3807, 57-3821 and 57-3827 of the North Dakota Revised Code of 1943, and sections 57-3801, 57-3827 and 57-3831 of the 1957 Supplement to the North Dakota Revised Code of 1943, all relating to taxation of incomes of individuals and fiduciaries; to provide deductions from net income in computing taxable income of individuals and fiduciaries, and to simplify preparation of their income tax returns for income years commencing after December 31, 1958, and to repeal subsection 3 of section 57-3817 and subsection 9 of section 57-3822 of the North Dakota Revised Code of 1943, and subsection 5 of section 57-3817 and subsection 13 of section 57-3822 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading, 158.
 Referred to Committee on Finance and Taxation, 158.
 Reported back, amended, 331.
 Amendments adopted, 358.
 Second reading, 377.
 To House, 398.
 Returned to Senate, 632.
 Final passage, 378.
 Enrolled, 670.
 Signed by President, 677.
 To House, 695.
 Signed by Speaker, 716.
 Returned to Senate, 716.
 To Governor, 754.

Senate Bill No. 187—(Senator Garaas)

Senate Bill No. 187. A Bill for an Act to amend and reenact subsection 57 of section 40-0501 of the North Dakota Revised Code of 1943, relating to the power of the governing body of municipalities to grant franchises and privileges.

Introduction, first reading, 158.
 Referred to Committee on Industry, Business and Labor, 158.
 Reported back, indefinitely postponed, 368.

Senate Bill No. 188—(Senators Erickson, Roen, Krause and Kisse)

Senate Bill No. 188. A Bill for an Act relating to the restoration of the surface of mining property after abandonment.

Introduction, first reading, 159.
 Referred to Committee on Political Subdivisions, 159.
 Re-referred to Committee on Natural Resources, 232.
 Reported back, do pass, 204.
 Second reading, 232.
 Reported back, indefinitely postponed, 279.

Senate Bill No. 189—(Committee on Appropriations)

Senate Bill No. 189. A Bill for an Act making an appropriation to pay expenses of county reorganization committees, and declaring an emergency.

Introduction, first reading, 159.
 Referred to Committee on Appropriations, 159.
 Reported back, do pass, 256.
 Engrossed, 753.
 Second reading, 289, 739.
 To House, 302.
 House amendments, 719.
 Returned to Senate, amended, 719.
 Senate concurred, 739.
 Final passage, emergency clause declared carried (2), 290, 739.
 Enrolled, 754.

Signed by President, 775.
 To House, 800.
 Signed by Speaker, 866.
 Returned to Senate, 866.
 To Governor, 921.

Senate Bill No. 190—(Committee on Appropriations)

Senate Bill No. 190. A Bill for an Act making an appropriation for the purpose of supplementing the appropriation made for the construction of a school for the blind in the initiated measure which was approved in June, 1958.

Introduction, first reading, 159.
 Referred to Committee on Appropriations, 159.
 Re-referred to Committee on Appropriations, 384.
 Reconsidered, 384.
 Reported back, indefinitely postponed, 368.
 Reported back, amended, 483.
 Amendments adopted, 497.
 Engrossed, 517.
 Second reading, 529.
 Chair ruled a majority was needed to pass this bill, 529.
 Final passage, lost for lack of majority, clincher, 530.

Senate Bill No. 191—(Senator Fiedler)

Senate Bill No. 191. A Bill for an Act to permit North Dakota to take advantage of the National Defense Education Act for the purpose of improving instruction in the state in accordance with the Act, making an appropriation and declaring an emergency.

Introduction, first reading, 159.
 Referred to Committee on Appropriations, 159.
 Reported back, amended, 483, 484, 520.
 Amendments adopted, 497.
 Engrossed, 520.
 Re-engrossed, 522.
 Second reading, 523.
 To House, 537.
 Returned to Senate, 932.
 Final passage, 524, emergency clause carried, clincher, 524.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 192—(Senators Kisse, Garaas, Livingston and Redlin)

Senate Bill No. 192. A Bill for an Act to create and enact section 10-13081 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the sale, lease and dissolution of electrical cooperatives.

Introduction, first reading, 159.
 Referred to Committee on Industry, Business and
 Labor, 159.
 Reported back, do pass, 369.
 Second reading, 391.
 To House, 418.
 Returned to Senate, 563.
 Final passage, 391.
 Enrolled, 585.
 Signed by President, 611.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 753.

Senate Bill No. 193—(Senators Trenbeath and Longmire,
 by request)

Senate Bill No. 193. A Bill for an Act requiring certain
 persons to report the names and addresses of blind persons
 to the superintendent of the school for the blind.

Introduction, first reading, 159.
 Returned to Senate, 489.
 Referred to Committee on Education, 159.
 Re-referred to Committee on Education, 260.
 Reported back, do pass, 235.
 Second reading, 259, 519.
 To House, 537.
 Returned to Senate, indefinitely postponed, 666.
 Final passage, 519.
 Clincher, 520.

Senate Bill No. 194—(Senators Hernet, Wadeson, Krause
 and Fiedler)

Senate Bill No. 194. A Bill for an Act to amend and re-
 enact section 20-0328 and subsection 1 of section 20-0329
 of the North Dakota Revised Code of 1943 relating to the
 transportation of game or fish by nonresidents and to pro-
 vide for a limitation on the total number of certain game
 birds which may be taken during the year by nonresidents
 and providing a penalty.

Introduction, first reading, 159.
 Referred to Committee on Natural Resources, 159.
 Reported back, amended, 244.
 Amendments adopted, 263.
 Engrossed, 280.
 Second reading, 290, 337, 868.
 To House, 357.
 House amendments, 835.
 Returned to Senate, amended, 832.
 Senate concurred, 868.
 Final passage, 338, 868.
 Enrolled, 983.
 Signed by President, 984.

To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 195—(Senators Baeverstad, Nesvig and Wenstrom)

Senate Bill No. 195. A Bill for an Act to amend and reenact section 52-0907 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to purposes for which fund may be used; section 52-0908 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to default in taxes; interest; action to collect; levy of tax by political subdivisions; section 52-0909 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to rate of contribution; section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943; relating to deductions from and additions to benefits; subsection A. of section 52-0920 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to definitions; to enact subsection d. of section 52-1004 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to contributions by employees of the state and of political subdivisions; to amend and reenact subsection d. of section 52-1005 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to plans for coverage of employees of political subdivisions and to amend and reenact section 52-1009 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to studies and reports, and declaring an emergency.

Introduction, first reading, 159.
Referred to Committee on Finance and Taxation, 160.
Reported back, amended, 310.
Amendments adopted, 333.
Engrossed, 356.
Second reading, 364.
To House, 383.
Returned to Senate, 632.
Final passage, emergency clause carried, 364.
Enrolled, 670.
Signed by President, 677.
To House, 695.
Signed by Speaker, 716.
Returned to Senate, 716.
To Governor, 754.
Approved by Governor, 837.

Senate Bill No. 196—(Senator Murphy, by request)

Senate Bill No. 196. A Bill for an Act to amend and reenact Chapter 19-06 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to imitation ice cream, and fixing the effective date thereof.

Introduction, first reading, 160.
Referred to Committee on Agriculture, 160.
Re-referred to Committee on Agriculture, 269.
Reported back, indefinitely postponed, 244.
Reported back, do pass, 347.

Reconsidered, 269.
 Second reading, 372.
 To House, 398.
 Returned to Senate, 799.
 Final passage, 372.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 197—(Senators Livingston, Paulson, Baeverstad, Garaas, Trenbeath and Freed)

Senate Bill No. 197. A Bill for an Act to amend and reenact section 50-1209 of the North Dakota Revised Code of 1943 relating to child placement agencies.

Introduction, first reading, 160.
 Referred to Committee on Social Welfare and Veterans Affairs, 160.
 Reported back, indefinitely postponed, 279.

Senate Bill No. 198—(Senators Freed and Foss)

Senate Bill No. 198. A Bill for an Act to amend and reenact section 19-0805 of the North Dakota Revised Code of 1943, relating to license fees for beverages.

Introduction, first reading, 160.
 Returned to Senate, 246.
 Referred to Committee on Industry, Business and Labor, 160.
 Re-referred to Committee on Finance and Taxation, 246.
 Reported back, do pass, 347.
 Second reading, 372.
 To House, 398.
 Returned to Senate, 799.
 Final passage, 373.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 199—(Senators Gefreh, Paulson, Murphy, Holand and Meidinger)

Senate Bill No. 199. A Bill for an Act providing for an appropriation for armory and military construction purposes.

Introduction, first reading, 173.
 Referred to Committee on Appropriations, 173.
 Reported back, amended, 490.
 Amendments adopted, 498.
 Engrossed, 522.
 Second reading, 532.
 To House, 537.

Returned to Senate, 666.
 Final passage, clincher, 532.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 200—(Senators Longmire, Meidinger and Schrock)

Senate Bill No. 200. A Bill for an Act to amend and reenact section 15-3401 of the North Dakota Revised Code of 1943 relating to the age of compulsory school attendance.

Introduction, first reading, 173.
 Referred to Committee on Education, 173.
 Reported back, do pass, 235.
 Second reading, 260.
 To House, 283.
 Returned to Senate, 666.
 Final passage, 260.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 201—(Senators Gefreh and Holand)

Senate Bill No. 201. A Bill for an Act to amend and reenact section 39-0614 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the issuance and types of motor vehicle operators licenses.

Introduction, first reading, 173.
 Referred to Committee on Political Subdivisions, 173.
 Re-referred to Committee on Political Subdivisions, 338.
 Reported back, amended, 279, 401, 480.
 Reconsidered, 480.
 Amendments adopted, 302, 429.
 Engrossed, 308.
 Re-engrossed, 446, 485.
 Second reading, 338, 470, 514.
 Placed on calendar as amended from floor, 471, 480.
 To House, 537.
 Returned to Senate, 696.
 Lost, 471.
 Final passage, clincher, 515.

Senate Bill No. 202—(Senator Brooks)

Senate Bill No. 202. A Bill for an Act to amend and reenact section 12-4003 of the North Dakota Revised Code of 1943, relating to amount of money which constitutes petit and grand larceny.

Introduction, first reading, 173.
 Referred to Committee on Judiciary, 173.
 Reported back, do pass, 244.
 Second reading, 271.

To House, 302.
 Returned to Senate, 718.
 Final passage, 272.
 Enrolled, 734.
 Signed by President, 735.
 To House, 736.
 Signed by Speaker, 764.
 Returned to Senate, 764.
 To Governor, 775.

Senate Bill No. 203—(Senators Hystad, Redlin, Van Horn and Berube)

Senate Bill No. 203. A Bill for an Act to amend and reenact subsection 1 of section 32-1504 of the North Dakota Revised Code of 1943 relating to property which may be taken by eminent domain.

Introduction, first reading, 173.
 Referred to Committee on State and Federal Government, 173.
 Reported back, indefinitely postponed, 310.

Senate Bill No. 204—(Senator Brooks)

Senate Bill No. 204. A Bill for an Act to amend and reenact section 20-0306 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to nonresident hunt-Natural Resources.

Introduction, first reading, 174.
 Referred to Committee on Natural Resources, 174.
 Reported back, do pass, 379.
 Second reading, 409, 433.
 Placed at foot of calendar, 409.
 To House, 479.
 Returned to Senate, indefinitely postponed, 921.
 Final passage, clincher, 433.

Senate Bill No. 205—(Senators Brooks and Wartner)

Senate Bill No. 205. A Bill for an Act to amend and reenact section 6-0816 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to issuing checks or drafts without an account, or without sufficient funds or credit with a bank or other depository; providing for penalty and rule of evidence.

Introduction, first reading, 174.
 Referred to Committee on Industry, Business and Labor, 174.
 Returned to Senate, 280.
 Re-referred to Committee on Judiciary, 281.
 Reported back, indefinitely postponed, 369.

Senate Bill No. 206—(Senators Livingston, Becker, Schrock, Lautenschlager and Wartner)

Senate Bill No. 206. A Bill for an Act authorizing the state historical society to transfer and convey or exchange for other land certain state owned land to The Great Plains Area Council, Boy Scouts of America.

Introduction, first reading, 174.
 Referred to Committee on State and Federal
 Government, 174.
 Reported back, do pass, 236.
 Second reading, 260.
 To House, 283.
 Returned to Senate, indefinitely postponed, 597.
 Final passage, 261.

Senate Bill No. 207—(Senators Longmire and O'Brien)

Senate Bill No. 207. A Bill for an Act to amend and re-enact subsection 5 of section 23-0603 and section 50-0734 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the obligation of counties in paying burial costs of persons receiving old age assistance.

Introduction, first reading, 174.
 Referred to Committee on Political Subdivisions, 174.
 Reported back, do pass, 244.
 Engrossed, 987.
 Second reading, 272, 869.
 To House, 302.
 House amendments, 835.
 Returned to Senate, amended, 832.
 Senate concurred, 869.
 Final passage, 272, 869.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 208—(Senator Brooks)

Senate Bill No. 208. A Bill for an Act to amend and re-enact sections 49-0505 and 49-0506 of the North Dakota Revised Code of 1943, relating to the filing by public utilities of rates, fares, schedules; classifications, contracts, rules, and regulations, with the public service commission, and the investigation thereof by the commission.

Introduction, first reading, 174.
 Referred to Committee on Transportation, 174.
 Re-referred to Committee on Industry, Business and
 Labor, 185.
 Returned to Senate, 185.
 Reported back, amended, 423.
 Indefinitely postponed, 423.
 Clincher, 423.

Senate Bill No. 209—(Senator Wartner)

Senate Bill No. 209. A Bill for an Act authorizing the disposal of volumes containing obsolete laws.

Introduction, first reading, 186.
 Referred to Committee on State and Federal
 Government, 186.
 Reported back, do pass, 236.

Engrossed, 987.
Second reading, 261, 926.
To House, 284.
House amendments, 894.
Returned to Senate, amended, 888, 926.
Senate does not concur, 912.
Conference Committee, Senate, 912.
Conference Committee, House, 920.
Conference Committee report, adopted, 925, 926.
House Conference Committee report, adopted, 927.
Final passage, 261, 926.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 210—(Senators Wenstrom and Garaas)

Senate Bill No. 210. A Bill for an Act authorizing the filing of notices of liens for taxes payable to the United States of America and certificates discharging such liens and to make uniform the law relating thereto.

Introduction, first reading, 186.
Referred to Committee on Finance and Taxation, 186.
Reported back, do pass, 310.
Second reading, 359.
To House, 383.
Returned to Senate, 666.
Final passage, 359.
Enrolled, 705.
Signed by President, 706.
To House, 715.
Signed by Speaker, 744.
Returned to Senate, 744.
To Governor 754,

Senate Bill No. 211—(Senator Murphy)

Senate Bill No. 211. A Bill for an Act authorizing the governor to enter into contracts with the attorney general of the United States in order that inmates of the state penitentiary needing special care not available at the penitentiary may be transferred to a federal institution where such care is available.

Introduction, first reading, 186.
Referred to Committee on Judiciary, 186.
Reported back, do pass, 244.
Second reading, 272.
To House, 302.
Returned to Senate, 718.
Final passage, 273.
Enrolled, 734.
Signed by President, 735.
To House, 736.
Signed by Speaker, 764.
Returned to Senate, 764.
To Governor, 775.

Senate Bill No. 212—(Senators Fiedler, Trenbeath and Holand)

Senate Bill No. 212. A Bill for an Act relating to publication of county official proceedings and notices.

Introduction, first reading, 186.
Referred to Committee on Political Subdivisions, 186.
Reported back, amended, 279.
Amendments adopted, 302.
Engrossed, 308.
Second reading, 338.
To House, 357.
Returned to Senate, 666.
Final passage, 338.
Enrolled, 705.
Signed by President, 706.
To House, 715.
Signed by Speaker, 744.
Returned to Senate, 744.
To Governor, 754.

Senate Bill No. 213—(Senators Trenbeath, Livingston, Klefstad and Roen)

Senate Bill No. 213. A Bill for an Act to amend and reenact section 4-0815 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the one mill levy for county agent work, providing that all counties may levy such one mill regardless of taxable valuation.

Introduction, first reading, 186.
Referred to Committee on Political Subdivisions, 186.
Reported back, do pass, 279.
Engrossed, 987.
Second reading, 319, 869.
To House, 332.
House amendments, 835.
Returned to Senate, amended, 832.
Senate concurred, 869.
Final passage, 319, 870.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 214—(Senators Yunker and Garaas)

Senate Bill No. 214. A Bill for an Act requiring public contractors to comply with the state and federal safety codes.

Introduction, first reading, 186.
Referred to Committee on Industry, Business and Labor, 186.
Re-referred to Committee on Industry, Business and Labor, 328.
Reported back, do pass, 300, 461.
Indefinitely postponed, 461.

Senate Bill No. 215—(Senator Gefreh)

Senate Bill No. 215. A Bill for an Act to provide for the registration of trade names with the secretary of state for business which is transacted in this state.

Introduction, first reading, 187.
Referred to Committee on Industry, Business and Labor, 187.
Reported back, amended, 300.
Amendments adopted, 312.
Engrossed, 326.
Second reading, 359.
To House, 383.
Final passage, 360.
Returned to Senate, 563.
Enrolled, 585.
Signed by President, 612.
To House, 625.
Signed by Speaker, 669.
Returned to Senate, 669.
To Governor, 693.
Approved by Governor, 753.

Senate Bill No. 216—(Senator Wenstrom)

Senate Bill No. 216. A Bill for an Act making an appropriation for the construction of buildings by the state highway department.

Introduction, first reading, 187.
Referred to Committee on Appropriations, 187.
Reported back, do pass, 369.
Second reading, 391.
To House, 418.
Returned to Senate, 867.
Final passage, 392.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 217—(Senator Wenstrom)

Senate Bill No. 217. A Bill for an Act to amend and reenact Section 39-0639 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Right of Appeal to Court.

Introduction, first reading, 187.
Referred to Committee on Judiciary, 187.
Reported back, amended, 379.
Amendments adopted, 405.
Engrossed, 420.
Re-engrossed, 988.
Second reading, 433, 448, 870.
To House, 479.
House amendments, 835.
Returned to Senate, amended, 832.
Senate concurred, 870.

Final passage, 449, 870.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 218—(Senators Erickson and Gronvold)

Senate Bill No. 218. A Bill for an Act relating to the liability of owners, operators, and others of aircraft, and defining a "guest".

Introduction, first reading, 187.
 Referred to Committee on Transportation, 187.
 Reported back, amended, 380.
 Amendments adopted, 405.
 Engrossed, 420.
 Second reading, 434.
 To House, 479.
 Returned to Senate, 666.
 Final passage, 434.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 219—(Senators Gronvold, Wenstrom, Roen, Saumur, Freed and Hernet)

Senate Bill No. 219. A Bill for an Act relating to the organization of small business investment corporations.

Introduction, first reading, 187.
 Referred to Committee on Industry, Business and Labor, 187.
 Reported back, do pass, 413.
 Second reading, 448.
 To House, 479.
 House requests return, 944.
 Indefinitely postponed, 932.
 Returned to Senate, 947.
 Final passage, 448.
 Enrolled, 988.
 Signed by President, 989.
 To House, 990.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 220—(Senators Wartner and Garaas)

Senate Bill No. 220. A Bill for an Act to provide that irregularities and defects occurring in proceedings taken under the provisions of chapter 40-22 of the North Dakota Revised Code of 1943, as amended, relating to improve-

ments by the special assessment method will not invalidate such proceedings, if the proceedings are for a lawful purpose and are unaffected by fraud, and declaring an emergency.

Introduction, first reading, 187.
 Referred to Committee on Judiciary, 187.
 Reported back, amended, 424.
 Amendments adopted, 465.
 Engrossed, 478.
 Re-engrossed, 988.
 Second reading, 503, 871.
 To House, 537.
 House amendments, 835.
 Returned to Senate, amended, 832.
 Senate concurred, 871.
 Final passage, 503.
 Clincher, emergency clause carried, 871.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 221—(Senators Wartner and Garaas)

Senate Bill No. 221. A Bill for an Act to amend and reenact sections 27-1501, 27-1502 and 27-1510 of the North Dakota Revised Code of 1943, relating to making retired judges of the supreme court and district court members of the judicial council and limiting state bar fund payment for their mileage expenses to travel within the state.

Introduction, first reading, 187.
 Referred to Committee on Judiciary, 187.
 Reported back, do pass, 244.
 Second reading, 273.
 To House, 302.
 Returned to Senate, 867.
 Final passage, 274.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 222—(Senators Gefreh, Roen and Longmire)

Senate Bill No. 222. A Bill for an Act to amend and reenact subsection 9 of section 39-1601; paragraph 2 of section 39-1605; subsections 2, 3 and 4 of section 39-1614; subsection 2 b. of section 39-1620; and section 39-1624 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to financial responsibility of drivers and owners of motor vehicles.

Introduction, first reading, 187.
 Referred to Committee on Transportation, 188.
 Reported back, do pass, 369.
 Engrossed, 831.
 Second reading, 392.
 To House, 419.
 House amendments, 719.
 Returned to Senate, amended, 719.
 Senate concurs, 740.
 Final passage, 393, 740.
 Enrolled, 831.
 Signed by President, 839.
 To House, 858.
 Signed by Speaker, 957.
 Returned to Senate, 957.
 To Governor, 978.

Senate Bill No. 223—(Senators Longmire and Gefreh)

Senate Bill No. 223. A Bill for an Act to amend and reenact subsection 3 of section 28-1406 of the North Dakota Revised Code of 1943 relating to the grounds for challenge for cause of jurors.

Introduction, first reading, 188.
 Referred to Committee on Judiciary, 188.
 Reported back, do pass, 244.
 Second reading, 274.
 To House, 302.
 Returned to Senate, indefinitely postponed, 632.
 Final passage, 274.

Senate Bill No. 224—(Senators Roen and Erickson)

Senate Bill No. 224. A Bill for an Act to amend and reenact section 24-0101 of the North Dakota Revised Code of 1943, and section 24-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the designation and mileage of the state highway system.

Introduction, first reading, 188.
 Referred to Committee on Transportation, 188.
 Reported back, indefinitely postponed, 425.

Senate Bill No. 225—(Senators Freed, Roen, Vendsel, Meidinger, Longmire and Garaas)

Senate Bill No. 225. A Bill for an Act authorizing an easement over certain property now owned by the state of North Dakota to the United States of America, for park purposes and the reversion thereof in case of nonuse, declaring it an emergency.

Introduction, first reading, 188.
 Referred to Committee on State and Federal Government, 188.
 Reported back, do pass, 310.
 Second reading, 360.
 To House, 384.
 Returned to Senate, 632.
 Final passage, emergency clause carried, 360.

Enrolled, 670.
Signed by President, 677.
To House, 695.
Signed by Speaker, 716.
Returned to Senate, 716.
To Governor, 754.

Senate Bill No. 226—(Senators Ringsak, Van Horn, Garaas and Gefreh)

Senate Bill No. 226. A Bill for an Act providing that any person who by any act willfully encourages, causes, or contributes to the violation of parole of any person on probation or parole is guilty of a misdemeanor.

Introduction, first reading, 188.
Referred to Committee on Judiciary, 188.
Reported back, indefinitely postponed, 369.

Senate Bill No. 227—(Senators Ringsak, Trenbeath and Yunker)

Senate Bill No. 227. A Bill for an Act relating to the clearance of nonnavigable streams and to repeal section 61-0115 of the North Dakota Revised Code of 1943 relating to responsibility of riparian owners to clear beds of streams.

Introduction, first reading, 188.
Referred to Committee on Agriculture, 188.
Reported back, amended, 347.
Amendments adopted, 371.
Engrossed, 382.
Second reading, 393.
To House, 419.
Final passage, 393.
Returned to Senate, 563.
Enrolled, 585.
Signed by President, 612.
To House, 625.
Signed by Speaker, 669.
Returned to Senate, 669.
To Governor, 693.
Approved by Governor, 753.

Senate Bill No. 228—(Senators Mutch, Gronvold and Johnson)

Senate Bill No. 228. A Bill for an Act to amend and reenact section 57-4305 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to payment of tax.

Introduction, first reading, 188.
Referred to Committee on Finance and Taxation, 188.
Reported back, amended, 310.
Amendments adopted, 333.
Engrossed, 356.
Second reading, 365.
To House, 384.
Returned to Senate, 632.
Final passage, 365.

Enrolled, 670.
Signed by President, 677.
To House, 695.
Signed by Speaker, 716.
Returned to Senate, 716.
To Governor, 754.

Senate Bill No. 229—(Senators Vendsel, Ringsak, Morgan and Garaas)

Senate Bill No. 229. A Bill for an Act protecting sources of information of gatherers of news.

Introduction, first reading, 188.
Referred to Committee on State and Federal Government, 188.
Reported back, without recommendation, 432.
Placed at head of calendar, 500.
Second reading, 471, 504.
Laid over one legislative day, 471.
Lost, 506.
Clincher, 506.

Senate Bill No. 230—(Senator Murphy, by request)

Senate Bill No. 230. A Bill for an Act governing the organization and operation of corporations organized for the purpose of insuring titles of real property.

Introduction, first reading, 193.
Referred to Committee on Judiciary, 193.
Reported back, do pass, 369.
Second reading, 393.
To House, 419.
Returned to Senate, 799.
Final passage, 394.
Enrolled, 852.
Signed by President, 977.
To House, 977.
Signed by Speaker, 978.
Returned to Senate, 978.
To Governor, 978.

Senate Bill No. 231—(Senators Ringsak, Kee, Wartner and Kisse)

Senate Bill No. 231. A Bill for an Act to amend and reenact Section 34-0112 of the North Dakota Revised Code of 1943, relating to employers paying surviving spouse wages due.

Introduction, first reading, 193.
Referred to Committee on Judiciary, 193.
Reported back, amended, 380, 434.
Amendments adopted, 405.
Engrossed, 420.
Re-engrossed, 446.
Second reading, 434.

To House, 479.
 Returned to Senate, 696.
 Final passage, 435.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 232—(Senators Trenbeath and Luick)

Senate Bill No. 232. A Bill for an Act relating to apportionment of benefits, to a county, city, village or to any tract, piece or parcel of land benefited by an established drain and not included in the drainage area, or district, served by such drain when established, providing for the consolidation of established drains, and relating to power of board of drain commissioners to secure adequate outlets for such drains.

Introduction, first reading, 193.
 Referred to Committee on Political Subdivisions, 193.
 Reported back, do pass, 386.
 Second reading, 416.
 To House, 450.
 Returned to Senate, 666.
 Final passage, 417.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 233—(Senator Krause)

Senate Bill No. 233. A Bill for an Act authorizing the highway commissioner to redesignate as a part of the state highway system, highways which have been previously removed from the system.

Introduction, first reading, 193.
 Referred to Committee on Transportation, 193.
 Reported back, without recommendation, 425.
 Second reading, 471, 507.
 Laid over one legislative day, 471.
 To House, 537.
 Returned to Senate, indefinitely postponed, 921.
 Final passage, clincher, 507.

Senate Bill No. 234—(Senators Gefreh and Ringsak)

Senate Bill No. 234. A Bill for an Act to amend and reenact section 10-2302 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the filing of annual reports of domestic and foreign corporations.

Introduction, first reading, 194.
 Referred to Committee on Industry, Business and Labor, 194.
 Reported back, amended, 300.

Amendments adopted, 312.
 Engrossed, 326.
 Second reading, 360.
 To House, 384.
 Final passage, 361.
 Returned to Senate, 563.
 Enrolled, 585.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 753.

Senate Bill No. 235—(Senator Holand)

Senate Bill No. 235. A Bill for an Act making an appropriation for the purpose of reconstructing federal-aid secondary route number 169 from state highway number 32 to the entrance of the North Dakota Soldier's Home in Lisbon.

Introduction, first reading, 194.
 Referred to Committee on Appropriations, 194.
 Reported back, do pass, 484.
 Second reading, 515.
 To House, 537.
 Returned to Senate, indefinitely postponed, 866.
 Final passage, clincher, 515.

Senate Bill No. 236—(Senator Longmire)

Senate Bill No. 236. A Bill for an Act to amend and reenact section 35-1205 of the North Dakota Revised Code of 1943 relating to notice to owners before a lien can attach for materials furnished to contractors or subcontractors.

Introduction, first reading, 194.
 Referred to Committee on Judiciary, 194.
 Reported back, do pass, 369.
 Second reading, 394.
 To House, 419.
 Returned to Senate, indefinitely postponed, 666.
 Final passage, 394.

Senate Bill No. 237—(Senator Longmire)

Senate Bill No. 237. A Bill for an Act to amend and reenact sections 15-5210, 15-5215, 15-5216, 15-5217, 15-5218, 15-5219, 15-5220, 15-5222, 15-5226, and 15-5227 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to loans for dental students from the medical center loan fund.

Introduction, first reading, 194.
 Referred to Committee on State and Federal Government, 194.
 Reported back, amended, 425.
 Amendments adopted, 465.
 Engrossed, 478.
 Second reading, 506.
 Final passage, lost due to lack of constitutional majority, 506.
 Clincher, 506.

Senate Bill No. 238—(Senators Brooks and Nesvig)

Senate Bill No. 238. A Bill for an Act to provide that no court of this state or game warden of this state shall enforce any laws that protect any species of ducks or geese, to amend and reenact sections 20-0402 and 20-0403 of the North Dakota Revised Code of 1943 and subsection 6 of section 20-0101 and section 20-0802 of the 1957 Supplement to the North Dakota Revised Code of 1943, and section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943 which consists of section 2 of chapter 163 of the North Dakota Session Laws of 1953, relating to the protection of migratory waterfowl and to repeal section 20-0806 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943, consisting of section 2 of chapter 156 of the North Dakota Session Laws of 1953, relating to the authority of the governor to declare a season on nonmigratory waterfowl.

Introduction, first reading, 194.

Referred to Committee on Natural Resources, 194.

Reported back, indefinitely postponed, 380.

Senate Bill No. 239—(Senator Vendsel)

Senate Bill No. 239. A Bill for an Act to provide for a court administrator for the improvement of the judicial system.

Introduction, first reading, 194.

Referred to Committee on Judiciary, 194.

Reported back, do pass, 369.

Second reading, 394.

To House, 419.

Returned to Senate, 799.

Final passage, 395.

Enrolled, 852.

Signed by President, 977.

To House, 977.

Signed by Speaker, 978.

Returned to Senate, 978.

To Governor, 978.

Senate Bill No. 240—(Senator Foss)

Senate Bill No. 240. A Bill for an Act to amend and reenact subsection 7 of section 39-0632 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to suspension of driver's license.

Introduction, first reading, 195.

Referred to Committee on Judiciary, 195.

Reported back, indefinitely postponed, 369.

Senate Bill No. 241—(Senator Foss)

Senate Bill No. 241. A Bill for an Act authorizing the state board of higher education to negotiate a lease with the Valley City Development Corporation, a domestic corporation located at 236 Second Avenue Northeast, Valley City, North Dakota, for certain state land located on the State Teachers College campus at Valley City.

Introduction, first reading, 195.
 Referred to Committee on Education, 195.
 Reported back, do pass, 311.
 Second reading, 361.
 To House, 384.
 Returned to Senate, 666.
 Final passage, 361.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 242—(Senator Kisse)

Senate Bill No. 242. A Bill for an Act to amend and re-enact subsection 3 of section 20-0104; and section 20-0407 to the North Dakota Revised Code of 1943 relating to hunting from boat in open water.

Introduction, first reading, 195.
 Referred to Committee on Natural Resources, 195.
 Reported back, indefinitely postponed, 380.

Senate Bill No. 243—(Senator Vendsel)

Senate Bill No. 243. A Bill for an Act to amend and re-enact section 16-1708 of the North Dakota Revised Code of 1943 relating to the filing of vacancies of precinct committeemen.

Introduction, first reading, 195.
 Referred to Committee on Political Subdivisions, 195.
 Reported back, do pass, 386.
 Second reading, 417.
 To House, 450.
 Returned to Senate, indefinitely postponed, 718.
 Final passage, 417.

Senate Bill No. 244—(Senator Foss, by request)

Senate Bill No. 244. A Bill for an Act to amend and re-enact Section 24-0501 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the allocation and use of tax funds.

Introduction, first reading, 195.
 Referred to Committee on Finance and Taxation, 195.
 Reported back, indefinitely postponed, 348.

Senate Bill No. 245—(Senator Longmire, by request)

Senate Bill No. 245. A Bill for an Act to amend and re-enact sections 47-2102, 47-2103, 47-2104, 47-2105, 47-2106, 47-2107 and 47-2108 of the North Dakota Revised Code of 1943, relating to the tax levied on the selling and licensing of performing rights of music or dramatic-musical compositions, and to provide for transfer of records.

Introduction, first reading, 195.
 Referred to Committee on Finance and Taxation, 195.
 Reported back, do pass, 425.
 Second reading, 471.
 To House, 497.
 Returned to Senate, 867.
 Final passage, 472.
 Enrolled, 988.
 Signed by President, 989.
 To House, 990.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 246—(Senators Longmire and Saumur)

Senate Bill No. 246. A Bill for an Act to provide for the erection on the campus of the University of an assembly hall, the cost to be paid from donated funds and other funds not raised by taxation.

Introduction, first reading, 195.
 Referred to Committee on State and Federal Government, 195.
 Reported back, do pass, 236.
 Engrossed, 705.
 Second reading, 261, 692.
 To House, 284.
 House amendments, 632.
 Returned to Senate, amended, 631.
 Senate does not concur, 663.
 Conference Committee, Senate, 663.
 Conference Committee, House, 678.
 Conference Committee report, adopted, 692.
 House Conference Committee report, 716.
 Final passage, 261, 692.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 247—(Senator Murphy)

Senate Bill No. 247. A Bill for an Act to amend and reenact subsection 2 of section 5-0101 of the North Dakota Revised Code of 1943, relating to definition of liquor.

Introduction, first reading, 195.
 Referred to Committee on Social Welfare and Veterans Affairs, 196.
 Reported back, indefinitely postponed, 280.

Senate Bill No. 248—(Senators Garaas and Foss, by request)

Senate Bill No. 248. A Bill for an Act to prescribe procedure in traffic offense cases.

Introduction, first reading, 196.
 Referred to Committee on Judiciary, 196.
 Reported back, indefinitely postponed, 425.

Senate Bill No. 249—(Senator Fiedler, by request of State Tax Commissioner)

Senate Bill No. 249. A Bill for an Act relating to contractors' performance bonds and providing for payment of all use taxes due the State of North Dakota.

Introduction, first reading, 196.
Referred to Committee on Finance and Taxation, 196.
Reported back, amended, 425.
Amendments adopted, 465.
Engrossed, 478.
Re-engrossed, 988.
Second reading, 507, 871.
To House, 537.
House amendments, 836.
Returned to Senate, amended, 832.
Senate concurred, 871.
Final passage, 508.
Clincher, 872.
Enrolled, 983.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 250—(Senator Fiedler)

Senate Bill No. 250. A Bill for an Act to amend and reenact section 11-1317 of the North Dakota Revised Code of 1943, relating to destruction of county records.

Introduction, first reading, 196.
Referred to Committee on Political Subdivisions, 196.
Reported back, indefinitely postponed, 386.
Reconsidered, 429.
Placed for second reading and final passage, 429.
Second reading, 429.
To House, 479.
Returned to Senate, 666.
Final passage, 430.
Enrolled, 705.
Signed by President, 706.
To House, 715.
Signed by Speaker, 744.
Returned to Senate, 744.
To Governor, 754.

Senate Bill No. 251—(Senators Erickstad, by request of Civil Defense Director)

Senate Bill No. 251. A Bill for an Act to amend and reenact sections 11-0412 and 11-0413 of the North Dakota Revised Code of 1943 to provide for emergency relocation of county government and its return to its normal site.

Introduction, first reading, 196.
Referred to Committee on Political Subdivisions, 196.
Reported back, do pass, 280.
Second reading, 319.
To House, 332.

Returned to Senate, 666.
 Final passage, 320.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 754.

Senate Bill No. 252—(Senator Erickstad, at request of Civil Defense Director)

Senate Bill No. 252. A Bill for an Act to amend and re-enact section 39-1125 of the North Dakota Revised Code of 1943, relating to the use of warning devices on vehicles.

Introduction, first reading, 196.
 Referred to Committee on Political Subdivisions, 196.
 Reported back, do pass, 280.
 Second reading, 320.
 To House, 332, 735.
 House requests return, 718.
 Senate accedes, 733.
 Returned to Senate, 666.
 Returned to Senate, indefinitely postponed, 866.
 Final passage, 320.

Senate Bill No. 253—(Senator Erickstad, by request of Civil Defense Director)

Senate Bill No. 253. A Bill for an Act to amend and re-enact subdivision h of subsection 7 of section 54-0119 of the North Dakota Revised Code of 1943, relating to the rights of the state over persons enumerated.

Introduction, first reading, 196.
 Referred to Committee on Political Subdivisions, 196.
 Re-referred to Committee on Political Subdivisions, 320.
 Reported back, do pass, 280.
 Reported back, indefinitely postponed, 387.
 Second reading, 320.

Senate Bill No. 254—(Senator Fiedler)

Senate Bill No. 254. A Bill for an Act repealing section 11-13021 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the duties of county auditor in rendering services to private individuals, and fees to be charged.

Introduction, first reading, 196.
 Referred to Committee on Political Subdivisions, 196.
 Reported back, indefinitely postponed, 387.

Senate Bill No. 255—(Senator Garaas)

Senate Bill No. 255. A Bill for an Act to provide that corporations, associations and organizations representing itself to be a taxpayers' group to file statement of all contributions received of more than one hundred dollars per calendar year with secretary of state, and providing a penalty.

Introduction, first reading, 197.
Referred to Committee on State and Federal
Government, 197.
Reported back, do pass, 401.
Amended, 465.
Engrossed, 478.
Second reading, 435.
To House, 479.
Returned to Senate, indefinitely postponed, 745.
Final passage, clincher, 435.

Senate Bill No. 256—(Senator Garaas)

Senate Bill No. 256. A Bill for an Act authorizing the establishment of homes for the aged by the counties of the state.

Introduction, first reading, 197.
Referred to Committee on Political Subdivisions, 197.
Re-referred to Committee on State and Federal
Government, 328.
Reported back, do pass, 280.
Placed at foot of calendar, 320.
Returned to Senate, 490.
Withdrawn, 490.
Second reading, 320.

**Senate Bill No. 257—(Senators Vendsel, Garaas and
Murphy)**

Senate Bill No. 257. A Bill for an Act to amend Chapter 57-38 of the North Dakota Revised Code of 1943 relating to income taxation by adding thereto section 57-38291 to provide, with respect to taxpayers and dependents, a credit to be deducted from the income tax imposed.

Introduction, first reading, 197.
Referred to Committee on Finance and Taxation, 197.
Reported back, without recommendation, 331.
Second reading, 365.
Final passage, lost, 366.

Senate Bill No. 258—(Senator Murphy)

Senate Bill No. 258. A Bill for an Act to levy a tax of four per centum of the market value of sulphur, propane, butane and natural gasoline extracted and saved from natural gas as defined in Section 57-5101 of the 1957 Supplement to the North Dakota Revised Code of 1943, to whom paid and how apportioned.

Introduction, first reading, 197.
Referred to Committee on Finance and Taxation, 197.
Reported back, divided report, indefinitely postponed,
332.

Senate Bill No. 259—(Senator Morgan)

Senate Bill No. 259. A Bill for an Act to authorize and regulate maximum rates of charge for loans of one thousand dollars or less under certain conditions; to provide that such charges may be made by licensees under the Con-

sumer Finance Regulatory Act; to provide that the purchase of wages or other compensation for services shall be deemed a loan of money for the purpose of regulation under this Act; to prescribe penalties; and to exempt certain lenders.

Introduction, first reading, 197.

Referred to Committee on Industry, Business and Labor, 197.

Returned to Senate, 406.

Withdrawn, 406.

Senate Bill No. 260—(Senator Morgan)

Senate Bill No. 260. A Bill for an Act to provide for licensing, regulation, examination, and supervision of the business of lending in amounts of one thousand dollars or less; to provide for the administration and enforcement of this Act and the Consumer Finance Act by the state examiner; to prescribe penalties; and to exempt certain lenders.

Introduction, first reading, 197.

Referred to Committee on Industry, Business and Labor, 197.

Returned to Senate, 406.

Withdrawn, 406.

Senate Bill No. 261—(Senators Meidinger and Kee)

Senate Bill No. 261. A Bill for an Act authorizing factory representatives of passenger motor vehicle manufacturers to purchase a manufacturer's plate which shall be in lieu of all registration fees, sales tax, and use tax on the passenger motor vehicles used by such representatives in the course of their employment.

Introduction, first reading, 197.

Referred to Committee on Transportation, 198.

Reported back, do pass, 426.

Second reading, 473.

To House, 497.

Returned to Senate, 799.

Final passage, 473.

Enrolled, 852.

Signed by President, 977.

To House, 977.

Signed by Speaker, 978.

Returned to Senate, 978.

To Governor, 978.

Senate Bill No. 262—(Senator Wadeson, by request)

Senate Bill No. 262. A Bill for an Act to require public livestock markets or commission firms, to give a duplicate scale ticket to all persons consigning livestock to or purchasing livestock from public livestock markets, and providing a penalty.

Introduction, first reading, 198.

Referred to Committee on Agriculture, 198.

Reported back, amended, 370.

Amendments adopted, 387.
 Engrossed, 408.
 Second reading, 417.
 To House, 450.
 Final passage, 418.
 Returned to Senate, 563.
 Enrolled, 585.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 753.

Senate Bill No. 263—(Senators Larson and Murphy, by request)

Senate Bill No. 263. A Bill for an Act creating a state painters and decorators commission, defining terms, providing for the administration of the commission, and its powers and duties, providing a penalty, and making an appropriation.

Introduction, first reading, 198.
 Referred to Committee on State and Federal Government, 198.
 Reported back, indefinitely postponed, 426.

Senate Bill No. 264—(Senators Erickson and Roen)

Senate Bill No. 264. A Bill for an Act to create a motor vehicle registration reciprocity commission; to define its powers and duties; and to provide for reciprocal use of the highways.

Introduction, first reading, 198.
 Referred to Committee on Transportation, 198.
 Reported back, do pass, 426.
 Second reading, 473.
 To House, 498.
 Returned to Senate, 799.
 Final passage, 474.
 Enrolled, 852.
 Signed by President, 977.
 To House, 977.
 Signed by Speaker, 978.
 Returned to Senate, 978.
 To Governor, 978.

Senate Bill No. 265—(Senators Vendsel, Thompson, Kee, Redlin and Kisse)

Senate Bill No. 265. A Bill for an Act to amend and reenact sections 16-1710 and 16-1715 of the North Dakota Revised Code of 1943 relating to meetings of county committee and the state central committee.

Introduction, first reading, 198.
 Referred to Committee on State and Federal Government, 198.
 Reported back, amended, 348.

Amendments adopted, 371.
 Engrossed, 382.
 Second reading, 395.
 To House, 419.
 Returned to Senate, indefinitely postponed, 866.
 Final passage, 395.

Senate Bill No. 266—(Senator Baeverstad)

Senate Bill No. 266. A Bill for an Act to create the North Dakota Seed Potato Act, defining terms and providing for the formation, regulations and administration of the Act, and providing a penalty.

Introduction, first reading, 198.
 Referred to Committee on Agriculture, 198.
 Reported back, amended, 401, 402, 403, 404, 405, 501.
 Placed at head of calendar, 500.
 Placed on calendar as amended from floor, 501.
 Amendments adopted, 429.
 Engrossed, 446.
 Re-engrossed, 502, 988.
 Second reading, 474, 536, 925.
 Laid over one legislative day, 474.
 To House, 539.
 House amendments, 894.
 Returned to Senate, amended, 888.
 Amended, 925.
 Senate does not concur, 905.
 Conference Committee, Senate, 906.
 Conference Committee, House, 920.
 Conference Committee report, adopted, 924.
 House Conference Committee report, adopted, 932.
 Final passage, 536.
 Clincher, 925.
 Enrolled, 983.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 267—(Senators Trenbeath, Larson, Brooks, O'Brien, Roen and Vendsel)

Senate Bill No. 267. A Bill for an Act to amend and re-enact section 65-0208 of the North Dakota Revised Code of 1943 relating to rule-making power of the workmen's compensation bureau.

Introduction, first reading, 198.
 Referred to Committee on State and Federal Government, 198.
 Reported back, amended, 461.
 Amendments adopted, 481.
 Engrossed, 488.
 Second reading, 515.
 To House, 537.
 Returned to Senate, indefinitely postponed, 866.
 Final passage, clincher, 516.

Senate Bill No. 268—(Senators Thompson and Baeverstad)

Senate Bill No. 268. A Bill for an Act authorizing certain counties to discontinue the operation of county agricultural and training schools.

Introduction, first reading, 198.

Referred to Committee on Education, 199.

Reported back, amended, 462.

Amendments adopted, 491.

Engrossed, 517.

Second reading, 525.

To House, 537.

Returned to Senate, indefinitely postponed, 921.

Final passage, clincher, 526.

Senate Bill No. 269—(Senators Longmire, Livingston, Saumur, Mutch and Lautenschlager)

Senate Bill No. 269. A Bill for an Act to amend and reenact subsection 2 of section 57-3607, section 57-3613 and subsection 2 of section 57-3620 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to cigarette and snuff taxes, providing an exemption, and permitting possession or sale of unstamped cigarettes or snuff.

Introduction, first reading, 199.

Referred to Committee on Finance and Taxation, 199.

Reported back, indefinitely postponed, 348.

Senate Bill No. 270—(Senators Holand and Erickstad)

Senate Bill No. 270. A Bill for an Act to amend and reenact section 30-1101 of the North Dakota Revised Code of 1943 relating to persons not competent to serve as executor, administrator, or guardian.

Introduction, first reading, 199.

Referred to Committee on Judiciary, 199.

Reported back, do pass, 370.

Second reading, 395.

To House, 419.

Returned to Senate, 696.

Final passage, 396.

Enrolled, 705.

Signed by President, 706.

To House, 715.

Signed by Speaker, 744.

Returned to Senate, 744.

To Governor, 754.

Senate Bill No. 271—(Senator Wenstrom)

Senate Bill No. 271. A Bill for an Act to amend and reenact section 5-0121 of the North Dakota Revised Code of 1943 relating to the right of action for damages against persons causing the intoxication of persons causing damage.

Introduction, first reading, 199.

Referred to Committee on Social Welfare and Veterans Affairs, 199.

Reported back, amended, 380.

Amendments adopted, 405.

Engrossed, 420.
 Second reading, 435.
 To House, 479.
 Returned to Senate, 718.
 Final passage, 436.
 Enrolled, 734.
 Signed by President, 735.
 To House, 736.
 Signed by Speaker, 764.
 Returned to Senate, 764.
 To Governor, 775.

Senate Bill No. 272—(Senator Wenstrom)

Senate Bill No. 272. A Bill for an Act establishing a commission to work jointly with the state of Montana and the national park service for the purpose of investigating the historical significance of the area in northwestern North Dakota and northeastern Montana at the confluence of the Yellowstone and Missouri rivers for the purpose of determining the feasibility of preserving the historical sites of the area illustrative of the history of the United States and making an appropriation therefor.

Introduction, first reading, 199.
 Referred to Committee on Appropriations, 199.
 Reported back, amended, 484.
 Amendments adopted, 497.
 Engrossed, 517.
 Second reading, 530.
 To House, 537.
 Returned to Senate, 932.
 Final passage, clincher, 530.
 Enrolled, 984.
 Signed by President, 984.
 To House, 985.
 Signed by Speaker, 986.
 Returned to Senate, 986.
 To Governor, 987.

Senate Bill No. 273—(Senators Gefreh, Erickstad, Kee, Ringsak, Klefstad, Longmire, Mutch, Saumur and Wenstrom)

Senate Bill No. 273. A Bill for an Act to establish a grants-in-aid program to provide funds upon a contractual basis to nonprofit corporations for the construction of nursing homes or combination nursing homes and homes for the aged and infirm, providing for the licensing and regulation of such homes, providing an appropriation, and to amend and reenact section 23-1601 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the licensing of hospitals and similar institutions.

Introduction, first reading, 199.
 Referred to Committee on State and Federal Government, 199.
 Re-referred to Committee on Appropriations, 488.
 Reported back, without recommendation, 462.
 Returned to Senate, 488.
 Withdrawn, 488.

Senate Bill No. 274—(Senators Becker, George, Krause, Roen, Kisse, Erickson, Hernet, Redlin and Schrock)

Senate Bill No. 274. A Bill for an Act to amend and reenact section 16-1711 of the North Dakota Revised Code of 1943 and to repeal section 16-1712 of the North Dakota Revised Code of 1943 relating to the selection of delegates for the state central committee.

Introduction, first reading, 199.

Referred to Committee on State and Federal Government, 200.

Reported back, indefinitely postponed, 426.

Senate Bill No. 275—(Senator Wenstrom)

Senate Bill No. 275. A Bill for an Act to abolish the office of justice of the peace and to confer the jurisdiction of such office elsewhere, and to amend and reenact sections 27-0820, 27-0702, 33-0108, 40-1801, 29-0114, 29-0706, 11-1002, 11-1006, 58-0502, 58-0507, 40-1501, 40-1401, 40-1803, 40-1807, 40-1808, 40-1810, 40-1811, 40-1813, 40-1814, 40-1816, 40-1817, 40-1818, 40-1819, 33-0312, 33-1212, 33-0123, 40-1806, and 40-1805 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, relating to the jurisdiction and powers of police magistrate, county court, county court of increased jurisdiction, and creating a new chapter 27-18 of the North Dakota Revised Code of 1943, relating to the creation of the office of county justice and prescribing the compensation, jurisdiction and powers thereof, and providing for appeal, and amending and reenacting section 40-0708 of the North Dakota Revised Code of 1943 and the 1957 Supplement thereto, providing for the office of police magistrate in villages, and eliminating the office of justice of the peace conformable to section 1 of this Act, and repealing sections 40-1802 and 11-1003 of the North Dakota Revised Code of 1943, and providing for an effective date.

Introduction, first reading, 200.

Referred to Committee on Judiciary, 200.

Reported back, amended, 462, 491.

Amendments adopted, 491.

Engrossed, 522.

Re-engrossed, 988.

Second reading, 526, 908.

To House, 538.

House amendments, 894 to 897.

Returned to Senate, amended, 888.

Senate concurred, 908.

Final passage, 527.

Clincher, 908.

Enrolled, 988.

Signed by President, 989.

To House, 990.

Signed by Speaker, 990.

Returned to Senate, 990.

To Governor, 991.

Senate Bill No. 276—(Senators Livingston, Larson, Luick, Foss and Thompson)

Senate Bill No. 276. A Bill for an Act to amend and re-enact section 24-1203 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the depositing of garbage on highways.

Introduction, first reading, 200.
Referred to Committee on Transportation, 200.
Reported back, do pass, 381.
Second reading, 410.
To House, 450.
Returned to Senate, 696.
Final passage, 410.
Enrolled, 705.
Signed by President, 706.
To House, 715.
Signed by Speaker, 744.
Returned to Senate, 744.
To Governor, 754.

Senate Bill No. 277—(Senators Johnson, Miller and Yunker)

Senate Bill No. 277. A Bill for an Act to amend and re-enact section 11-1014 of the North Dakota Revised Code of 1943 relating to fees and compensation received by County Officers.

Introduction, first reading, 200.
Referred to Committee on Political Subdivisions, 200.
Reported back, indefinitely postponed, 387.

Senate Bill No. 278—(Senator Larson, by request)

Senate Bill No. 278. A Bill for an Act to amend and re-enact Sections 43-0704 and 43-0705 of the North Dakota Revised Code of 1943, relating to contractors licenses.

Introduction, first reading, 200.
Returned to Senate, 406.
Referred to Committee on Industry, Business and Labor, 200.
Withdrawn, 406.

Senate Bill No. 279—(Senator Longmire, by request)

Senate Bill No. 279. A Bill for an Act to amend and re-enact Section 50-0108 of the 1957 Supplement to the North Dakota Revised Code of 1943 providing for members of county welfare board; term of office; oath; compensation.

Introduction, first reading, 200.
Referred to Committee on Social Welfare and Veterans Affairs, 200.
Reported back, do pass, 381.
Engrossed, 988.
Second reading, 410, 914.
To House, 450.
House amendments, 897.
Returned to Senate, amended, 888.
Senate concurred, 914.

Final passage, 411, 914.
Enrolled, 984.
Signed by President, 984.
To House, 985.
Signed by Speaker, 986.
Returned to Senate, 986.
To Governor, 987.

Senate Bill No. 280—(Senators Roen, Erickson, Miller,
Gronvold, Kisse and Larson)

Senate Bill No. 280. A Bill for an act to provide for the transfer of all federal-aid highways to the state highway system, to provide for limitations on expenditures on such highways and to amend subsection 42 of section 24-A0102 and sections 24-0105, 24-0236, 24-0402, 24-0516, 39-0467, 57-4112 and 57-5211 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 24-0101 of the North Dakota Revised Code of 1943 relating to state and county highways and allocation of funds therefor and to repeal section 24-0403 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 57-4113 of the North Dakota Revised Code of 1943 relating to feeder roads.

Introduction, first reading, 201.
Referred to Committee on Transportation, 201.
Reported back, indefinitely postponed, 381.

Senate Bill No. 281—(Senator Livingston)

Senate Bill No. 281. A Bill for an Act to amend and re-enact section 15-5901 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of exceptional children.

Introduction, first reading, 201.
Referred to Committee on Education, 201.
Re-referred to Committee on Education, 372.
Reported back, do pass, 327.
Second reading, 372.
Returned to Senate, 384.
Withdrawn, 372.

Senate Bill No. 282—(Senator Ringsak)

Senate Bill No. 282. A Bill for an Act to amend and re-enact subsection 2 of section 5-0503 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the qualifications for a license to sell alcohol or alcoholic beverages.

Introduction, first reading, 201.
Referred to Committee on Judiciary, 201.
Reported back, do pass, 370.
Second reading, 396.
To House, 419.
House amendments, 897.
Returned to Senate, amended, 888.
Senate does not concur, 905.
Conference Committee, Senate, 912.

Conference Committee, House, 920.
 Conference Committee report adopted, to indefinitely postpone, 939.
 House Conference Committee report adopted, to indefinitely postpone, 927.
 Final passage, 396.

Senate Bill No. 283—(Senators Longmire, Livingston, Saumur, Lautenschlager and Mutch)

Senate Bill No. 283. A Bill for an Act to amend and reenact sections 5-0205 of the North Dakota Revised Code of 1943, as amended by the 1955 Session Laws, Chapter 96, section 1, and section 5-0222 of the 1953 Supplement to the North Dakota Revised Code of 1943 as amended by the 1953 Session Laws Chapter 96, section 9, relating to alcoholic beverages and exempting the sale of or by an instrumentality of the armed forces of the United States from certain taxes of this state.

Introduction, first reading, 201.
 Referred to Committee on Finance and Taxation, 201.
 Reported back, indefinitely postponed, 348.

Senate Bill No. 284—(Senators Larson, Livingston and Wenstrom)

Senate Bill No. 284. A Bill for an Act to provide for a continuing traffic survey as a basis for distribution of the counties' share of motor vehicle registration fees and to amend and reenact subsection 3 of section 39-0467 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the distribution of such fees, and providing an effective date.

Introduction, first reading, 201.
 Referred to Committee on State and Federal Government, 201.
 Returned to Senate, 446.
 Withdrawn, 446.

Senate Bill No. 285—(Senators Brooks, Yunker, Miller, Larson, Lautenschlager, Roen, Hernet, Ringsak and Murphy)

Senate Bill No. 285. A Bill for an Act to amend sections 5-0505 and 5-0507, and to repeal section 5-0504 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the sale of alcoholic beverages and other commodities at the same establishment.

Introduction, first reading, 202.
 Referred to Committee on Industry, Business and Labor, 202.
 Reported back, indefinitely postponed, 463.

Senate Bill No. 286—(Senators O'Brien and Morgan, by request of the Public Welfare Board)

Senate Bill No. 286. A Bill for an Act to amend and reenact Section 50-0604 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Compensation of Members of the Public Welfare Board of North Dakota.

Introduction, first reading, 202.
 Referred to Committee on Social Welfare and Veterans
 Affairs, 202.
 Reported back, do pass, 381.
 Second reading, 411.
 To House, 450.
 Returned to Senate, 597.
 Final passage, 411.
 Enrolled, 611.
 Signed by President, 612.
 To House, 625.
 Signed by Speaker, 669.
 Returned to Senate, 669.
 To Governor, 693.
 Approved by Governor, 753.

Senate Bill No. 287—(Senators Ringsak and Redlin)

Senate Bill No. 287. A Bill for an Act to amend and re-enact section 16-1715 of the North Dakota Revised Code of 1943 relating to the term of office of the state central committee chairman.

Introduction, first reading, 202.
 Referred to Committee on State and Federal
 Government, 202.
 Return to Senate, 328.
 Reported back, withdrawn, 328.

Senate Bill No. 288—(Senator Vendsel)

Senate Bill No. 288. A Bill for an Act to amend and re-enact sections 16-1716 and 16-1717 of the North Dakota Revised Code of 1943 relating to dates for meeting of state party conventions.

Introduction, first reading, 202.
 Referred to Committee on State and Federal
 Government, 202.
 Reported back, do pass, 348.
 Second reading, 373.
 To House, 398.
 Returned to Senate, 696.
 Final passage, 373.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 755.

Senate Bill No. 289—(Senator Luick, by request)

Senate Bill No. 289. A Bill for an Act to repeal chapter 39-15 of the code, relating to liability for injury to guests in motor vehicles.

Introduction, first reading, 202.
 Referred to Committee on Transportation, 202.
 Re-referred to Committee on Industry, Business and
 Labor, 246.
 Returned to Senate, 246.
 Reported back, indefinitely postponed, 371.

Senate Bill No. 290—(Committee on Delayed Bills, by request of Senator Larson)

Senate Bill No. 290. A Bill for an Act establishing a revolving fund for the purpose of making loans to non-profit corporations for the construction of nursing homes and homes for the aged, providing for the administration of such loan program, and making an appropriation.

Introduction, first reading, 375.
 Referred to Committee on State and Federal Government, 375.
 Re-referred to Committee on Appropriations, 426.
 Reported back, do pass, 426, 490.
 Amended, 498.
 Placed on calendar, 499.
 Engrossed, 522.
 Re-engrossed, 988.
 Second reading, 532, 948.
 To House, 538.
 House amendments, 897.
 Returned to Senate, amended, 888.
 Amended, 948.
 Senate does not concur, 921.
 Conference Committee, Senate, 921.
 Conference Committee, House, 931.
 Conference Committee report, adopted, 947.
 House Conference Committee report, adopted, 947.
 Final passage, 533.
 Clincher, 949.
 Enrolled, 988.
 Signed by President, 989.
 To House, 990.
 Signed by Speaker, 990.
 Returned to Senate, 990.
 To Governor, 991.

Senate Bill No. 291—(Committee on Delayed Bills)

Senate Bill No. 291. A Bill for an Act to amend and re-enact section 27-0723 of the North Dakota Revised Code of 1943 relating to change of judges in county courts when the original county judge is unable to act.

Introduction, first reading, 405.
 Referred to Committee on Judiciary, 405.
 Reported back, do pass, 426.
 Second reading, 474.
 To House, 498.
 Returned to Senate, 696.
 Final passage, 474.
 Enrolled, 705.
 Signed by President, 706.
 To House, 715.
 Signed by Speaker, 744.
 Returned to Senate, 744.
 To Governor, 755.

Senate Bill No. 292—(Committee on Delayed Bills, by request of Senator Larson)

Senate Bill No. 292. A Bill for an Act to amend and reenact section 54-2122 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the disposition of the executive mansion, providing for the disposition of the real property upon which said mansion is located, authorizing the board of administration to purchase property near the site of the new executive mansion, and providing for an appropriation.

Introduction, first reading, 427.

Referred to Committee on State and Federal Government, 427.

Second reading, 479, 516.

Laid over one legislative day, 479.

To House, 538.

Returned to Senate, indefinitely postponed, 866.

Final passage, clincher, 517.

Senate Bill No. 293—(Committee on Delayed Bills)

Senate Bill No. 293. A Bill for an Act providing an appropriation for improvement of the lighting system in the senate chambers.

Introduction, first reading, 737.

Returned to Senate, 746.

Referred to Committee on Appropriations, 737.

Not printed as a bill but printed in Journal, 746.

Second reading, 746.

To House, 752.

Returned to Senate, 932.

Final passage, clincher, 747.

Enrolled, 984.

Signed by President, 984.

To House, 985.

Signed by Speaker, 986.

Returned to Senate, 986.

To Governor, 987.

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "A"—(Senators Luick, Longmire and Fiedler)

Senate Concurrent Resolution "A". A concurrent resolution for amendment of sections 82, 83, and 84 of the Constitution of the state of North Dakota, relating to the term of office, powers and duties, and salaries of elected state officers in order to allow the legislative assembly to establish a separate department of labor.

Introduction, first reading, 51.
Referred to Committee on State and Federal
Government, 51.
Re-referred to Committee on Industry, Business and
Labor, 53.
Reported back, do pass, 53, 245.
Engrossed, 94.
Second reading, 274, 275.
Adopted, 275.
Placed below Senate Bill No. 152 on Calendar, 274.
To House, 302.
Returned to Senate, 597.
Enrolled, 611.
Signed by President, 612.
Sent to House, 625.
Signed by Speaker, 669.
Received from House, 669.
To Secretary of State, 715.

Senate Concurrent Resolution "B"—(Senator Vendsel)

Senate Concurrent Resolution "B". A Concurrent Resolution urging the President, Director of the Bureau of the Budget and the Secretary of the Interior to make early transmittal to Congress of the project plan report on the Garrison Diversion Unit.

Introduction, first reading, 52.
Referred to Committee on Natural Resources, 52.
Reported back, amended, 80.
Amendments adopted, 88.
Second reading, 97.
Adopted, 100.
To House, 107.
Returned to Senate, 541.
Enrolled, 550.
Signed by President, 558.
Sent to House, 563.
Signed by Speaker, 584.
Received from House, 584.
To Secretary of State, 693.

Senate Concurrent Resolution "C"—(Senators Wadeson and Garaas)

Senate Concurrent Resolution "C". A Concurrent Resolution authorizing and directing the legislative research committee, in cooperation with the state bar association of this state, to study and revise the laws of this state governing commercial transactions.

- Introduction, first reading, 65.
- Referred to Committee on Industry, Business and Labor, 65.
- Re-referred to Committee on Legislative Research Resolutions, 104.
- Reported back, do pass, 104, 184.
- Reported back, indefinitely postponed, 785.

Senate Concurrent Resolution "D"—(Senators Becker, Hystad, Morgan, Krause and Lautenschlager)

Senate Concurrent Resolution "D". A Concurrent Resolution allowing the use of the Memorial Hall for employee's dances.

- Introduction, first reading, 82.
- Referred to Committee on State and Federal Government, 82.
- Reported back, do pass, 88.
- Second reading, 100.
- Adopted, 100.
- To House, 107.
- Returned to Senate, 283.
- Enrolled, 291.
- Signed by President, 305.
- Sent to House, 307.
- Signed by Speaker, 331.
- Received from House, 331.
- To Secretary of State, 339.

Senate Concurrent Resolution "E"—(Senators O'Brien, Holand and Vendsel)

Senate Concurrent Resolution "E". A Senate Concurrent Resolution designating February 12, 1959, the anniversary of the birth of President Lincoln, as Newspaperman's Day at the state Legislative Assembly.

- Introduction, first reading, 82.
- Referred to Committee on State and Federal Government, 82.
- Reported back, do pass, 88.
- Second reading, 100.
- Adopted, 100.
- To House, 107.
- Returned to Senate, 283.
- Enrolled, 291.
- Signed by President, 305.
- Sent to House, 307.
- Signed by Speaker, 331.
- Received from House, 331.
- To Secretary of State, 339.

Senate Concurrent Resolution "F"—(Senators Garaas and Gefreh)

Senate Concurrent Resolution "F". A concurrent resolution for the repeal of section 39 of the Constitution of the State of North Dakota prohibiting any member of the Legislative Assembly from being appointed or elected to civil office during the term for which he shall have been elected or any office for which the compensation was increased during his term.

Introduction, first reading, 90.
Referred to Committee on State and Federal Government, 90.
Reported back, do pass, 144.
Second reading, 168.
Adopted, 168.
To House, 185.
Returned to Senate, indefinitely postponed, 932.

Senate Concurrent Resolution "G"—(Senators Larson and Meidinger)

Senate Concurrent Resolution "G". A concurrent resolution authorizing and directing the legislative research committee to study the need for special education within the state and the manner in which facilities for such special education can be best obtained.

Introduction, first reading, 96.
Referred to Committee on Education, 96.
Re-referred to Committee on Legislative Research Resolutions, 169.
Reported back, do pass, 145, 245, 785.
Second reading, 169, 838.
Adopted, 838.
To House, 857.
Returned to Senate, 949.
Enrolled, 988.
Signed by President, 989.
Sent to House, 990.
Signed by Speaker, 990.
Received from House, 990.
To Secretary of State, 991.

Senate Concurrent Resolution "H"—(Senators Livingston, O'Brien and Meidinger)

Senate Concurrent Resolution "H". A resolution urging the State Board of Public School Education and the State Board of Higher Education to examine the curricula, and standards of accomplishment, of the schools of this state.

Introduction, first reading, 96.
Referred to Committee on Education, 96.
Reported back, do pass, 145.
Second reading, 169.
Adopted, 169.
To House, 185.
Returned to Senate, 632.

Enrolled, 655.
 Signed by President, 655.
 Sent to House, 665.
 Signed by Speaker, 669.
 Received from House, 669.
 To Secretary of State, 715.

Senate Concurrent Resolution "I"—(Senators Garaas and Wenstrom)

Senate Concurrent Resolution "I". A concurrent resolution memorializing the Congress to establish as a national park a suitable area of land lying at the confluence of the Yellowstone and Missouri Rivers in northwestern North Dakota and northeastern Montana to include the sites of Fort Buford, Fort Union, and Mondak, and to preserve and develop this area of national historical significance as a historical memorial.

Introduction, first reading, 106.
 Referred to Committee on Natural Resources, 106.
 Reported back, do pass, 184.
 Second reading, 212.
 Adopted, 212.
 To House, 214.
 Returned to Senate, 696.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "J"—(Senators Wenstrom and Garaas)

Senate Concurrent Resolution "J". A concurrent resolution authorizing and directing the legislative research committee, in cooperation with the state bar association of this state, to study and revise the laws of this state governing the transfer of securities of a corporation by fiduciaries.

Introduction, first reading, 106.
 Referred to Committee on Judiciary, 106.
 Re-referred to Committee on Legislative Research Resolutions, 245, 263.
 Reported back, amended, 245.
 Reported back, indefinitely postponed, 785.
 Amendments adopted, 263.
 Engrossed, 280.
 Indefinitely postponed, 785.

Senate Concurrent Resolution "K"—(Senators Holand and Vendsel)

Senate Concurrent Resolution "K". A concurrent resolution directing the legislative research committee to study the operation of the North Dakota State Mill and Elevator Association and its present and future contributions to the welfare of the state.

Introduction, first reading, 106.
 Referred to Committee on State and Federal
 Government, 106.
 Re-referred to Committee on Legislative Research
 Resolutions, 127.
 Reported back, do pass, 127, 786.
 Second reading, 838.
 Adopted, 838.
 To House, 858.
 Returned to Senate, 947.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "L"—(Senators Nesvig,
 Vendsel, Van Horn, Andre, Garaas, Thompson,
 Fiedler, Murphy and Lautenschlager)

Senate Concurrent Resolution "L". A concurrent resolu-
 tion providing for the amendment of section 121 of the
 Constitution of the state of North Dakota as amended by
 Article 69 of the Amendments to the Constitution of the
 state of North Dakota relating to the elective franchise.

Introduction, first reading, 174.
 Referred to Committee on Political Subdivisions, 174.
 Reported back, do pass, 256.
 Second reading, 306.
 Adopted, 306.
 To House, 332.
 Returned to Senate, indefinitely postponed, 666.

Senate Concurrent Resolution "M"—(Senators Hernetz,
 Kee, Garaas and Baeverstad)

Senate Concurrent Resolution "M". A concurrent resolu-
 tion for amendment of sections 26, 29, and 35 of the
 Constitution of the state of North Dakota relating to the
 establishment of senatorial districts, representation from
 such senatorial districts in the House of Representatives,
 and the manner of reapportioning members elected to the
 House of Representatives after each federal decennial
 census.

Introduction, first reading, 188, 189.
 Referred to Committee on State and Federal
 Government, 189.
 Reported back, amended, 673 to 675.
 Amendments adopted, 717.
 Second reading, 820.
 Adopted, 820.
 Engrossed, 734.
 To House, 842.
 Returned to Senate, 947.
 Adopted, 820.
 Enrolled, 988.

Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "N"—(Senator Longmire,
 by request)

Senate Concurrent Resolution "N". A concurrent resolution for an amendment of section 180 of the Constitution of the state of North Dakota.

Introduction, first reading, 202.
 Referred to Committee on State and Federal Government, 202.
 Reported back, indefinitely postponed, 311.

Senate Concurrent Resolution "O"—(Senators Erickstad
 and Foss)

Senate Concurrent Resolution "O". A concurrent resolution directing and authorizing the Legislative Research Committee to conduct a comprehensive study of civil defense, government operations, both state and local, and laws relating thereto in order to determine their adequacy in providing the greatest possible protection for the lives and property of the people of this state in the event of natural disaster and foreign attack; and to present its findings and recommendations to the Thirty-seventh Legislative Assembly.

Introduction, first reading, 202.
 Referred to Committee on Political Subdivisions, 202.
 Re-referred to Committee on Legislative Research Resolutions, 280.
 Reported back, do pass, 280, 786.
 Second reading, 838.
 Adopted, 838.
 To House, 858.
 Returned to Senate, 947.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "P"—(Senators Longmire
 and Saumur)

Senate Concurrent Resolution "P". A concurrent resolution of appreciation to Chester Fritz for the gift of a library to the State University of North Dakota.

Introduction, first reading, 206.
 To be printed in Journal and laid over one legislative day, 206.
 Printed in Journal, 207.

Rules suspended, placed for second reading and final passage, 225.
 Second reading, 225.
 Adopted, 225.
 To House, 236.
 Returned to Senate, 632.
 Enrolled, 655.
 Signed by President, 655.
 Sent to House, 665.
 Signed by Speaker, 669.
 Received from House, 669.
 To Secretary of State, 715.

Senate Concurrent Resolution "Q"—(Senators Erickson and Roen)

Senate Concurrent Resolution "Q". A concurrent resolution requesting the Federal Communications Commission to permit television booster stations in North Dakota.

Introduction, first reading, 222.
 Referred to Committee on Industry, Business and Labor, 222.
 Reported back, do pass, 413.
 Second reading, 448.
 Adopted, 448.
 To House, 479.
 Returned to Senate, 666.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "R"—(Senator Berube)

Senate Concurrent Resolution "R". A concurrent resolution authorizing and directing the Legislative Research Committee to make an interim study of the utilization of state institutions.

Introduction, first reading, 250.
 Referred to Committee on Legislative Research Resolutions, 250.
 Referred to Committee on State and Federal Government, 551.
 Returned to Senate, 551.
 Reported back, indefinitely postponed, 676.

Senate Concurrent Resolution "S"—(Senators Brooks, Vendsel, Van Horn, Garaas, Wartner, Erickstad, Livingston and Ringsak)

Senate Concurrent Resolution "S". A Senate concurrent resolution urging the proper observance of November 11, Veterans Day as a holiday.

Introduction, first reading, 258.
 Referred to Committee on Social Welfare and Veterans Affairs, 258.
 Reported back, do pass, 591.

Second reading, 652, 921.
 Adopted, 652, 922.
 To House, 691.
 Returned to Senate, amended, 888.
 House amendments, 898.
 Senate concurred, 921.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "T"—(Senator Wenstrom)

Senate Concurrent Resolution "T". A concurrent resolution requesting the Governor of North Dakota to appoint a National Statuary Hall Committee whose duties it shall be to select a North Dakota representative for placement in Statuary Hall.

Introduction, first reading, 258.
 Referred to Committee on State and Federal Government, 258.
 Returned to Senate, 522.
 Withdrawn, 522.

Senate Concurrent Resolution "U"—(Senators Roen, Erickson and Baeverstad)

Senate Concurrent Resolution "U". A concurrent resolution authorizing and directing the legislative research committee to study a system of school financing based on a flat percentage assessment of net income.

Introduction, first reading, 263.
 Referred to Committee on Finance and Taxation, 263.
 Re-referred to Committee on Legislative Research Resolutions, 433.
 Reported back, do pass, 432.
 Reported back, indefinitely postponed, 786.

Senate Concurrent Resolution "V" — (Senators Roen, Saumur, Larson and Erickson)

Senate Concurrent Resolution "V". A concurrent resolution directing the legislative research committee to study the feasibility of consolidating the licensing and regulation of trades and occupations in one central agency.

Introduction, first reading, 302.
 Returned to Senate, 551.
 Referred to Committee on Legislative Research Resolutions, 302, 591.
 Referred to Committee on Industry, Business and Labor, 551.
 Reported back, do pass, 591, 786.
 Second reading, 839.
 Adopted, 839.
 To House, 858.

Returned to Senate, 947.
 Adopted, 839.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "W"—(Senators Hernet and Meidinger)

Senate Concurrent Resolution "W". A concurrent resolution directing the legislative research committee to study the investment of state funds.

Introduction, first reading, 303.
 Returned to Senate, 551.
 Referred to Committee on Legislative Research Resolutions, 303, 592.
 Referred to Committee on Industry, Business and Labor, 551.
 Reported back, do pass, 592, 786.
 Second reading, 838.
 Adopted, 838.
 To House, 858.
 Returned to Senate, 947.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "X"—(Senator Longmire)

Senate Concurrent Resolution "X". A concurrent resolution recognizing the North Dakota Academy of Science as the official Academy of Science of this state.

Introduction, first reading, 312.
 Referred to Committee on State and Federal Government, 312.
 Reported back, do pass, 348.
 Second reading, 373.
 Adopted, 373.
 To House, 398.
 Returned to Senate, 867.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "Y"—(Senator Ringsak)

Senate Concurrent Resolution "Y". A concurrent resolution providing for the amendment of sections 28 and 34 of the Constitution of the state of North Dakota relating to

the qualifications for the office of state senator and state representative and relating to the qualifications and age of electors.

Introduction, first reading, 333.
 Referred to Committee on Political Subdivisions, 333.
 Reported back, indefinitely postponed, 387.
 Indefinitely postponed, 387.

Senate Concurrent Resolution "Z"—(Senators Foss and Erickstad)

Senate Concurrent Resolution "Z". A concurrent resolution directing the legislative research committee to study the feasibility of consolidating state activities relating to public health in one state agency.

Introduction, first reading, 350.
 Referred to Committee on Legislative Research
 Resolutions, 350 593,
 Referred to Committee on Social Welfare and Veterans
 Affairs, 551.
 Returned to Senate, 551.
 Reported back, do pass, 592, 786.
 Second reading, 838.
 Adopted, 838.
 To House, 858.
 Returned to Senate, 947.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 990.
 Received from House, 990.
 To Secretary of State, 991.

Senate Concurrent Resolution "AA"—(Senator Holand)

Senate Concurrent Resolution "AA". A concurrent resolution authorizing and directing the legislative research committee to study the feasibility of placing the administration of certain agricultural activities that are now administered by separate state boards, commissions and institutions under the jurisdiction of the state department of agriculture and labor.

Introduction, first reading, 375.
 Referred to Committee on Legislative Research
 Resolutions, 375, 593.
 Referred to Committee on Agriculture, 551.
 Returned to Senate, 551.
 Reported back, do pass, 592, 786.
 Second reading, 838.
 Adopted, 839.
 To House, 858.
 Returned to Senate, 947.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 991.
 Received from House, 991.
 To Secretary of State, 991.

Senate Concurrent Resolution "BB"—(Senator Krause)

Senate Concurrent Resolution "BB". A concurrent resolution to the Congress urging the passage of a point four program to raise the standards of well-being of Indian citizens.

- Introduction, first reading, 375.
- Referred to Committee on Social Welfare and Veterans Affairs, 375.
- Reported back, do pass, 592.
- Second reading, 653.
- Adopted, 653.
- To House, 691.
- Returned to Senate, 933.
- Enrolled, 988.
- Signed by President, 989.
- Sent to House, 990.
- Signed by Speaker, 991.
- Received from House, 991.
- To Secretary of State, 991.

Senate Concurrent Resolution "CC"—(Senators Erickson and Gronvold)

Senate Concurrent Resolution "CC". A concurrent resolution providing for the amendment of Article 56 of the Amendments to the Constitution of the state of North Dakota.

- Introduction, first reading, 382.
- Referred to Committee on Finance and Taxation, 382.
- Reported back, do pass, 484.
- Second reading, 539, 930.
- Adopted, 540, 930.
- To House, 540.
- Returned to Senate, amended, 888.
- House amendments, 898.
- Senate concurred, 930.
- Engrossed, 987.
- Enrolled, 988.
- Signed by President, 989.
- Sent to House, 990.
- Signed by Speaker, 991.
- Received from House, 991.
- To Secretary of State, 991.

Senate Concurrent Resolution "DD"—(Senator Berube)

Senate Concurrent Resolution "DD". A concurrent resolution relating to compensation of parking lot attendants.

- Introduction, first reading, 387.
- Referred to Committee on Appropriations, 387.
- Reported back, indefinitely postponed, 485.

Senate Concurrent Resolution "EE"—(Senators Gefreh and Holand)

Senate Concurrent Resolution "EE". A concurrent resolution directing the legislative research committee to study

the feasibility of establishing a department to act as agent for all state departments in the administration and handling of all state-owned mineral interests.

Introduction, first reading, 413.
 Returned to Senate, 551.
 Referred to Committee on Legislative Research
 Resolutions, 413, 584.
 Referred to Committee on State and Federal
 Government, 551.
 Reported back, do pass, 569.
 Reported back, indefinitely postponed, 786.

Senate Concurrent Resolution "FF"—(Senators Roen, Krause, Erickson, Wenstrom, Livingston, Van Horn and Garaas)

Senate Concurrent Resolution "FF". A concurrent resolution commending the North Dakota Theodore Roosevelt Centennial Commission and its executive director for the excellent work done in commemorating the anniversary of the birth of Theodore Roosevelt.

Introduction, first reading, 430.
 Printed in journal and laid over one legislative day, 430.
 Printed in journal, 430 to 432.
 Second reading, 474.
 Adopted, 474.
 To House, 479.
 Returned to Senate, 799.
 Enrolled, 852.
 Signed by President, 977.
 Sent to House, 977.
 Signed by Speaker, 978.
 Received from House, 978.
 To Secretary of State, 978.

Senate Concurrent Resolution "GG"—(Senators Baeverstad, Krause, Roen and Holand)

Senate Concurrent Resolution "GG". A concurrent resolution directing the legislative research committee to study the equities of the present formula for the distribution of motor vehicle license fees to counties, and to study methods to insure that motor vehicle registration certificates are credited to the proper county.

Introduction, first reading, 469.
 Returned to Senate, 551.
 Referred to Committee on Legislative Research
 Resolutions, 469, 727.
 Referred to Committee on Transportation, 551.
 Reported back, do pass, 661.
 Second reading, 727.
 Reported back, indefinitely postponed, 787.

Senate Concurrent Resolution "HH"—(Senators Krause, Baeverstad, Roen and Holand)

Senate Concurrent Resolution "HH". A concurrent resolution directing the legislative research committee to study the equities of the present formula for distribution of the oil and gas production tax.

Introduction, first reading, 469.

Referred to Committee on Legislative Research Resolutions, 469, 571.

Referred to Committee on Finance and Taxation, 551.

Returned to Senate, 551.

Reported back, do pass, 569.

Reported back, indefinitely postponed, 787.

Senate Concurrent Resolution "II"—(Senators Foss and Erickstad)

Senate Concurrent Resolution "II". A concurrent resolution directing the legislative research committee to study the physical and instructional facilities of the state training school with a view to determining its suitability to the rehabilitation and preparation of the youngsters at the institution.

Introduction, first reading, 469.

Referred to Committee on Legislative Research Resolutions, 469, 571.

Returned to Senate, 551.

Referred to Committee on Education, 552.

Reported back, do pass, 570, 787.

Second reading, 839.

Adopted, 839.

To House, 858.

Returned to Senate, 947.

Enrolled, 988.

Signed by President, 989.

Sent to House, 990.

Signed by Speaker, 991.

Received from House, 991.

To Secretary of State, 991.

Senate Concurrent Resolution "JJ"—(Senators Erickstad and Trenbeath)

Senate Concurrent Resolution "JJ". A concurrent resolution authorizing and directing the state historical society to accept the old Fort Totten site from the Federal Government if it is offered to the state.

Introduction, first reading, 485.

Printed in Journal and laid over one legislative day, 485.

Printed in Journal, 485.

Second reading, 540.

Adopted, 540.

To House, 540.

Returned to Senate, 867.

Enrolled, 988.

Signed by President, 989.
Sent to House, 990.
Signed by Speaker, 991.
Received from House, 991.
To Secretary of State, 991.

Senate Concurrent Resolution "KK"—(Senators Wenstrom, Larson, Longmire, Meidinger, Wadeson, Trenbeath, Freed, Roen, Gronvold, Livingston and Brooks)

Senate Concurrent Resolution "KK". A concurrent resolution authorizing the appointment of a temporary committee to make, promote and supervise plans for a Dakota Territory Centennial Celebration.

Introduction, first reading, 491.
Printed in Journal, 491 to 493.
Laid over one legislative day, 491.
Second reading, 552.
Adopted, 552.
To House, 563.
Returned to Senate, 799.
Enrolled, 852.
Signed by President, 977.
Sent to House, 977.
Signed by Speaker, 978.
Received from House, 978.
To Secretary of State, 978.

Senate Concurrent Resolution "LL"—(Senators Berube, Roen, Gronvold, Krause, Baeverstad, Miller, Wenstrom and Johnson)

Senate Concurrent Resolution "LL". A Concurrent Resolution requesting and directing the state highway commissioner to replace on the state highway system certain mileage removed therefrom.

Introduction, first reading, 522.
Referred to Committee on Transportation, 522.
Returned to Senate, 524.
Re-referred to Committee on Transportation, 552.
Printed in Journal, 524.
Laid over one legislative day, 524.
Reported back, indefinitely postponed, 782.

Senate Concurrent Resolution "MM"—(Committee on Delayed Bills)

Senate Concurrent Resolution "MM". A concurrent resolution directing the state highway department to make a comparative study of costs of construction, maintenance, and the life expectancy of asphalt and bituminous driving lanes on the interstate highway system.

Introduction, first reading, 776.
Not printed as bill, printed in Journal, 776, 777.
Second reading, 777.
Adopted, 777.

To House, 801.
 Returned to Senate, 947.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 991.
 Received from House, 991.
 To Secretary of State, 991.

Senate Concurrent Resolution "NN"—(Committee on Delayed Bills)

Senate Concurrent Resolution "NN". A concurrent resolution commending the Jamestown College on the seventy-fifth anniversary of its founding.

Introduction, first reading, 777.
 Not printed as bill but printed in Journal, 777, 778.
 Second reading, 778.
 Adopted, 778.
 To House, 801.
 Returned to Senate, 947.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 991.
 Received from House, 991.
 To Secretary of State, 991.

Senate Concurrent Resolution "OO"—(Committee on Delayed Bills, at request of Committee on State and Federal Government)

Senate Concurrent Resolution "OO". A concurrent resolution directing the legislative research committee to study the feasibility of depositing all moneys presently deposited in the institutional revolving fund that are received from the state liquor tax into the general fund and relieving the counties of their responsibility for paying and collecting the expenses of institutional care in the state hospital, Grafton state school and tuberculosis sanatorium and to authorize the state board of administration to collect the cost of institutional care in certain instances from responsible relatives and patient's estates.

Introduction, first reading, 793.
 Not printed as Bill, but printed in Journal, 793, 794.
 Second reading, 839.
 Adopted, 840.
 To House, 858.
 Returned to Senate, 947.
 Enrolled, 988.
 Signed by President, 989.
 Sent to House, 990.
 Signed by Speaker, 991.
 Received from House, 991.
 To Secretary of State, 991.

SENATE RESOLUTIONS

Senate Resolution No. 1—(Senator Holand)

Senate Resolution No. 1. A resolution relating to the election contest in the Second Legislative District.

Introduction, first reading, 16.
Adopted, 18.
Enrolled, 40.
Signed by President, 41.
To Secretary of State, 54.

Senate Resolution No. 2—(Senators Kisse, Miller and Hystad)

Senate Resolution No. 2 A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-sixth Legislative Assembly of the State of North Dakota.

Introduction, first reading, 148.
Referred to Committee on Appropriations, 148.
Returned to Senate, 163.
Re-referred to Committee on Photography, 163, 204.
Printed in Journal and laid over one legislative day, 163, 204.
Reconsider action, 163.
Printed in Journal, 204.
Second reading, 225.
Rules suspended, placed for second reading and final passage, 225.
Adopted, 225.
Enrolled, 233.
Signed by President, 233.
To Secretary of State, 233.

Senate Resolution No. 3—(Senator Vendsel)

Senate Resolution No. 3. A resolution requesting all lending agencies in the state of North Dakota, including the Bank of North Dakota, to refrain from charging discounts to borrowers on home loans.

Introduction, first reading, 174.
Referred to Committee on State and Federal Government, 175.
Reported back, amended, 405.
Amendments adopted, 429.
Engrossed, 446.
Second reading, 474.
Adopted, 474.
Enrolled, 485.
Signed by President, 488.
To Secretary of State, 501.

Senate Resolution No. 4—(Senators O'Brien and Livingston)

Senate Resolution No. 4. A resolution requiring all chaplains' invocations to be printed in the Senate Journal.

Introduction, first reading, 276.
 Not printed as Bill, printed in Journal, 276.
 Rules suspended, placed for second reading and final passage, 276.
 Second reading, 276.
 Adopted, 276.
 Enrolled, 291.
 Signed by President, 305.
 To Secretary of State, 308.

SENATE MEMORIAL RESOLUTIONS

Senate Memorial Resolution No. 1—(Senators Holand and Vendsel)

Senate Memorial Resolution No. 1. A resolution of condolence to R. E. Meidinger in the loss of his wife.

Introduction, first reading, 340.
 Rules suspended, printed in Journal, adopted by rising vote.
 Printed in Journal, 340.
 Adopted, 340.
 Enrolled, 352.
 Signed by President, 355.
 To Secretary of State, 367.

Senate Memorial Resolution No. 2—(Senate Memorial Resolutions Committee)

Senate Memorial Resolution No. 2. A memorial resolution for deceased members of the Senate of the state of North Dakota.

Introduction, first reading, 430.
 Re-referred to Committee on Senate Memorial Resolutions, 430.
 Reconsidered, 430.
 Adopted, 430.
 Joint Session, 559.
 Printed in Journal, 559, 560.
 Enrolled, 561.
 Signed by President, 561.
 To Secretary of State, 693.

Senate Memorial Resolution No. 3—(Senators Ringsak and Erickstad)

Senate Memorial Resolution No. 3. A resolution of condolence to Senator Rosamund O'Brien upon the loss of her mother.

Introduction, first reading, 595.
 Printed in Journal, 595.
 Rules suspended, adopted by rising vote, 595.
 Enrolled, 610.
 Signed by President, 610.
 To Secretary of State, 693.

RECORD OF HOUSE BILLS IN THE SENATE

House Bill No. 501—

House Bill No. 501. A Bill for an Act making an appropriation for the general maintenance, plant improvements, and new buildings of the state institutions of higher learning of the State of North Dakota, and declaring an emergency.

Received from House, 541.
First reading and referred to Committee on Appropriations, 548, 549.
Reported back, amended, 795, 796, 797.
Amendments adopted, 836.
Second reading and final passage, emergency clause carried, 929.
Returned to House, amended, 935.
House concurred, 942.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 502—

House Bill No. 502. A Bill for an Act relating to an appropriation for the purpose of administering the provisions of Chapter 52-10 of the 1957 Supplement to the North Dakota Revised Code of 1943, pertaining to social security coverage of public employees.

Received from House, 407.
First reading and referred to Committee on Appropriations, 437.
Reported back, do pass, 706.
Second reading and final passage, clincher, 757.
Returned to House, 773, 967.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 966.

House Bill No. 503—

House Bill No. 503. A Bill for an Act making an appropriation to the Livestock Sanitary Board for its operating and maintenance expense, and for indemnifying owners of animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund, and declaring an emergency.

Received from House, 309.
First reading and referred to Committee on Appropriations, 333.
Reported back, do pass, 778.
Second reading and final passage, 822.
Clincher, 823.
Returned to House, 841, 967.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 966.

House Bill No. 504—

House Bill No. 504. A Bill for an Act making an appropriation to the State Historical Society for salary, Clerk-hire and miscellaneous expenses and maintenance of state parks.

Received from House, 538.
 First reading and referred to Committee on Appropriations, 543.
 Reported back, do pass, 741.
 Second reading and final passage, clincher, 805.
 Returned to House, 814, 982.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.

House Bill No. 505—

House Bill No. 505. A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department.

Received from House, 309.
 First reading and referred to Committee on Appropriations, 333.
 Reported back, amended, 778.
 Amendments adopted, 836.
 Second reading and final passage, clincher, 874.
 Returned to House, amended, 887.
 House concurred, 920.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 506—

House Bill No. 506. A Bill for an Act making an appropriation for the purpose of paying salary, clerkhire and general expenses of the Department of Coal Mine Inspector and coal mine safety work.

Received from House, 309.
 First reading and referred to Committee on Appropriations, 333.
 Reported back, do pass, 706.
 Second reading and final passage, clincher, 757, 758.
 Returned to House, 773, 967.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 966.

House Bill No. 507—

House Bill No. 507. A Bill for an Act making an appropriation to provide a State Contingency Fund to be placed at the disposal of the State Emergency Commission and to be used as provided by Sections 54-1601 of the 1957 Supplement to the North Dakota Revised Code of 1943, and 54-1602 to 54-1604, inclusive, and 54-1606, and also Section 54-1609 of the North Dakota Revised Code of 1943, and for civil defense.

Received from House, 407.
 First reading and referred to Committee on
 Appropriations, 437.
 Re-referred to Committee on Appropriations, 728.
 Reported back, do pass, 612, 778.
 Second reading and final passage, clincher, 677, 728, 823.
 Laid over one legislative day, 677.
 Returned to House, 841, 967.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 966.

House Bill No. 508—

House Bill No. 508. A Bill for an Act making an appropriation to pay the expenses of the State Board of Veterinary Medical Examiners as authorized under Chapter 36-02 of the North Dakota Revised Code of 1943, as amended by Sections 36-0203 and 36-0205 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 301.
 First reading and referred to Committee on
 Appropriations, 312.
 Reported back, do pass, 706.
 Second reading and final passage, clincher, 758, 759.
 Returned to House, 773, 967.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 966.

House Bill No. 509—

House Bill No. 509. A Bill for an Act making an appropriation for the purpose of refunding money erroneously paid into or credited to the General Fund.

Received from House, 407.
 First reading and referred to Committee on
 Appropriations, 437.
 Reported back, do pass, 612.
 Second reading and final passage, 679.
 Returned to House, 714, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 510—

House Bill No. 510. A Bill for an Act providing an appropriation for the paying of salary, clerkhire, travel and general expenses of the office of Commissioner of Veterans' Affairs.

Received from House, 128.
 First reading and referred to Committee on
 Appropriations, 128.
 Reported back, do pass, 706.
 Second reading and final passage, clincher, 759.
 Returned to House, 773, 967.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 966.

House Bill No. 511—

House Bill No. 511. A Bill for an Act making an appropriation for the administration expenses of the Veterans' Aid Commission.

Received from House, 128.
 First reading and referred to Committee on Appropriations, 129.
 Reported back, do pass, 707.
 Second reading and final passage, clincher, 759, 760.
 Returned to House, 773, 967.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 966.

House Bill No. 512—

House Bill No. 512. A Bill for an Act making an appropriation for the general maintenance, improvements and special projects for the North Dakota Soldiers' Home at Lisbon, North Dakota.

Received from House, 139.
 First reading and referred to Committee on Appropriations, 149.
 Reported back, do pass, 707.
 Second reading and final passage, clincher, 760.
 Returned to House, 773, 968.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 966.

House Bill No. 513—

House Bill No. 513. A Bill for an Act making an appropriation to provide funds for the arrest and return of fugitives from justice.

Received from House, 128.
 First reading and referred to Committee on Appropriations, 129.
 Reported back, do pass, 612.
 Second reading and final passage, 679, 680.
 Returned to House, 714, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 514—

House Bill No. 514. A Bill for an Act making an appropriation for the payment of the premiums for Boys' and Girls' Club Work at County Achievement Fairs; and providing the manner of disbursement for such funds and making reports.

Received from House, 107.
 First reading and referred to Committee on Appropriations, 108.
 Reported back, do pass, 612.

Second reading and final passage, 680.
 Returned to House, 714, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 515—

House Bill No. 515. A Bill for an Act making an appropriation for inquest and burial of penal inmates, and action to release insane.

Received from House, 128.
 First reading and referred to Committee on Appropriations, 129.
 Reported back, do pass, 612.
 Second reading and final passage, 681.
 Returned to House, 714, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 516—

House Bill No. 516. A Bill for an Act making an appropriation for salaries, operation, maintenance, general and miscellaneous expenses for the State Laboratories Department.

Received from House, 407.
 First reading and referred to Committee on Appropriations, 437.
 Reported back, do pass, 779.
 Second reading and final passage, clincher, 823, 824.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 966.

House Bill No. 517—

House Bill No. 517. A Bill for the Act making an appropriation for the use of the North Dakota Economic Development Commission.

Received from House, 385.
 First reading and referred to Committee on Appropriations, 406.
 Reported back, do pass, 741.
 Second reading and final passage, clincher, 829.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 966.

House Bill No. 518—

House Bill No. 518. A Bill for an Act making an appropriation for the financing of the operations of the State Soil Conservation Committee and the activities of the State Soil Conservation Districts.

Received from House, 245.
 First reading and referred to Committee on
 Appropriations, 256, 257.
 Reported back, amended, 779.
 Amendments adopted, 836.
 Second reading and final passage, clincher, 874, 875.
 Returned to House, amended, 887.
 House does not concur, 906.
 Conference Committee, Senate, House, 906.
 Conference Committee report, adopted, 916.
 House concurred, 927.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 519—

House Bill No. 519. A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintaining and construction of dams; planning and surveying projects; expenses of state compacts; and for organizing water conservation and irrigation districts for construction and development.

Received from House, 139.
 First reading and referred to Committee on
 Appropriations, 149.
 Reported back, do pass, 779.
 Second reading and final passage, clincher, 824.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 966.

House Bill No. 520—

House Bill No. 520. A Bill for an Act making an appropriation for salaries and expenses of the State Geological Survey and for cooperation of United States Geological Survey.

Received from House, 128.
 First reading and referred to Committee on
 Appropriations, 129.
 Reported back, do pass, 707.
 Second reading and final passage, clincher, 760, 761.
 Returned to House, 773, 968.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 966.

House Bill No. 521—

House Bill No. 521. A Bill for an Act making an appropriation to the North Dakota Firemen's Association.

Received from House, 107.
 First reading and referred to Committee on
 Appropriations, 108.

Reported back, do pass, 707.
Second reading and final passage, clincher, 761.
Returned to House, 773, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 966.

House Bill No. 522—

House Bill No. 522. A Bill for an Act making an appropriation for the disbursement by the Public Welfare Board in providing public assistance to dependent children and to needy blind and providing child welfare services and services to crippled children, also providing assistance to the needy aged and general assistance for relief to destitute and necessitous persons, aid to permanently and totally disabled, and for the necessary costs of administration of all of the programs above mentioned.

Received from House, 309.
First reading and referred to Committee on Appropriations, 333.
Re-referred to Committee on Appropriations, 792.
Reported back, do pass, 779.
Reported back, amended, 797.
Amendments adopted, 836.
Second reading and final passage, clincher, 875.
Returned to House, amended, 887.
House concurred, 920.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 523—

House Bill No. 523. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-36 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 309.
First reading and referred to Committee on Appropriations, 333.
Reported back, do pass, 707.
Second reading and final passage, clincher, 761, 762.
Returned to House, 773, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 966.

House Bill No. 524—

House Bill No. 524. 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 House, 330.
First reading and referred to Committee on Appropriations, 350.
Reported back, do pass, 707.
Second reading and final passage, clincher, 762, 763.
Returned to House, 773, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 966.

House Bill No. 525—

House Bill No. 525. 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 House, 407.
First reading and referred to Committee on Appropriations, 437.
Reported back, amended, 707.
Amendments adopted, 749.
Second reading and final passage, clincher, 814.
Returned to House, amended, 842.
House concurred, 899.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 526—

House Bill No. 526. 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 House, 367.
First reading and referred to Committee on Appropriations, 382.
Reported back, do pass, 741.
Second reading and final passage, clincher, 805.
Returned to House, 814, 982.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.

House Bill No. 527—

House Bill No. 527. A Bill for an Act making an appropriation out of the State Treasury for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the Highway Patrol.

Received from House, 407.
First reading and referred to Committee on Transportation, 437.
Re-referred to Committee on Appropriations, 655.
Reported back, amended, 779.
Amendments adopted, 836.
Second reading and final passage, clincher, 875.

Returned to House, amended, 887.
 House concurred, 920.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 528—

House Bill No. 528. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

Received from House, 301.
 First reading and referred to Committee on Appropriations, 312.
 Reported back, do pass, 780.
 Second reading and final passage, clincher, 824.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 966.

House Bill No. 529—

House Bill No. 529. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Game and Fish Department.

Received from House, 128.
 First reading and referred to Committee on Appropriations, 129.
 Re-referred to Committee on Appropriations, 792.
 Reported back, amended, 780, 797.
 Amendments adopted, 836.
 Second reading and final passage, clincher, 876.
 Returned to House, amended, 887.
 House concurred, 920.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 530—

House Bill No. 530. A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

Received from House, 107.
 First reading and referred to Committee on Appropriations, 108.
 Reported back, do pass, 613.
 Second reading and final passage, 681.
 Returned to House, 714, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 531—

House Bill No. 531. A Bill for an Act making an appropriation to continue the operation of North Dakota civil defense as provided for by Chapter 37-17 of the North Dakota Revised Code of 1943, as amended.

Received from House, 367.
First reading and referred to Committee on Appropriations, 382.
Reported back, do pass, 741.
Second reading and final passage, clincher, 806.
Returned to House, 814, 982.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.

House Bill No. 532—

House Bill No. 532. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota who express an intent to prepare for nursing, as provided for in Chapter 43-12 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 330.
First reading and referred to Committee on Appropriations, 350.
Reported back, do pass, 741.
Second reading and final passage, clincher, 806, 807.
Returned to House, 814, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 966.

House Bill No. 533—

House Bill No. 533. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 301.
First reading and referred to Committee on Appropriations, 312.
Reported back, do pass, 708.
Second reading and final passage, clincher, 763.
Returned to House, 773, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 966.

House Bill No. 534—

House Bill No. 534. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Public Safety Division.

Received from House, 301.
First reading and referred to Committee on Appropriations, 312.

Reported back, do pass, 780.
 Second reading and final passage, clincher, 825, 826.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 535—

House Bill No. 535. A Bill for an Act making an appropriation to pay veterinary inspectors and expenses in connection with livestock sales rings as provided by law and by regulations promulgated by the Livestock Sanitary Board; and declaring an emergency.

Received from House, 309.
 First reading and referred to Committee on Appropriations, 333.
 Reported back, do pass, 780.
 Second reading and final passage, emergency clause carried, clincher, 826.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 536—

House Bill No. 536. A Bill for an Act making a deficiency appropriation to compensate the University of North Dakota for services rendered in an actuarial study of OASIS.

Received from House, 107.
 First reading and referred to Committee on Appropriations, 108.
 Reported back, do pass, 613.
 Second reading and final passage, 682.
 Returned to House, 714, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 537—

House Bill No. 537. A Bill for an Act to define, license, and regulate the business of lending in amounts of one thousand dollars or less; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of the Act by the state examiner, and to prescribe penalties.

Received from House, 330.
 First reading and referred to Committee on Industry, Business and Labor, 350.
 Reported back, amended, 780.
 Amended, 836.
 Amendments adopted, 836.
 Second reading and final passage, 876, 877.
 Clincher, 953.

Returned to House, amended, 901.
House does not concur, 906.
Conference Committee, Senate, 906.
Conference Committee, House, 906.
Conference Committee report, adopted, 939.
House Conference Committee report, adopted, 927.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 538—

House Bill No. 538. A Bill for an Act to amend and reenact chapter 51-13 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to installment and conditional sales contracts.

Received from House, 407.
First reading and referred to Committee on Industry,
Business and Labor, 437.
Reported back, amended, 781.
Amendments adopted, 837.
Second reading and final passage, clincher, 877, 878.
Returned to House, amended, 887.
House does not concur, 919.
Conference Committee, Senate, 921.
Conference Committee, House, 919, 931.
Conference Committee report, adopted, 936.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 539—

House Bill No. 539. A Bill for an Act to provide for the regulation of revolving charge account agreements.

Received from House, 301.
First reading and referred to Committee on Industry,
Business and Labor, 312.
Reported back, do pass, 585.
Second reading and final passage, 625, 626.
Returned to House, 690, 736.
Returned to Senate, 716.
Signed by Speaker, 716.
Signed by President, 734.

House Bill No. 540—

House Bill No. 540. A Bill for an Act providing for the transfer of all funds in the charitable institutions revolving fund and the institutional support funds to the general fund of this state, providing that all future collections from liquor taxes shall be deposited in the general fund; and further providing that the state shall relieve the counties of their share of the costs of operation and administration of the state hospital, Grafton state school, and the tuberculosis sanatorium, and to amend and reenact sections

5-0309 and 25-0410 of the North Dakota Revised Code of 1943, and sections 5-0311, 25-0207, 25-0208, 25-0210, 25-0304, 25-0315, 25-0326, 25-0409, 25-0510, and 25-0534 of the 1957 Supplement to the North Dakota Revised Code of 1943, and to repeal chapter 25-08 of the North Dakota Revised Code of 1943, as it may be amended, and section 25-0509 of the North Dakota Revised Code of 1943, relating to expenses of institutional care and disposition of liquor taxes.

Received from House, 107.

First reading and referred to Committee on State and Federal Government, 108, 109.

Reported back, indefinitely postponed, 781.

Returned to House, indefinitely postponed, 802.

House Bill No. 541—

House Bill No. 541. A Bill for an Act to transfer and dispose of certain special funds and nonreverting appropriations, and to amend and reenact sections 54-2714, and 54-2715 of the North Dakota Revised Code of 1943, and sections 6-0746, 6-0748, 6-0749, 39-1702, 54-3809, and 57-3204 of the 1957 Supplement to the North Dakota Revised Code of 1943, and to repeal section 6-0751 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer and disposition of moneys in certain special funds and nonreverting appropriations.

Received from House, 139.

First reading and referred to Committee on State and Federal Government, 149.

Re-referred to Committee on Appropriations, 774.

Reported back, amended, 798.

Amendments adopted, 837.

Second reading and final passage, clincher, 878.

Returned to House, amended, 887.

House concurred, 920.

Returned to Senate, 980.

Signed by Speaker, 980.

Signed by President, 981.

Returned to House, 982.

House Bill No. 542—

House Bill No. 542. A Bill for an Act to amend and reenact section 53-0607 of the North Dakota Revised Code of 1943, relating to the transfer and disposition of funds in the attorney general inspector license fund, and to transfer all moneys in the World War II Adjusted Compensation Administration Fund, to the general fund of this state.

Received from House, 111.

First reading and referred to Committee on State and Federal Government, 120.

Reported back, do pass, 145.

Second reading and final passage, 169.

Returned to House, 185, 237.

Returned to Senate, 206.

Signed by Speaker, 206.

Signed by President, 223.

House Bill No. 543—

House Bill No. 543. A Bill for an Act to transfer certain funds now deposited in the Bank of North Dakota, and all future revenue collections, to the general fund of this state, and to amend and reenact section 6-0634 of the North Dakota Revised Code of 1943, and sections 2-0511, 2-0518, 43-2208, and 57-3910 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the transfer of certain moneys to the general fund of this state.

Received from House, 111.

First reading and referred to Committee on State and Federal Government, 120.

Reported back, do pass, 236.

Second reading and final passage, 262.

Returned to House, 284, 307.

Returned to Senate, 301.

Signed by Speaker, 301.

Signed by President, 305.

House Bill No. 545—

House Bill No. 545 A Bill for an Act to amend and reenact sections 20-1302, 20-1303, 20-1304, 20-1305, 20-1309, 20-1402, 20-1403, 20-1404, 20-1405, 20-1406, and 20-1410 of the North Dakota Revised Code of 1943, relating to proof of kill for the collection of bounties on predatory animals and birds, and to penalties.

Received from House, 160.

First reading and referred to Committee on Natural Resources, 175.

Reported back, do pass, 670.

Second reading and final passage, 728.

Returned to House, 752, 968.

Returned to Senate, 958.

Signed by Speaker, 958.

Signed by President, 967.

House Bill No. 546—

House Bill No. 546. A Bill for an Act providing for the establishment of a rabies control committee and providing for its members and powers and duties.

Received from House, 88.

First reading and referred to Committee on Natural Resources, 100.

Reported back, do pass, 381.

Second reading and final passage, 411.

Returned to House, 450, 538.

Returned to Senate, 487.

Signed by Speaker, 487.

Signed by President, 521.

House Bill No. 547—

House Bill No. 547. A Bill for an Act authorizing the state board of higher education to enter into reciprocal agreements with other states' institutions of higher learning for higher education of North Dakota students and making an appropriation.

Received from House, 357.
 First reading and referred to Committee on
 Education, 375.
 Re-referred to Committee on Appropriations, 598.
 Reported back, do pass, 565, 708.
 Second reading, 598, 763.
 Passed, clincher, 764.
 Returned to House, 773, 968.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 967.

House Bill No. 548—

House Bill No. 548. A Bill for an Act to create and enact section 15-4733 of the North Dakota Revised Code of 1943, and to amend and reenact section 15-4106 of the North Dakota Revised Code of 1943, and to amend and reenact section 15-2509 and sub-section 1 of section 15-2908 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the length of elementary and secondary school terms.

Received from House, 301.
 First reading and referred to Committee on
 Education, 312, 313.
 Reported back, do pass, 565.
 Second reading and final passage, 599.
 Returned to House, 663, 736.
 Returned to Senate, 716.
 Signed by Speaker, 716.
 Signed by President, 734.

House Bill No. 549—

House Bill No 549. A Bill for an Act to amend and reenact section 57-1605 of the North Dakota Revised Code of 1943 relating to the vote necessary to approve excess levies in school districts.

Received from House, 245.
 First reading and referred to Committee on
 Education, 257.
 Reported back, do pass, 565.
 Second reading and final passage, 599, 600.
 Returned to House, 663, 736.
 Returned to Senate, 716.
 Signed by Speaker, 716.
 Signed by President, 734.

House Bill No. 550—

House Bill No. 550. A Bill for an Act providing for teacher qualification and the minimum curriculum that must be offered by each high school in this state by 1961 to be accredited by the department of public instruction, and for waivers of the conditions imposed.

Received from House, 301.
 First reading and referred to Committee on
 Education, 313.

Reported back, do pass, 565.
 Second reading and final passage, 600.
 Returned to House, 664, 736.
 Returned to Senate, 716.
 Signed by Speaker, 716.
 Signed by President, 734.

House Bill No. 551—

House Bill No. 551. A Bill for an Act to provide financial assistance in the transportation of school children and to create and enact sections 15-40011 and 15-56011 of the North Dakota Revised Code of 1943 and to amend and reenact sections 15-4013, 15-4014, 15-40141, 15-4015, 15-4016, 15-4019, 15-4020, 15-4021, 15-5601, 15-5602, 15-5603, 15-5604, 15-5605, 15-5606, 15-5609, 57-1524, and 57-1525 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to county and state equalization funds and county tuition funds and school tax levies and limitations, and to repeal chapter 15-58 and section 57-15251 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 57-1526 of the North Dakota Revised Code of 1943.

Received from House, 185.
 First reading and referred to Committee on Education, 223.
 Reported back, amended, 670.
 Amendments adopted, 718.
 Second reading and final passage, 803.
 Clincher, 955.
 Returned to House, amended, 842, 955.
 House does not concur, 900.
 Conference Committee, Senate, 900, 939.
 Conference Committee, House, 900, 917.
 Conference Committee report, adopted, 904, 905, 954.
 House Conference Committee report, not adopted, 917.
 House Conference Committee report, adopted, 954.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 552—

House Bill No. 552. A Bill for an Act to amend and reenact subsection 1 of section 15-4007 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the financial effort required for emergency assistance from the state equalization fund.

Received from House, 538.
 First reading and referred to Committee on Education, 543.
 Reported back, do pass, 565.
 Second reading and final passage, 600, 601.
 Returned to House, 664, 703.
 Returned to Senate, 678.
 Signed by Speaker, 678.
 Signed by President, 703.

House Bill No. 555—

House Bill No. 555. A Bill for an Act to amend and re-enact section 20-0607 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the taking of minnows, other than for resale, by the use of a dip net, minnow trap, or minnow seine.

Received from House, 160.

First reading and referred to Committee on Natural Resources, 175.

Reported back, do pass, 656.

Second reading and final passage, 697.

Returned to House, 735, 979.

Returned to Senate, 866.

Signed by Speaker, 866.

Signed by President, 979.

House Bill No. 556—

House Bill No. 556. A Bill for an Act to amend and re-enact section 27-0909 of the North Dakota Revised Code of 1943, relating to the method of selection of jurors.

Received from House, 88.

First reading and referred to Committee on Judiciary, 100.

Reported back, do pass, 565.

Second reading and final passage, 601.

Returned to House, 664, 703.

Returned to Senate, 678.

Signed by Speaker, 678.

Signed by President, 703.

House Bill No. 558—

House Bill No. 558. A Bill for an Act to provide that administrators, or executors, or guardians may obtain loans from the federal government or institutions guaranteed by the federal government, without court approval, upon harvested cereal crops which are a part of the estate being managed by the executor, administrator, or guardian.

Received from House, 88.

First reading and referred to Committee on Judiciary, 100.

Reported back, do pass, 566.

Second reading and final passage, 601, 602.

Returned to House, 664, 703.

Returned to Senate, 678.

Signed by Speaker, 678.

Signed by President, 703.

House Bill No. 561—

House Bill No. 561. A Bill for an Act to amend and re-enact section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943, section 2 of chapter 163 of the North Dakota Session Laws of 1953, relating to eligibility to apply for a license to hunt big game.

Received from House, 330.
First reading and referred to Committee on Natural Resources, 350.
Reported back, do pass, 656.
Second reading and final passage, 697, 698.
Returned to House, 735, 979.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 563—

House Bill No. 563. A Bill for an Act to amend and re-enact section 20-0201 of the North Dakota Revised Code of 1943, relating to the term of office of the state game and fish commissioner.

Received from House, 139.
First reading and referred to Committee on Natural Resources, 149.
Reported back, do pass, 671.
Second reading and final passage, 728, 729.
Returned to House, 752, 979.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 564—

House Bill No. 564. A Bill for an Act to amend and re-enact section 20-0505 of the North Dakota Revised Code of 1943 relating to the displaying of red, yellow, or orange on clothing worn by all persons hunting big game.

Received from House, 330.
First reading and referred to Committee on Natural Resources, 350.
Reported back, do pass, 656.
Second reading and final passage, 698.
Returned to House, 735, 979.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 565—

House Bill No. 565. A Bill for an Act to provide for disinterment and removal of bodies in cemeteries under certain circumstances.

Received from House, 265.
First reading and referred to Committee on Judiciary, 286.
Reported back, do pass, 585.
Second reading and final passage, 626.
Returned to House, 690, 858.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.

House Bill No. 567—

House Bill No. 567. A Bill for an Act to amend and reenact Section 15-2220 of the North Dakota Revised Code of 1943, relating to the county superintendent's contingent fund: budget request to contain items for; use of.

Received from House, 301.

First reading and referred to Committee on Education, 313.

Reported back, indefinitely postponed, 552.

Returned to House, indefinitely postponed, 593.

House Bill No. 568—

House Bill No. 568. A Bill for an Act to amend and reenact section 32-0902 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to exemption of salary in garnishment proceedings.

Received from House, 206.

First reading and referred to Committee on Judiciary, 223.

Reported back, do pass, 566.

Second reading and final passage, 602.

Returned to House, 664, 736.

Returned to Senate, 716.

Signed by Speaker, 716.

Signed by President, 734.

House Bill No. 569—

House Bill No 569. A Bill for an Act relating to the insurers liability under hail insurance policies.

Received from House, 407.

First reading and referred to Committee on Industry, Business and Labor, 437.

Reported back, indefinitely postponed, 618.

Returned to House, indefinitely postponed, 664.

House Bill No. 570—

House Bill No. 570. A Bill for an Act to amend and reenact Section 15-2802 of the North Dakota Revised Code of 1943, relating to the number of rural members of school boards.

Received from House, 407.

First reading and referred to Committee on Education, 437.

Reported back, do pass, 566.

Second reading and final passage, 602.

Returned to House, 664, 736.

Returned to Senate, 716.

Signed by Speaker, 716.

Signed by President, 734.

House Bill No. 571—

House Bill No. 571. A Bill for an Act to amend Section 57-3822 of the North Dakota Revised Code of 1943, as amended, by creating and enacting subsection 14 of this

section relating to deductions for income tax purposes of expenses paid for child care by a female head of the family and to amend and reenact section 57-3823 of the North Dakota Revised Code of 1943 relating to items not deductible from net income for income tax purposes.

Received from House, 309.
 First reading and referred to Committee on Finance and Taxation, 334.
 Reported back, do pass, 552.
 Second reading, 571, 616.
 Indefinitely postponed, 616.
 Placed at foot of calendar, 571, 598.
 Returned to House, indefinitely postponed, 664.

House Bill No 572—

House Bill No. 572. A Bill for an Act creating a factor's lien upon merchandise, and the proceeds of the sale thereof, and providing procedures with respect thereto.

Received from House, 407.
 First reading and referred to Committee on Industry, Business and Labor, 438.
 Reported back, do pass, 585.
 Second reading and final passage, 626, 627.
 Returned to House, 690, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 573—

House Bill No. 573. A Bill for an Act to amend and reenact Section 7-0416 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to loans made by building and loan associations and removing the limitation of one hundred thousand dollars on loans made upon any one piece of property.

Received from House, 330.
 First reading and referred to Committee on Industry, Business and Labor, 350.
 Reported back, do pass, 586.
 Second reading and final passage, 627.
 Returned to House, 690, 801.
 Returned to Senate, 764.
 Signed by Speaker, 764.
 Signed by President, 775.

House Bill No. 574—

House Bill No. 574. A Bill for an Act to permit building and loan associations to lend funds for residential development purposes.

Received from House, 330.
 First reading and referred to Committee on Industry, Business and Labor, 351.
 Reported back, do pass, 586.
 Second reading and final passage, 627, 628.

Title amended, 628.
Returned to House, amended, 691.
House concurred, 755.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.
Returned to House, 979.

House Bill No. 575—

House Bill No. 575. A Bill for an Act to amend and reenact Section 12-2209 of the North Dakota Revised Code of 1943 relating to the definition of adultery.

Received from House, 128.
First reading and referred to Committee on Judiciary, 129.
Reported back, do pass, 566.
Second reading and final passage, 604.
Returned to House, 664, 736.
Returned to Senate, 716.
Signed by Speaker, 716.
Signed by President, 734.

House Bill No. 576—

House Bill No. 576. A Bill for an Act to amend and reenact Sections 43-1014 and 43-1015 of the North Dakota Revised Code of 1943 relating to license fees of embalmers.

Received from House, 245.
First reading and referred to Committee on Social Welfare and Veterans Affairs, 257.
Reported back, do pass, 586.
Second reading and final passage, 628.
Returned to House, 690, 736.
Returned to Senate, 716.
Signed by Speaker, 716.
Signed by President, 735.

House Bill No. 577—

House Bill No. 577. A Bill for an Act creating a board of examiners in watchmaking, prescribing the power and duties of the board, providing for the regulation, supervision and licensing of watchmakers as defined in the Act, prescribing penalties for violation of provisions of this Act.

Received from House, 283.
First reading and referred to Committee on Industry, Business and Labor, 303.
Reported back, do pass, 586.
Second reading and final passage, clincher, 629, 682, 683.
Laid over one legislative day, 629.
Returned to House, 714, 979.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 578—

House Bill No. 578. A Bill for an Act to provide for the levy of special assessments on certain state property.

Received from House, 185.

First reading and referred to Committee on Political Subdivisions, 223.

Reported back, do pass, 656.

Second reading and final passage, 698, 699.

Returned to House, 735, 979.

Signed by Speaker, 866.

Returned to Senate, 866.

Signed by President, 979.

House Bill No. 579—

House Bill No. 579. A Bill for an Act to amend and reenact section 24-0114 and section 39-0907 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 39-0903, subsection 18 of section 40-0501 and subsection 14 of section 40-0502 of the North Dakota Revised Code of 1943 relating to the regulation of speed limits by the highway commissioner, superintendent of state highway patrol and local authorities.

Received from House, 128.

First reading and referred to Committee on Transportation, 129.

Reported back, amended, 656.

Amended, 732.

Amendments adopted, 695.

Second reading and final passage, 732, 733.

Returned to House, amended, 752.

House concurred, 774.

Returned to Senate, 959.

Signed by Speaker, 959.

Signed by President, 967.

Returned to House, 968.

House Bill No. 580—

House Bill No. 580. A Bill for an Act to amend and reenact section 26-2244 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to adjustment of hail insurance on damaged crops.

Received from House, 185.

First reading and referred to Committee on Agriculture, 223.

Re-referred to Committee on Agriculture, 586.

Reported back, 586.

Reported back, indefinitely postponed, 708.

Returned to House, indefinitely postponed, 752.

House Bill No. 582—

House Bill No. 582. A Bill for an Act to authorize a uniform complaint and summons for use in connection with violations of laws relating to the operation of motor vehicles, and to repeal section 27-0226 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the authority of the North Dakota supreme court to establish such a uniform complaint and summons form.

Received from House, 357.
 First reading and referred to Committee on Judiciary,
 375.
 Reported back, amended, 708.
 Amendments adopted, 749.
 Second reading and final passage, clincher, 815.
 Returned to House, amended, 842.
 House concurred, 899.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 583—

House Bill No. 583. A Bill for an Act relating to teachers employment and contracts, and amending and reenacting section 15-4727 of the 1957 Supplement.

Received from House, 309.
 First reading and referred to Committee on
 Education, 334.
 Reported back, amended, 552.
 Amendments adopted, 570.
 Second reading and final passage, 604, 605.
 Returned to House, amended, 664.
 House concurred, 696.
 Returned to Senate, 716.
 Signed by Speaker, 716.
 Signed by President, 735.
 Returned to House, 736.

House Bill No. 584—

House Bill No. 584. A Bill for an Act to amend and reenact section 40-1008 of the North Dakota Revised Code of 1943 relating to the city manager plan of local government for cities.

Received from House, 160.
 First reading and referred to Committee on Political
 Subdivisions, 175.
 Reported back, do pass, 657.
 Second reading and final passage, 699.
 Returned to House, 735, 968.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 967.

House Bill No. 585—

House Bill No. 585. A Bill for an Act relating to school attendance and to amend section 15-4701 of the 1957 Supplement.

Received from House, 407.
 First reading and referred to Committee on
 Education, 438.
 Reported back, amended, 553.
 Amendments adopted, 570.

Second reading and final passage, 605.
Returned to House, amended, 664.
House concurs, 696.
Returned to Senate, 716.
Signed by Speaker, 716.
Signed by President, 735.
Returned to House, 736.

House Bill No. 586—

House Bill No. 586. A Bill for an Act to amend and reenact section 57-0220 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the exemption of farm machinery from personal property tax, and declaring an emergency.

Received from House, 301.
First reading and referred to Committee on Finance and Taxation, 313.
Reported back, do pass, 708.
Amended, 842.
Placed on calendar, 842.
Second reading and final passage, 842.
Lost, 928.
Returned to House, lost, 935.

House Bill No. 587—

House Bill No. 587. A Bill for an Act to amend and reenact sections 24-0217 and 24-0223 of the 1957 Supplement to the North Dakota Revised Code of 1943 to increase the sums of highway contracts requiring advertising for bids and contract bonds.

Received from House, 185.
First reading and referred to Committee on Transportation, 223.
Reported back, do pass, 781.
Amended, 829, 851.
Reconsidered, 829, 851.
Placed on calendar, 829.
Second reading and final passage, 826.
Indefinitely postponed, clincher, 851.
Returned to House, amended, 873.
House concurred, 900.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 967.
Returned to House, 968.

House Bill No. 589—

House Bill No. 589. A Bill for an Act to amend and reenact section 52-0413 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the lien of a judgment obtained in an action brought for the recovery of delinquent or defaulted unemployment compensation contributions and restricting the priority of such judgment lien to the same priority held by other judgments.

Received from House, 407.
First reading and referred to Committee on Judiciary,
438.
Reported back, do pass, 618.
Second reading and final passage, 683.
Returned to House, 714, 982.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.

House Bill No. 590—

House Bill No. 590. A Bill for an Act to amend and re-enact section 65-0426 of the North Dakota Revised Code of 1943, relating to the lien of a judgment obtained in an action brought for recovery of delinquent or defaulted workmen's compensation premiums and restricting the priority of such judgment lien to the same priority held by other judgments.

Received from House, 407.
First reading and referred to Committee on Judiciary,
438.
Reported back, do pass, 618.
Second reading and final passage, 683, 684.
Returned to House, 714, 858.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.

House Bill No. 594—

House Bill No. 594. A Bill for an Act to exempt from civil or criminal liability any peace officer, merchant or merchant's employee who takes into custody or detains any person who he has probable cause to believe has committed larceny of goods held for sale.

Received from House, 407.
First reading and referred to Committee on Judiciary,
438.
Reported back, do pass, 618.
Second reading and final passage, 684.
Returned to House, 714, 979.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 596—

House Bill No. 596. A Bill for an Act relating to the changing of tariffs, joint rates, fares, tolls, or classifications of common and contract carriers of persons and property.

Received from House, 283.
First reading and referred to Committee on Industry,
Business and Labor, 303.
Reported back, indefinitely postponed, 427.
Returned to House, indefinitely postponed, 479.

House Bill No. 597—

House Bill No. 597. A Bill for an Act creating a state milk control board to supervise and regulate the fluid milk industry of the state of North Dakota, and defining its powers and duties; setting forth the rules governing said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the board's rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this Act, and establishing the manner of this Act's taking effect, and providing for an appropriation.

Received from House, 465.

Returned to Senate, 551.

First reading and referred to Committee on Industry, Business and Labor, 486.

Re-referred to Committee on Agriculture, 551.

Reported back, divided report, do pass, 748.

Amended, 843.

Second reading, 843.

Final passage, clincher, 885.

Returned to House, amended, 887.

House laid amendments on table, 904.

Senate Bill No. 598—

House Bill No. 598. A Bill for an Act relating to counties, municipalities, health districts and other political subdivisions of the state of North Dakota; providing for the establishment of ambulance service therein; and declaring an emergency.

Received from House, 160.

First reading and referred to Committee on Social Welfare and Veterans Affairs, 175.

Reported back, amended, 657.

Amended, 695.

Amendments adopted, 695.

Second reading and final passage, emergency clause carried, clincher, 755, 756.

Returned to House, amended, 773.

House concurred, 867.

Returned to Senate, 980.

Signed by Speaker, 980.

Signed by President, 981.

Returned to House, 982.

House Bill No. 599—

House Bill No. 599. A Bill for an Act to amend and reenact section 16-1107 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to constitutional amendments and initiated and referred measures.

Received from House, 160.
First reading and referred to Committee on State and Federal Government, 175.
Reported back, amended, 553.
Amendments adopted, 570.
Second reading and final passage, 605, 606.
Returned to House, amended, 664.
House concurs, 696.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.
Returned to House, 801.

House Bill No. 600—

House Bill No. 600. A Bill for an Act to amend and reenact section 4-2242 of the North Dakota Revised Code of 1943 relating to the method of discontinuing soil conservation districts.

Received from House, 185.
First reading and referred to Committee on Agriculture, 223.
Reported back, do pass, 553.
Second reading and final passage, 571.
Returned to House, 624, 703.
Returned to Senate, 678.
Signed by Speaker, 678.
Signed by President, 703.

House Bill No. 602—

House Bill No. 602. A Bill for an Act to amend and reenact sections 11-1002, 11-1003, 58-0410, 58-0502, 58-0505, 58-0507, 58-1503, and 58-1504 of the North Dakota Revised Code of 1943, as amended, relating to the election of county and township constables and relating to police in unincorporated villages and to repeal sections 58-1003 and 58-1004 of the North Dakota Revised Code of 1943 relating to the office of township constables.

Received from House, 185.
First reading and referred to Committee on Political Subdivisions, 223.
Reported back, do pass, 708.
Second reading and final passage, 820.
Returned to House, indefinitely postponed, 873.

House Bill No. 604—

House Bill No. 604. A Bill for an Act to amend and reenact sections 16-1013 and 16-1305 of the North Dakota Revised Code of 1943 relating to the oath of election officers and authentication of reports and poll lists.

Received from House, 160.
First reading and referred to Committee on State and Federal Government, 175.
Reported back, do pass, 553.
Second reading and final passage, 571, 572.

Returned to House, 624, 703.
Returned to Senate, 678.
Signed by Speaker, 678.
Signed by President, 703.

House Bill No. 605—

House Bill No. 605. A Bill for an Act providing for registering absent voters' ballots on voting machines.

Received from House, 160.
First reading and referred to Committee on State and Federal Government, 175.
Reported back, do pass, 553.
Second reading and final passage, 572.
Returned to House, 624, 703.
Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 606—

House Bill No. 606. A Bill for an Act to amend and reenact subsection 8 of section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to sales tax exemptions.

Received from House, 301.
First reading and referred to Committee on Industry, Business and Labor, 313.
Reported back, indefinitely postponed, 553.
Returned to House, 593.

House Bill No. 607—

House Bill No. 607. A Bill for an Act to create and enact section 57-4135 of the North Dakota Revised Code of 1943 providing that a credit of a percentage of the motor vehicle fuel tax be given to retail dealers purchasing from bulk dealers, and allowing a deduction of such credits from the amount of tax due the state.

Received from House, 301.
First reading and referred to Committee on Industry, Business and Labor, 313.
Reported back, do pass, 586.
Second reading and final passage, 629.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 608—

House Bill No. 608. A Bill for an Act authorizing the State Board of Higher Education of the State of North Dakota to negotiate for and enter into a contract for the purchase of additional land for the use of the North Dakota Agricultural College at Fargo, North Dakota, and declaring an emergency.

Received from House, 301.
First reading and referred to Committee on
Education, 313.
Reported back, do pass, 560.
Second reading and final passage, emergency clause
carried, 572, 573.
Returned to House, 624, 703.
Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 609—

House Bill No. 609. A Bill for an Act to amend and re-enact subsection 59 of section 40-0501 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the powers of municipalities to accept aid from and cooperate with the federal or any state government or any agency or municipality thereof in the establishment, construction and maintenance of public works projects, to give authority to municipalities having a population of more than thirty thousand according to the last federal census, to agree to hold such governments, agencies and municipalities harmless from liability arising from such projects and to pay the cost of lands, rights-of-way and easements required in connection therewith, and declaring an emergency.

Received from House, 407.
First reading and referred to Committee on State and
Federal Government, 438.
Reported back, do pass, 566.
Second reading and final passage, emergency clause
carried, 606, 607.
Returned to House, 664, 703.
Returned to Senate, 696.
Signed by Speaker, 696.
Signed by President, 703.

House Bill No. 610—

House Bill No. 610. A Bill for an Act to amend and re-enact section 40-4911 of the North Dakota Revised Code of 1943 relating to meetings of the board of park commissioners of municipalities.

Received from House, 185.
First reading and referred to Committee on Political
Subdivisions, 224.
Reported back, do pass, 586.
Second reading and final passage, 629, 630.
Returned to House, 690, 736.
Returned to Senate, 716.
Signed by Speaker, 716.
Signed by President, 735.

House Bill No. 611—

House Bill No. 611. A Bill for an Act to amend and re-enact section 57-5005 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to refund of motor vehicle fuel tax to state or political subdivisions.

Received from House, 245.
 First reading and referred to Committee on Finance and
 Taxation, 257.
 Reported back, indefinitely postponed, 566.
 Returned to House, indefinitely postponed, 624.

House Bill No. 612—

House Bill No. 612. A Bill for an Act to amend and re-enact sections 65-0509, 65-0511, and 65-0517 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to maximum and minimum benefits to be paid for total disability, for temporary partial disability, and for death, under the Workmen's Compensation Act.

Received from House, 213.
 First reading and referred to Committee on Industry,
 Business and Labor, 224.
 Reported back, do pass, 553.
 Second reading and final passage, 573, 574.
 Returned to House, 624, 703.
 Returned to Senate, 679.
 Signed by Speaker, 679.
 Signed by President, 703.

House Bill No. 613—

House Bill No. 613. A Bill for an Act to amend and re-enact section 39-0636 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the restoration of revoked motor vehicle operators licenses.

Received from House, 245.
 First reading and referred to Committee on
 Transportation, 257.
 Reported back, indefinitely postponed, 657.
 Returned to House, indefinitely postponed, 691.

House Bill No. 614—

House Bill No. 614. A Bill for an Act to amend and re-enact section 23-0102 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to compensation of members of the health council.

Received from House, 407.
 First reading and referred to Committee on Social
 Welfare and Veterans Affairs, 438.
 Reported back, do pass, 657.
 Second reading and final passage, 699, 700.
 Returned to House, 735, 979.
 Returned to Senate, 866.
 Signed by Speaker, 866.
 Signed by President, 979.

House Bill No. 615—

House Bill No. 615. A Bill for an Act to amend and re-enact section 39-1204 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to width, height and length limitations on vehicles and exceptions thereto.

Received from House, 206.
 First reading and referred to Committee on
 Transportation, 224.
 Reported back, do pass, 658.
 Second reading and final passage, clincher, 700.
 Returned to House, 735, 968.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 967.

House Bill No. 616—

House Bill No. 616. A Bill for an Act to amend and re-enact section 39-1205 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to weight limitations for vehicles.

Received from House, 245.
 First reading and referred to Committee on
 Transportation, 257.
 Reported back, do pass, 658.
 Second reading and final passage, clincher, 700.
 Returned to House, 735, 979.
 Returned to Senate, 866.
 Signed by Speaker, 866.
 Signed by President, 979.

House Bill No. 620—

House Bill No. 620. A Bill for an Act promoting the sale of North Dakota dairy products; creating a North Dakota dairy products promotion commission and providing for its objectives, powers and duties, its collection and disbursement of funds, the assessment of butterfat produced and sold in the state of North Dakota, the administration of this Act, and prescribing penalties.

Received from House, 357.
 First reading and referred to Committee on
 Agriculture, 375.
 Reported back, do pass, 586.
 Second reading and final passage, 630.
 Returned to House, 690, 736.
 Returned to Senate, 716.
 Signed by Speaker, 716.
 Signed by President, 735.

House Bill No. 621—

House Bill No. 621. A Bill for an Act authorizing either registered or certified mail where the term "registered mail" appears in the laws of this state.

Received from House, 213.
 First reading and referred to Committee on State and
 Federal Government, 224.
 Re-referred to Committee on Judiciary.
 Returned to Senate, 552.
 Reported back, do pass, 587.

Second reading and final passage, 630, 631.
Returned to House, 690, 736.
Returned to Senate, 716.
Signed by Speaker, 716.
Signed by President, 735.

House Bill No. 622—

House Bill No. 622. A Bill for an Act authorizing the establishment of temporary roadblocks on the highways of this state, defining a temporary roadblock, providing minimum requirements in establishing temporary roadblocks, and other matters properly related thereto, providing a penalty, and declaring an emergency.

Received from House, 309.
First reading and referred to Committee on Judiciary, 334.
Reported back, do pass, 708.
Second reading and final passage, emergency clause carried, clincher, 766, 767.
Returned to House, 800, 968.
Returned to Senate, 959.
Signed by Speaker, 959.
Signed by President, 967.

House Bill No. 623—

House Bill No. 623. A Bill for an Act to provide for use of yield right-of-way signs and to amend and reenact subsection 49 of section 39-0101 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to through highways.

Received from House, 206.
First reading and referred to Committee on Transportation, 224.
Reported back, do pass, 658.
Second reading and final passage, 701.
Returned to House, 736, 979.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 624—

House Bill No. 624. A Bill for an Act to amend and reenact section 39-0801 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the punishment for conviction of drunken driving.

Received from House, 309.
First reading and referred to Committee on Judiciary, 334.
Reported back, indefinitely postponed, 781.
Returned to House, indefinitely postponed, 802.

House Bill No. 626—

House Bill No. 626. A Bill for an Act to provide for the clearing of title record of ownership of state highway system right of way held in name of political subdivisions, departments or agencies.

Received from House, 301.
First reading and referred to Committee on State and Federal Government, 313.
Reported back, do pass, 554.
Second reading and final passage, 574.
Returned to House, 624, 703.
Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 627—

House Bill No. 627. A Bill for an Act to amend and reenact section 44-0804 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to expenses of certain state officers.

Received from House, 265.
First reading and referred to Committee on State and Federal Government, 286.
Reported back, do pass, 709.
Second reading and final passage, clincher, 767, 768.
Returned to House, 800, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 967.

House Bill No. 628—

House Bill No. 628. A Bill for an Act relating to liquefied petroleum gas, establishing standards of weights and measures therefor, providing for the testing of weighing and measuring devices used in the retail sale thereof, and the condemnation of inaccurate devices, prescribing duties and the authority of the department of weights and measures as to liquefied petroleum gas, and providing penalties.

Received from House, 407.
First reading and referred to Committee on Industry, Business and Labor, 439.
Reported back, do pass, 587.
Second reading and final passage, 633.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 629—

House Bill No. 629. A Bill for an Act authorizing the state board of higher education to negotiate a lease with the Mayville Mutual Aid Corporation, a domestic non-profit corporation, for certain state land located on the Mayville State Teachers College campus, and declaring an emergency.

Received from House, 245.
First reading and referred to Committee on State and Federal Government, 257.
Reported back, do pass, 709.
Second reading and final passage, emergency clause carried, clincher, 768.

Returned to House, 800, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 630—

House Bill No. 630. A Bill for an Act to amend and re-enact Section 43-0424 of the North Dakota Revised Code of 1943 relating to minimum standard of schools of barbering.

Received from House, 283.
 First reading and referred to Committee on State and Federal Government, 303.
 Reported back, do pass, 554.
 Second reading and final passage, 574, 575.
 Returned to House, 624, 703.
 Returned to Senate, 679.
 Signed by Speaker, 679.
 Signed by President, 703.

House Bill No. 631—

House Bill No. 631. A Bill for an Act to amend and re-enact section 11-1015 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to mileage paid to county officials, and declaring an emergency.

Received from House, 283.
 First reading and referred to Committee on State and Federal Government, 303.
 Reported back, do pass, 709.
 Second reading and final passage, emergency clause carried, clincher, 768, 769.
 Returned to House, 800, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 632—

House Bill No. 632. A Bill for an Act to amend and re-enact section 11-1010 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to salaries of county officers.

Received from House, 427.
 Returned to Senate, 552.
 First reading and referred to Committee on State and Federal Government, 475.
 Re-referred to Committee on Political Subdivisions, 552.
 Reported back, divided report, amended, 747.
 Reported back, do pass, 748.
 Amendments adopted, 802.
 Second reading and final passage, 855.
 Clincher, 952.
 Returned to House, amended, 873.
 Amended, 949, 950, 951.
 House does not concur, 900.
 Conference Committee, Senate, 900, 916.

Conference Committee, House, 900, 931.
Conference Committee report, discharged, 915.
Conference Committee report, adopted, 949.
House Conference Committee report, 952.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 633—

House Bill No. 633. A Bill for an Act relating to bids on school district contracts and to amend and reenact section 15-4715 of the 1957 Supplement.

Received from House, 301.
First reading and referred to Committee on Education, 313.
Reported back, do pass, 560.
Second reading and final passage, 575.
Returned to House, 624, 703.
Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 634—

House Bill No. 634. A Bill for an Act to create and enact subsection 18 of section 58-0601 of the North Dakota Revised Code of 1943, relating to the general powers and duties of township boards, and declaring an emergency.

Received from House, 206.
First reading and referred to Committee on Political Subdivisions, 224.
Reported back, do pass, 587.
Second reading and final passage, emergency clause carried, 633, 634.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 635—

House Bill No. 635. A Bill for an Act to create and enact subsection C. of section 52-0921 relating to refunds.

Received from House, 301.
First reading and referred to Committee on Political Subdivisions, 314.
Reported back, do pass, 587.
Second reading and final passage, 634.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 638—

House Bill No. 638. A Bill for an Act to amend and reenact section 27-1603 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the compensation of juvenile commissioners, and amending Title 27 of the North Dakota Revised Code of 1943 by creating section 27-16031 providing for the appointment of juvenile court assistants and section 27-16032 providing for the compensation and expenses of juvenile court assistants.

Received from House, 427.

First reading and referred to Committee on Judiciary, 475.

Re-referred to Committee on Judiciary, 654.

Reported back, amended, 587, 741, 742.

Amendments adopted, 624, 802.

Second reading and final passage, clincher, 855, 858.

Returned to House, amended, 873.

House concurred, 920.

Returned to Senate, 980.

Signed by Speaker, 980.

Signed by President, 981.

Returned to House, 982.

House Bill No. 640—

House Bill No. 640. A Bill for an Act relating to the purchase of intoxicating liquor by or for a person under twenty-one years of age, the furnishing of false evidence as to age, and providing a penalty.

Received from House, 245.

First reading and referred to Committee on Social Welfare and Veterans Affairs, 257.

Reported back, do pass, 381.

Second reading and final passage, 412.

Returned to House, 450, 538.

Returned to Senate, 487.

Signed by Speaker, 487.

Signed by President, 521.

House Bill No. 641—

House Bill No. 641. A Bill for an Act to amend and reenact Section 28-1301 of the 1957 Supplement to the North Dakota Revised Code of 1943, and Section 28-1305 of the North Dakota Revised Code of 1943, relating to affidavits of prejudice in district court, and duties of the judge designated to hear the cause, and declaring an emergency.

Received from House, 407.

First reading and referred to Committee on Judiciary, 439.

Reported back, indefinitely postponed, 709.

Returned to House, indefinitely postponed, 752.

House Bill No. 642—

House Bill No. 642. A Bill for an Act to amend and reenact sections 16-1012, 16-10121, 16-1016 and 40-2105 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to compensation of election officials.

Received from House, 265.
 First reading and referred to Committee on Political
 Subdivisions, 286.
 Reported back, indefinitely postponed, 671.
 Returned to House, indefinitely postponed, 715.

House Bill No. 643—

House Bill No. 643. A Bill for an Act to amend and re-enact sections 16-1710, 16-1712, and 16-1715 of the North Dakota Revised Code of 1943, relating to the meetings of the county committees and the state central committees.

Received from House, 283.
 First reading and referred to Committee on State and
 Federal Government, 303.
 Reported back, amended, 709.
 Amendments adopted, 749.
 Second reading and final passage, clincher, 815.
 Returned to House, amended, 842.
 House concurred, 899.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 644—

House Bill No. 644. A Bill for an Act making an appropriation to the office of the adjutant general to cover expenses incurred for the inauguration of elected state officials.

Received from House, 309.
 First reading and referred to Committee on
 Appropriations, 334.
 Reported back, do pass, 613.
 Second reading and final passage, 684, 685.
 Returned to House, 714, 979.
 Returned to Senate, 866.
 Signed by Speaker, 866.
 Signed by President, 979.

House Bill No. 645—

House Bill No. 645. A Bill for an Act to amend and re-enact section 20-0310 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to licenses to hunt big game and special permits to hunt deer.

Received from House, 245.
 First reading and referred to Committee on Natural
 Resources, 257.
 Reported back, do pass, 658.
 Second reading and final passage, clincher, 702.
 Returned to House, 736, 979.
 Returned to Senate, 866.
 Signed by Speaker, 866.
 Signed by President, 979.

House Bill No. 646—

House Bill No. 646. A Bill for an Act to provide for an alternate firemen's relief association plan whereby firemen can participate in a disability pension and retirement pension program, and the surviving dependents of a deceased fireman can receive pension payments, and authorizing a tax levy.

Received from House, 265.
 First reading and referred to Committee on State and Federal Government, 286.
 Reported back, amended, 554.
 Amended, 607.
 Amendments adopted, 570.
 Placed at foot of calendar, 607.
 Second reading, 607.
 Second reading and final passage, 617.
 Returned to House, amended, 664.
 House concurs, 696.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.
 Returned to House, 858.

House Bill No. 647—

House Bill No. 647. A Bill for an Act to amend and reenact section 39-0712 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provisions governing repair of vehicles involved in reportable accidents, and providing a penalty for violation.

- Received from House, 407.
 First reading and referred to Committee on Transportation, 439.
 Reported back, do pass, 588.
 Second reading and final passage, 634, 635.
 Returned to House, 690, 736.
 Returned to Senate, 716.
 Signed by Speaker, 716.
 Signed by President, 735.

House Bill No. 648—

House Bill No. 648. A Bill for an Act to amend and reenact section 39-1132 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provisions governing equipment of vehicles and providing a penalty for violation.

Received from House, 301.
 First reading and referred to Committee on Transportation, 314.
 Reported back, do pass, 588.
 Second reading and final passage, 635.
 Returned to House, 690, 736.
 Returned to Senate, 716.
 Signed by Speaker, 716.
 Signed by President, 735.

House Bill No. 649—

House Bill No. 649. A Bill for an Act to create and re-enact subsection 21 of section 57-0208 of the North Dakota Revised Code of 1943, relating to an exemption to disabled veterans or their unremarried widows from real property assessments.

Received from House, 407.

First reading and referred to Committee on Finance and Taxation, 439.

Re-referred to Committee on Social Welfare and Veterans Affairs, 566.

Reported back, indefinitely postponed, 671.

Returned to House, indefinitely postponed, 715.

House Bill No. 650—

House Bill No. 650. A Bill for an Act to protect the health, safety, and welfare of the people of the state of North Dakota; defining terms used in this Act; prescribing regulation for the practice of massage and the conduct of massage establishments; providing for the creation of a board of masseurs and defining the powers and duties of such board; providing for the inspection of all massage establishments and requiring the registration of all who practice massage; registration fee, appropriating the proceeds thereof to accomplish the purposes of this Act, and providing penalties for the violation of any provisions of this Act.

Received from House, 408.

First reading and referred to Committee on State and Federal Government, 439.

Reported back, amended, 566.

Amendments adopted, 596.

Second reading and final passage, 635, 636.

Returned to House, amended, 691.

House concurred, 803.

Returned to Senate, 980.

Signed by Speaker, 980.

Signed by President, 981.

Returned to House, 982.

House Bill No. 652—

House Bill No. 652. A Bill for an Act authorizing affixing or including a written statement to the standard policy excluding loss or damage caused by nuclear reaction; provided, however, that insurers may assume coverage for loss or damage caused by nuclear reaction by endorsement.

Received from House, 357.

First reading and referred to Committee on Industry, Business and Labor, 376.

Reported back, do pass, 588.

Second reading and final passage, 636, 637.

Returned to House, 690, 736.

Returned to Senate, 716.

Signed by Speaker, 716.

Signed by President, 735.

House Bill No. 653—

House Bill No. 653. A Bill for an Act to amend and re-enact section 27-0905 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the fees paid to jurors.

Received from House, 408.

First reading and referred to Committee on Judiciary, 439.

Reported back, indefinitely postponed, 588.

Returned to House, indefinitely postponed, 624.

House Bill No. 654—

House Bill No. 654. A Bill for an Act to repeal subdivisions a and b of subsection 1 of section 18-1011 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to territory to be annexed, and declaring an emergency.

Received from House, 408.

First reading and referred to Committee on Political Subdivisions, 439.

Reported back, do pass, 588.

Second reading and final passage, emergency clause carried, 637.

Returned to House, 690, 801.

Returned to Senate, 764.

Signed by Speaker, 764.

Signed by President, 775.

House Bill No. 655—

House Bill No. 655. A Bill for an Act to amend and re-enact section 18-1001 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to territory to be annexed and petition, and declaring an emergency.

Received from House, 408.

First reading and referred to Committee on Political Subdivisions, 440.

Reported back, do pass, 588.

Second reading and final passage, emergency clause carried, 637, 638.

Returned to House, 690, 801.

Returned to Senate, 764.

Signed by Speaker, 764.

Signed by President, 775.

House Bill No. 657—

House Bill No. 657. A Bill for an Act to amend and re-enact section 15-3409 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to transportation or maintenance of pupils.

Received from House, 538.

First reading and referred to Committee on Education, 543, 544.

Reported back, do pass, 742.

Second reading and final passage, clincher, 807.
Returned to House, 814, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 967.

House Bill No. 659—

House Bill No. 659. A Bill for an Act to amend and reenact sub-sections (5) and (7) of Section 57-5203, Section 57-5204 and Section 57-5217 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the special fuel tax and exempting special fuel sold for heating, agricultural or railroad purposes and providing for the administration thereof.

Received from House, 283.
First reading and referred to Committee on Finance and Taxation, 303.
Reported back, do pass, 554.
Second reading and final passage, 575, 576.
Returned to House, 624, 704.
Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 660—

House Bill No. 660. A Bill for an Act creating a National Statuary Hall Commission in North Dakota for the purpose of placing a statue of Four Bears in the National Statuary Hall in Washington, D.C. and making an appropriation.

Received from House, 538.
First reading and referred to Committee on State and Federal Government, 544.
Re-referred to Committee on Appropriations, 554.
Reported back, do pass, 554, 742.
Second reading and final passage, clincher, 808.
Returned to House, 814, 968.
Returned to Senate, 959.
Signed by Speaker, 959.
Signed by President, 967.

House Bill No. 662—

House Bill No. 662. A Bill for an Act to amend and reenact section 57-15064 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the levy authorized for the payment of the salary and traveling expenses of the county veterans' service officer.

Received from House, 283.
First reading and referred to Committee on Finance and Taxation, 303.
Reported back, do pass, 709.
Second reading and final passage, clincher, 769.
Returned to House, 800, 968.
Returned to Senate, 959.
Signed by Speaker, 959.
Signed by President, 967.

House Bill No. 663—

House Bill No. 663. A Bill for an Act to amend and reenact Section 23-1501 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the definition of fireworks; and to amend and reenact Section 23-1506 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the penalty for violations of Chapter 23-15 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 408.
First reading and referred to Committee on State and Federal Government, 440.
Reported back, amended, 554.
Amendments adopted, 570.
Second reading and final passage, 607.
Returned to House, amended, 664.
House concurs, 696.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.
Returned to House, 801.

House Bill No. 664—

House Bill No. 664. A Bill for an Act relating to the inclusion of land in and exclusion of land from an irrigation district and repealing sections 61-1003, 61-1004, 61-1006, 61-1007, 61-1008, 61-1009, 61-1010, 61-1011, 61-1013, 61-1014, 61-1015, 61-1017, 61-1018, 61-1019, 61-1020, 61-1021 and 61-1023 of the North Dakota Revised Code of 1943, repealing all acts and parts of acts in conflict with the provisions of this Act.

Received from House, 465.
First reading and referred to Committee on Agriculture, 486.
Reported back, do pass, 588.
Second reading and final passage, 638.
Returned to House, 690, 858.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.

House Bill No. 667—

House Bill No. 667. A Bill for an Act prohibiting the sale, distribution and possession of fire extinguishers containing toxic or poisonous vaporizing liquids, and providing a penalty.

Received from House, 408.
First reading and referred to Committee on State and Federal Government, 440.
Reported back, amended, 709, 710.
Amendments adopted, 749.
Second reading and final passage, emergency clause carried, clincher, 816.
Returned to House, amended, 842.

House concurred, 899.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 668—

House Bill No. 668. A Bill for an Act to amend and reenact section 15-4213 of the North Dakota Revised Code of 1943, and section 15-4208 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to maintenance of county agricultural and training schools.

Received from House, 538.
First reading and referred to Committee on Education, 544.
Reported back, indefinitely postponed, 567.
Returned to House, indefinitely postponed, 625.

House Bill No. 671—

House Bill No. 671. A Bill for an Act to require county treasurer to give notice of real property taxes due.

Received from House, 301.
First reading and referred to Committee on Finance and Taxation, 314.
Reported back, do pass, 710.
Second reading and final passage, 769.
Lost, clincher, 770.
Returned to House, 802.

House Bill No. 672—

House Bill No. 672. A Bill for an Act to amend and reenact sections 63-0305 and 63-0306 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the cutting or destroying of weeds and grasses along highways, roads, streets and alleys, and to repeal sections 63-0301, 63-0302, 63-0303, and 63-0304 of the North Dakota Revised Code of 1943 relating to the cutting or destroying of such weeds or grasses.

Received from House, 541.
First reading and referred to Committee on Agriculture, 549.
Reported back, amended, 622,623.
Laid over one legislative day, 667.
Amendments adopted, 718.
Second reading and final passage, indefinitely postponed, clincher, 820.
Returned to House, indefinitely postponed, 873.

House Bill No. 675—

House Bill No. 675. A Bill for an Act to amend and reenact Section 12-5202 of the North Dakota Revised Code of 1943, relating to paroles from the state training school; and providing for the parole of children into licensed foster homes.

Received from House, 245.
First reading and referred to Committee on Social
Welfare and Veterans Affairs, 257.
Reported back, amended, 381.
Amendments adopted, 405.
Second reading and final passage, 436.
Returned to House, 479, 563.
House concurred, 493.
Signed by Speaker, 551.
Returned to Senate, 551.
Signed by President, 559.

House Bill No. 676—

House Bill No. 676. A Bill for an Act to amend and reenact subsection 1 of section 27-1701 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to retirement of Supreme Court judges and District Court judges.

Received from House, 427.
First reading and referred to Committee on Judiciary,
475.
Reported back, amended, 618.
Amendments adopted, 661.
Second reading and final passage, 702, 703.
Returned to House, amended, 736.
House concurred, 775.
Returned to Senate, 959.
Signed by Speaker, 959.
Signed by President, 967.
Returned to House, 968.

House Bill No. 677—

House Bill No. 677. A Bill for an Act to amend and reenact section 4-0901 of the 1957 Supplement to the North Dakota Revised Code of 1943 by amending subsection 6 and creating and enacting subsection 23, and to amend and reenact sections 4-0908, 4-0910, and 4-0911 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the state seed department.

Received from House, 408.
First reading and referred to Committee on Agriculture,
440.
Reported back, do pass, 554.
Second reading and final passage, 576.
Returned to House, 624, 704.
Signed by Speaker, 679.
Returned to Senate, 679.
Signed by President, 703.

House Bill No. 678—

House Bill No. 678. A Bill for an Act to amend and reenact sections 36-0507, 36-0508, and 36-0511 of the North Dakota Revised Code of 1943, and sections 36-0501, 36-0503, 36-0504, 36-0505, 36-0506, 36-0509, 36-0510, 36-0512, and

36-0513 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to changing the name of "live-stock sales rings" to "livestock auction markets", and to repeal section 36-0503 of the 1957 Supplement to the North Dakota Revised Code of 1943, as amended by section 20 of chapter 231 of the 1957 Session Laws of North Dakota.

Received from House, 309.
First reading and referred to Committee on Agriculture, 334.
Reported back, do pass, 589.
Second reading and final passage, 638, 639.
Returned to House, 690, 801.
Signed by Speaker, 764.
Returned to Senate, 764.
Signed by President, 775.

House Bill No. 680—

House Bill No. 680. A Bill for an Act relating to absence of teachers due to sickness.

Received from House, 309.
First reading and referred to Committee on Education, 334.
Reported back, amended, 567.
Amended, 639.
Placed on calendar, 639.
Second reading and final passage, 639, 685.
Returned to House, amended, 714.
House concurred, 755.
Signed by Speaker, 866.
Returned to House, 979.
Returned to Senate, 866.
Signed by President, 979.

House Bill No. 681—

House Bill No. 681. A Bill for an Act to amend and reenact Section 40-4807 of the North Dakota Revised Code of 1943 relating to the limitations on expenditures to be made by planning commissions of municipalities and authorizing tax levies therefor.

Received from House, 408.
First reading and referred to Committee on State and Federal Government, 440.
Reported back, do pass, 555.
Second reading and final passage, 576, 577.
Returned to House, 624, 704.
Signed by Speaker, 679.
Returned to Senate, 679.
Signed by President, 703.

House Bill No. 682—

House Bill No. 682. A Bill for an Act to amend and reenact subsection 2 of section 5-0503 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to qualifications required for license.

Received from House, 408.
Returned to Senate, 552.
First reading and referred to Committee on State and Federal Government, 440.
Re-referred to Committee on Judiciary, 552.
Reported back, indefinitely postponed, 710.
Returned to House, indefinitely postponed, 752.

House Bill No. 683—

House Bill No. 683. A Bill for an Act providing for the regulating of the taking of turtles within this state.

Received from House, 330.
First reading and referred to Committee on Natural Resources, 351.
Reported back, do pass, 658.
Second reading and final passage, 719, 720.
Returned to House, 752, 979.
Signed by Speaker, 866.
Returned to Senate, 866.
Signed by President, 979.

House Bill No. 684—

House Bill No. 684. A Bill for an Act to amend and reenact section 20-0407 of the North Dakota Revised Code of 1943 relating to the use of blinds in hunting.

Received from House, 301.
First reading and referred to Committee on Natural Resources, 314.
Reported back, do pass, 658.
Second reading and final passage, 720.
Returned to House, 752, 979.
Signed by Speaker, 866.
Returned to Senate, 866.
Signed by President, 979.

House Bill No. 685—

House Bill No. 685. A Bill for an Act to amend and reenact sections 20-0332 and 20-0404 of the North Dakota Revised Code of 1943 and sections 20-0502 and 20-0603 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to possession of game lawfully taken outside the state.

Received from House, 330.
First reading and referred to Committee on Natural Resources, 351.
Reported back, do pass, 671.
Second reading and final passage, 729.
Returned to House, 752, 979.
Signed by Speaker, 866.
Returned to Senate, 866.
Signed by President, 979.

House Bill No. 687—

House Bill No. 687. A Bill for an Act to amend and reenact subsection 9 of section 57-0208 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to property exempt from taxation owned by religious corporation or organization.

Received from House, 265.

First reading and referred to Committee on Political Subdivisions, 286.

Reported back, do pass, 781.

Second reading and final passage, lost, 826.

Returned to House, lost, 873.

House Bill No. 688—

House Bill No. 688. A Bill for an Act to create and enact subsection H of section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943, and to amend and reenact subparagraph 3 of subsection D, and amend and reenact subsection G of section 52-0915 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to deductions from and additions to benefits received under the old age and survivor insurance system.

Received from House, 283.

First reading and referred to Committee on State and Federal Government, 303, 304.

Reported back, do pass, 555.

Reconsidered, 603.

Placed at head of calendar, 604.

Second reading and final passage, 577, 578, 604.

Indefinitely postponed, 604.

Returned to House, indefinitely postponed, 664.

House Bill No. 689—

House Bill No. 689. A Bill for an Act to create and enact section 57-38153 of the North Dakota Revised Code of 1943 to provide capital gains income tax treatment for certain dividends received from regulated investment companies, and providing an effective date.

Received from House, 301.

First reading and referred to Committee on Finance and Taxation, 314.

Reported back, indefinitely postponed, 555.

Reconsidered, 584.

Placed on calendar, 584.

Second reading and final passage, 607.

Indefinitely postponed, 608.

Returned to House, indefinitely postponed, 664.

House Bill No. 690—

House Bill No. 690. A Bill for an Act to amend and reenact subsection 7 of section 57-3822 of the North Dakota Revised Code of 1943 relating to dividends and liquidating distributions deductions allowed in computing net income.

Received from House, 541.
First reading and referred to Committee on Finance and
Taxation, 549.
Reported back, indefinitely postponed, 555.
Reconsidered, 584.
Placed on calendar, 584.
Second reading and final passage, 608.
Indefinitely postponed, 608.
Returned to House, indefinitely postponed, 664.

House Bill No. 691—

House Bill No. 691. A Bill for an Act creating a department of civil air patrol, providing for its organization, defining its duties, and making an appropriation.

Received from House, 408.
First reading and referred to Committee on
Appropriations, 440.
Reported back, do pass, 743.
Second reading and final passage, clincher, 808.
Returned to House, 814, 982.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.

House Bill No. 692—

House Bill No. 692. A Bill for an Act to amend and reenact section 46-0603 of the North Dakota Revised Code of 1943 relating to the time when a newspaper can make application to place its name on ballot at a primary election for nomination as the official county newspaper.

Received from House, 283.
First reading and referred to Committee on State and
Federal Government, 304.
Reported back, do pass, 555.
Second reading and final passage, 578.
Returned to House, 624, 704.
Signed by Speaker, 679.
Returned to Senate, 679.
Signed by President, 703.

House Bill No. 693—

House Bill No. 693. A Bill for an Act to amend and reenact section 16-20171 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the disclosure of name of sponsor in political advertisements.

Received from House, 283.
First reading and referred to Committee on State and
Federal Government, 304.
Reported back, do pass, 555.
Second reading and final passage, 578, 579.
Returned to House, 624, 704.
Signed by Speaker, 679.
Returned to Senate, 679.
Signed by President, 703.

House Bill No. 694—

House Bill No. 694. A Bill for an Act to amend and reenact section 24-1201 and subsections 1 and 2 of section 39-0309 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to injuries to highways and authority of highway patrol.

Received from House, 301.
First reading and referred to Committee on Transportation, 314.
Reported back, do pass, 589.
Second reading and final passage, 639, 640.
Returned to House, 690, 736.
Signed by Speaker, 716.
Returned to Senate, 716.
Signed by President, 735.

House Bill No. 695—

House Bill No. 695. A Bill for an Act to create and enact section 63-0117 of the North Dakota Revised Code of 1943, relating to the establishment of emergency areas for the control of leafy spurge, and declaring an emergency.

Received from House, 487.
First reading and referred to Committee on Agriculture, 541.
Reported back, amended, 710.
Amendments adopted, 749.
Second reading and final passage, emergency clause carried, clincher, 816, 817.
Returned to House, amended, 842.
House concurred, 899.
Returned to Senate, 980.
Signed by President, 981.
Signed by Speaker, 980.
Returned to House, 982.

House Bill No. 696—

House Bill No. 696. A Bill for an Act to amend and reenact sections 43-1104 and 43-1121 of the North Dakota Revised Code of 1943, and sections 43-1106 and 43-1117 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the profession of hairdressing and cosmetology.

Received from House, 330.
First reading and referred to Committee on State and Federal Government, 351.
Reported back, do pass, 711.
Second reading and final passage, clincher, 770, 771.
Returned to House, 800, 968.
Signed by Speaker, 959.
Returned to Senate, 959.
Signed by President, 967.

House Bill No. 697—

House Bill No. 697. A Bill for an Act to require school districts to provide special instruction and services for handicapped, educable children, providing aid for employment of personnel and for purchase or rental of supplies and equipment, providing aid for transporting or boarding such children and to authorize school districts to provide special instruction and services for trainable and exceptional children and for their transportation or board and lodging, and to repeal chapter 15-59 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 538.

First reading and referred to Committee on Education, 544.

Reported back, indefinitely postponed, 749.

Returned to House, indefinitely postponed, 802.

House Bill No. 698—

House Bill No. 698. A Bill for an Act authorizing the establishment and construction of a state historical museum at or near the city of Pembina, North Dakota.

Received from House, 427.

First reading and referred to Committee on State and

Federal Government, 475.

Reported back, do pass, 743.

Second reading and final passage, clincher, 809.

Returned to House, 814, 968.

Signed by Speaker, 959.

Returned to Senate, 959.

Signed by President, 967.

House Bill No. 700—

House Bill No. 700. A Bill for an Act authorizing municipalities in certain cases to levy special assessments for water and sewer improvements upon benefited properties which were not assessed at the time of construction thereof, prescribing the procedure for and the limitations upon the levy of such assessments, and declaring an emergency.

Received from House, 283.

First reading and referred to Committee on Political

Subdivisions, 304.

Reported back, do pass, 589.

Second reading and final passage, emergency clause carried, 640.

Returned to House, 690, 801.

Signed by Speaker, 764.

Returned to Senate, 764.

Signed by President, 775.

House Bill No. 701—

House Bill No. 701. A Bill for an Act to amend and reenact section 57-0228 of the North Dakota Revised Code of 1943 relating to computation of property taxes, and declaring an emergency.

Received from House, 538.
First reading and referred to Committee on Finance and Taxation, 544.
Reported back, do pass, 567.
Second reading and final passage, emergency clause carried, 608.
Returned to House, 664, 736.
Signed by Speaker, 716.
Returned to Senate, 716.
Signed by President, 735.

House Bill No. 702—

House Bill No. 702. A Bill for an Act to amend and re-enact section 57-2024 of the North Dakota Revised Code of 1943 relating to the method of payment of due tax redemption certificates, and the disposition of payments that are overdue and have not been claimed.

Received from House, 301.
First reading and referred to Committee on Finance and Taxation, 314.
Reported back, do pass, 711.
Second reading and final passage, clincher, 771.
Returned to House, 800, 968.
Signed by Speaker, 959.
Returned to Senate, 959.
Signed by President, 967.

House Bill No. 703—

House Bill No. 703. A Bill for an Act to amend and re-enact section 12-2120 of the North Dakota Revised Code of 1943, relating to Sunday hours of theaters.

Received from House, 487.
First reading and referred to Committee on Industry, Business and Labor, 541.
Reported back, do pass, 711.
Reconsidered, 774.
Placed at head of calendar, 774.
Second reading and final passage, lost due to lack of a two-thirds majority, 771, 772.
Passed, clincher, 774.
Returned to House, 800, 968.
Signed by Speaker, 958.
Returned to Senate, 958.
Signed by President, 967.

House Bill No. 705—

House Bill No. 705. A Bill for an Act to amend and re-enact section 40-4201 of the North Dakota Revised Code of 1943 relating to time for filing a claim against a municipality for damages arising from defective streets, sidewalks, or bridges.

Received from House, 301.
First reading and referred to Committee on Political Subdivisions, 314.
Reported back, do pass, 658.

Second reading and final passage, 720, 721.
 Returned to House, 752, 968.
 Signed by Speaker, 958.
 Returned to Senate, 958.
 Signed by President, 967.

House Bill No. 706—

House Bill No. 706. A Bill for an Act to authorize the state game and fish department to lease land which is under its jurisdiction to nonprofit corporations for development and improvement.

Received from House, 309.
 First reading and referred to Committee on Natural Resources, 334, 335.
 Reported back, amended, 671.
 Amendments adopted, 718.
 Second reading and final passage, clincher, 803, 804.
 Returned to House, amended, 842.
 House concurred, 899.
 Signed by Speaker, 980.
 Returned to Senate, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 707—

House Bill No. 707. A Bill for an Act to amend and reenact section 54-0320 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to living expense allowances for members of the legislative assembly.

Received from House, 309.
 First reading and referred to Committee on Finance and Taxation, 335.
 Reported back, do pass, 711.
 Second reading and final passage, clincher, 772.
 Returned to House, 800, 968.
 Signed by Speaker, 959.
 Returned to Senate, 959.
 Signed by President, 967.

House Bill No. 708—

House Bill No. 708. A Bill for an Act to create and enact section 20-1114 of the North Dakota Revised Code of 1943, prohibiting littering and deposit of refuse in and upon game refuges, lakes, rivers, parks, recreation areas, and in the immediate vicinity thereof, and providing a penalty for violations.

Received from House, 331.
 First reading and referred to Committee on Natural Resources, 351.
 Reported back, amended, 672.
 Amendments adopted, 718.
 Second reading and final passage, clincher, 804.
 Returned to House, amended, 842.
 House concurred, 899.

Signed by Speaker, 980.
 Returned to Senate, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 710—

House Bill No. 710. A Bill for an Act to amend and reenact subsections 3 and 4 of Section 15-3502 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the construction of school buildings, and declaring an emergency.

Received from House, 408.
 First reading and referred to Committee on Education, 440.
 Reported back, amended, 743.
 Amendments adopted, 802.
 Second reading and final passage, emergency clause carried, clincher, 856, 857.
 Returned to House, amended, 873.
 House concurred, 900.
 Signed by Speaker, 921.
 Returned to Senate, 921.
 Signed by President, 967.
 Returned to House, 968.

House Bill No. 711—

House Bill No. 711. A Bill for an Act to amend and reenact Section 15-2511 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary nonresident pupils and determining costs.

Received from House, 408.
 First reading and referred to Committee on Education, 441.
 Reported back, do pass, 743.
 Second reading and final passage, clincher, 809.
 Returned to House, 814, 982.
 Signed by Speaker, 980.
 Returned to Senate, 980.
 Signed by President, 981.

House Bill No. 712—

House Bill No. 712. A Bill for an Act to permit election officials in a common school district election to be paid, and declaring an emergency.

Received from House, 367.
 First reading and referred to Committee on Education, 382.
 Reported back, do pass, 745.
 Second reading and final passage, emergency clause carried, clincher, 810.
 Returned to House, 814, 968.
 Signed by Speaker, 959.
 Returned to Senate, 959.
 Signed by President, 967.

House Bill No. 713—

House Bill No. 713. A Bill for an Act to make an appropriation for the preparation of a record of those who rendered military service during World War II and the Korean hostilities and to provide for distribution thereof.

Received from House, 538.
First reading and referred to Committee on Social Welfare and Veterans Affairs, 544.
Re-referred to Committee on Appropriations, 672.
Reported back, do pass, 672.
Reported back, amended, 781.
Amendments adopted, 837.
Second reading and final passage, clincher, 878, 879.
Returned to House, amended, 887.
House concurred, 921.
Signed by Speaker, 980.
Returned to Senate, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 714—

House Bill No. 714. A Bill for an Act to amend and re-enact sections 15-0401, 15-0407, 15-0409, 15-0410, 15-0411, and 15-0420 of the North Dakota Revised Code of 1943 and to repeal section 15-0408 of the North Dakota Revised Code of 1943 and to create and enact section 15-0422 of the North Dakota Revised Code of 1943, relating to the leasing of original grant school lands, and providing a penalty.

Received from House, 541.
First reading and referred to Committee on Agriculture, 549.
Reported back, do pass, 589.
Second reading and final passage, 640, 641.
Returned to House, 690, 801.
Signed by Speaker, 764.
Returned to Senate, 764.
Signed by President, 775.

House Bill No. 716—

House Bill No. 716. A Bill for an Act to amend and re-enact section 30-1604 of the North Dakota Revised Code of 1943 relating to the descent and distribution of real property subject to homestead estate, and declaring an emergency.

Received from House, 408.
First reading and referred to Committee on Judiciary, 441.
Reported back, do pass, 619.
Second reading and final passage, emergency clause carried, 685, 686.
Returned to House, 714, 858.
Signed by Speaker, 799.
Returned to Senate, 799.
Signed by President, 837.

House Bill No. 718—

House Bill No. 718. A Bill for an Act to create and enact section 34-01093 of the 1957 Supplement, relating to qualifications to hold office in labor union or labor organization.

Received from House, 538.
First reading and referred to Committee on Industry,
Business and Labor, 544.
Reported back, amended, 711.
Amendments adopted, 749.
Second reading and final passage, clincher, 843, 849.
Returned to House, 873, 968.
Signed by Speaker, 959.
Returned to Senate, 959.
Signed by President, 967.

House Bill No. 719—

House Bill No. 719. A Bill for an Act to amend and reenact section 37-1503 of the North Dakota Revised Code of 1943, and to amend and reenact subsection 3 of section 37-1510 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the qualifications of the members of the board of trustees of the soldiers' home, and admittance to the soldiers' home.

Received from House, 309.
First reading and referred to Committee on Social
Welfare and Veterans Affairs, 335.
Reported back, do-pass, 658.
Second reading and final passage, 721.
Returned to House, 752, 979.
Signed by Speaker, 866.
Returned to Senate, 866.
Signed by President, 979.

House Bill No. 721—

House Bill No. 721. A Bill for an Act providing for a board of review to reexamine all disallowed claims for adjusted compensation under the provisions of chapter 37-23 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 309.
First reading and referred to Committee on Social
Welfare and Veterans Affairs, 335.
Reported back, do pass, 659.
Second reading and final passage, 721, 722.
Returned to House, 752, 979.
Signed by Speaker, 866.
Returned to Senate, 866.
Signed by President, 979.

House Bill No. 723—

House Bill No. 723. A Bill for an Act authorizing and directing the legislative research committee to study existing mental health facilities in North Dakota for the purpose of reorganizing and coordinating the same and authorizing necessary expenditures for professional assistance in making the study and to make an appropriation.

Received from House, 538.
 First reading and referred to Committee on Social
 Welfare and Veterans Affairs, 544.
 Re-referred to Committee on Appropriations, 678.
 Reported back, do pass, 659, 781.
 Second reading and final passage, clincher, 827, 828.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 725—

House Bill No. 725. A Bill for an Act to amend and re-enact section 52-0307 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to administrative use; regulations governing; and section 52-0308 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to advances from the federal unemployment account; regulations governing.

Received from House, 408.
 First reading and referred to Committee on Industry,
 Business and Labor, 441.
 Reported back, do pass, 619.
 Second reading and final passage, 686.
 Returned to House, 714, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 726—

House Bill No. 726. A Bill for an Act to create and enact a subsection to section 52-0921 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to and providing for a refund of contributions made to the old age and survivor insurance system and federal social security program in excess of maximum payments, which excess payments resulted by the transfer from old age and survivor insurance system to the federal social security program, and setting a time limitation when application for refund must be submitted to administrator of old age and survivor insurance system fund.

Received from House, 408.
 First reading and referred to Committee on State and
 Federal Government, 441.
 Reported back, do pass, 745.
 Second reading and final passage, clincher, 810.
 Returned to House, 814, 982.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.

House Bill No. 728—

House Bill No. 728. A Bill for an Act to amend and re-enact sections 6-0608 of the 1957 Supplement to the North Dakota Revised Code of 1943, and 6-0611 of the North Dakota Revised Code of 1943, relating to the examination of

credit unions and to the annual election of the supervisory committee.

Received from House, 309.
 First reading and referred to Committee on Industry,
 Business and Labor, 335.
 Reported back, amended, 589.
 Amendments adopted, 624.
 Second reading and final passage, 687.
 Returned to House, amended, 714.
 House concurred, 755.
 Signed by Speaker, 958.
 Returned to Senate, 958.
 Signed by President, 967.
 Returned to House, 968.

House Bill No. 729—

House Bill No. 729. A Bill for an Act to amend and reenact Section 29-2618 of the 1943 Revised Code of North Dakota relating to evidence in aggravation or mitigation of punishment; how presented.

Received from House, 427.
 First reading and referred to Committee on Judiciary,
 475.
 Reported back, do pass, 619.
 Second reading and final passage, 687, 688.
 Returned to House, 714, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 730—

House Bill No. 730. A Bill for an Act to amend and reenact Sections 12-5313, 12-5314 and 12-5315 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the suspension of the imposition of sentence, when authorized, placing the defendant under the control of board of pardons, sponsor of defendant, and when probation may be terminated.

Received from House, 487.
 First reading and referred to Committee on Judiciary,
 541, 542.
 Reported back, amended, 711.
 Amendments adopted, 751.
 Second reading and final passage, emergency clause
 carried, clincher, 817.
 Returned to House, amended, 842.
 House concurred, 900.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 731—

House Bill No. 731. A Bill for an Act to amend and reenact section 53-0508 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to minors in certain places and providing a penalty.

Received from House 408.
First reading and referred to Committee on Judiciary,
441.
Reported back, do pass, 567.
Amended, 620.
Amendments adopted, 620.
Placed at head of calendar, 620.
Second reading and final passage, 608.
Lost, 609, 620, 621.
Reconsidered, 620.
Returned to House, amended, 664.
House concurred, 696.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.
Returned to House, 801.

House Bill No. 732—

House Bill No. 732. A Bill for an Act to amend and reenact subsection 8 of section 57-0208 of the North Dakota Revised Code of 1943 relating to tax exempt property of certain charitable and religious institutions.

Received from House, 408.
First reading and referred to Committee on Finance and
Taxation, 441.
Reported back, indefinitely postponed, 567.
Returned to House, indefinitely postponed, 625.

House Bill No. 733—

House Bill No. 733. A Bill for an Act to amend and reenact Section 15-29082 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary nonresident pupils, tuition, and determining costs.

Received from House, 367.
First reading and referred to Committee on Education,
382, 383.
Reported back, do pass, 745.
Second reading and final passage, clincher, 811.
Returned to House, 814, 982.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.

House Bill No. 735—

House Bill No. 735. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-3804 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to allocation of income of residents and providing a credit for income taxes paid to another state or foreign country; providing an effective date; providing for refunds; and declaring an emergency.

Received from House, 408.
First reading and referred to Committee on Finance and
Taxation, 441.

Reported back, do pass, 567.
 Second reading and final passage, emergency clause
 carried, 609, 653, 654.
 Returned to House, 690, 801.
 Returned to Senate, 764.
 Signed by Speaker, 764.
 Signed by President, 775.

House Bill No. 736—

House Bill No. 736. A Bill for an Act to amend and reenact subsection 4 of section 12-2115 of the North Dakota Revised Code of 1943 relating to acts of Sabbath breaking and to amend and reenact section 12-2116 of the North Dakota Revised Code of 1943 relating to punishment for Sabbath breaking.

Received from House, 538.
 First reading and referred to Committee on Industry,
 Business and Labor, 544.
 Reported back, amended, 782.
 Amendments adopted, 837.
 Second reading and final passage, lost, 879.
 Returned to House, lost, 887.

House Bill No. 737—

House Bill No. 737. A Bill for an Act to amend and reenact section 57-0208 of the North Dakota Revised Code of 1943 by creating and enacting a subsection relating to the exemption of certain personal property from ad valorem taxes for blind persons.

Received from House, 408.
 First reading and referred to Committee on Finance and
 Taxation, 442.
 Reported back, do pass, 712.
 Reconsidered, 774.
 Placed at foot of calendar, 774.
 Second reading and final passage, clincher, 772, 773, 821.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 738—

House Bill No. 738. A Bill for an Act to amend and reenact section 57-3849 and subsection 3 of section 57-3842 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to filing and recording income tax liens and relating to time for filing of returns of information at the source.

Received from House, 408.
 First reading and referred to Committee on Finance and
 Taxation, 442.
 Reported back, do pass, 556.
 Second reading and final passage, 579.
 Returned to House, 624, 704.

Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 740—

House Bill No. 740. A Bill for an Act levying a special excise tax on the sale of special fuels sold for agricultural, heating or railroad purposes; providing that special fuel dealers be licensed, bonded, collect the tax, make returns and remit the tax to the state auditor; providing that the state auditor administer the tax; providing penalties; and providing for allocation and distribution of the tax among the counties for farm to market roads.

Received from House, 538.
First reading and referred to Committee on Finance and Taxation, 545.
Re-referred to Committee on Finance and Taxation, 579.
Reported back, do pass, 556.
Returned to Senate, 595.
Placed on calendar, 595.
Second reading, 579, 598.
Final passage, 598.
Returned to House, 664, 736.
Returned to Senate, 717.
Signed by Speaker, 717.
Signed by President, 735.

House Bill No. 741—

House Bill No. 741. A Bill for an Act prohibiting the location on public-controlled land of commercial facilities for serving motor vehicle users of controlled-access facilities.

Received from House, 305.
First reading and referred to Committee on Transportation, 314.
Reported back, do pass, 589.
Second reading and final passage, 641.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 743—

House Bill No. 743. A Bill for an Act permitting the commissioner of insurance to approve forms of insurance policies other than the standard policy as provided in Section 26-0340 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 357.
First reading and referred to Committee on Industry, Business and Labor, 376.
Reported back, do pass, 556.
Second reading and final passage, 579, 580.
Returned to House, 624, 704.
Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 744—

House Bill No. 744. A Bill for an Act to amend and reenact Section 18-0105 of the 1857 Supplement to the North Dakota Revised Code of 1943, providing for the reporting of fire losses to the state fire marshal by insurers authorized to transact fire insurance business in the State of North Dakota.

Received from House, 357.
 First reading and referred to Committee on Industry,
 Business and Labor, 376.
 Reported back, do pass, 556.
 Second reading and final passage, 580.
 Returned to House, 624, 704.
 Returned to Senate, 679.
 Signed by Speaker, 679.
 Signed by President, 703.

House Bill No. 745—

House Bill No. 745. A Bill for an Act to amend and reenact section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943, by creating and enacting subsection 9 relating to the exemption from sales tax of gross receipts from the sale of oxygen used for medicinal purposes.

Received from House, 408.
 First reading and referred to Committee on Finance and
 Taxation, 442.
 Reported back, do pass, 712.
 Second reading and final passage, clincher, 788, 789.
 Returned to House, 801, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 746—

House Bill No. 746. A Bill for an Act to create and enact subsection 7 of section 57-2304 of the North Dakota Revised Code of 1943 relating to the abatement of assessments and refund of taxes.

Received from House, 538.
 First reading and referred to Committee on Finance and
 Taxation, 545.
 Reported back, do pass, 567.
 Second reading and final passage, 609.
 Returned to House, 664, 736.
 Returned to Senate, 717.
 Signed by Speaker, 717.
 Signed by President, 735.

House Bill No. 747—

House Bill No. 747. A Bill making an appropriation jointly to the North Dakota legislative research committee and the North Dakota superintendent of public instruction for the purpose of making a survey of elementary and secondary education in North Dakota and maintaining the necessary expenses connected therewith.

Received from House, 487.
First reading and referred to Committee on Education,
542.
Reported back, indefinitely postponed, 749.
Returned to House, indefinitely postponed, 802.

House Bill No. 749—

House Bill No. 749. A Bill for an Act to amend and re-enact section 26-2519 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to expense fund assessments of benevolent societies.

Received from House, 408.
First reading and referred to Committee on Industry,
Business and Labor, 442.
Reported back, do pass, 556.
Second reading and final passage, 581.
Returned to House, 624, 704.
Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 750—

House Bill No. 750. A Bill for an Act to require the retirement from state employment of persons more than seventy years of age.

Received from House, 538.
First reading and referred to Committee on State and
Federal Government, 545.
Reported back, amended, 568.
Second reading and final passage, 641.
Lost, clincher, 642.
Returned to House, 691.

House Bill No. 751—

House Bill No. 751. A Bill for an Act to require hunters to display identification of all members of the party in automobile while hunting on property of another, and providing a penalty.

Received from House, 331.
First reading and referred to Committee on Natural
Resources, 351.
Reported back, do pass, 659.
Second reading and final passage, 722.
Lost, clincher, 723.
Returned to House, 752.

House Bill No. 753—

House Bill No. 753. A Bill for an Act to amend section 11-2805 of the 1957 Supplement to the North Dakota Revised Code of 1943 by creating and enacting subsection 11 thereto in order to include among the powers and duties of the board of county park commissioners the right to exercise the power of eminent domain.

Received from House, 367.
First reading and referred to Committee on Political
Subdivisions, 383.
Reported back, do pass, 659.
Second reading and final passage, 723.
Returned to House, 752, 979.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 755—

House Bill No. 755. A Bill for an Act to amend and re-enact subsection 8 of section 26-0335 of the North Dakota Revised Code of 1943, as amended, relating to provisions required in life insurance policies issued on other than standard forms; and repealing all acts or parts of acts in conflict herewith.

Received from House, 408.
First reading and referred to Committee on Industry,
Business and Labor, 442.
Reported back, do pass, 556.
Second reading and final passage, 581, 582.
Returned to House, 624, 704.
Returned to Senate, 679.
Signed by Speaker, 679.
Signed by President, 703.

House Bill No. 756—

House Bill No. 756. A Bill for an Act permitting employers, at their option to carry private Workmen's Compensation Insurance; specifying the terms and conditions under which the same may be done; providing for action of the Workmen's Compensation Bureau upon all controversial claims; permitting appeals from decisions of the Workmen's Compensation Bureau; Providing for liability of company or association insuring compensation, and requiring notice of election by employer to secure private insurance.

Received from House, 541.
First reading and referred to Committee on Industry,
Business and Labor, 549.
House requests return, 551.
Returned to House, 552.

House Bill No. 757—

House Bill No. 757. A Bill for an Act to amend and re-enact subdivision d of subsection 1 of section 47-19A11 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to marketable record title and providing for a limitation upon the non-application of said chapter to conditions subsequent; and providing for an effective date.

Received from House, 408.
First reading and referred to Committee on Judiciary,
442.

Reported back, do pass, 589.
Second reading and final passage, 642, 643.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 759—

House Bill No. 759. A Bill for an Act to amend and reenact section 47-1945 of the North Dakota Revised Code of 1943, relative to constructive notice of execution of recorded instruments and admissibility in evidence without further proof.

Received from House, 487.
First reading and referred to Committee on Judiciary, 542.
Reported back, do pass, 589.
Second reading and final passage, 643.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 761—

House Bill No. 761. A Bill for an Act to amend and reenact section 47-1919 of the North Dakota Revised Code of 1943, relating to notice and effect of recorded instruments.

Received from House, 487.
First reading and referred to Committee on Judiciary, 542.
Reported back, do pass, 590.
Second reading and final passage, 643, 644.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 762—

House Bill No. 762. A Bill for an Act to amend and reenact section 47-1908 of the North Dakota Revised Code of 1943, relating to when an instrument shall be deemed recorded.

Received from House, 487.
First reading and referred to Committee on Judiciary, 542.
Reported back, do pass, 590.
Second reading and final passage, 644.
Returned to House, 690, 801.
Returned to Senate, 764.
Signed by Speaker, 764.
Signed by President, 775.

House Bill No. 763—

House Bill No. 763. A Bill for an Act to amend and reenact section 47-1941 of the North Dakota Revised Code of 1943, relating to record title, effect of unrecorded conveyance, and priority of first deposited, accepted and recorded conveyance; and to provide for legal notice to persons claiming under unrecorded instruments, for limitation of actions, defenses and counterclaims, and for validation of the record of instruments not entitled to be recorded.

Received from House, 487.
 First reading and referred to Committee on Judiciary, 542.
 Reported back, do pass, 590.
 Second reading and final passage, 644, 645.
 Returned to House, 691, 801.
 Returned to Senate, 765.
 Signed by Speaker, 765.
 Signed by President, 775.

House Bill No. 766—

House Bill No. 766. A Bill for an Act to amend and reenact sections 57-1522 and 57-15221 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to tax levy limitations in unorganized townships and provide for transfer of funds for special roads and bridges; and to repeal section 57-15191 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to levies for surfacing highways in unorganized townships.

Received from House, 408.
 First reading and referred to Committee on Political Subdivisions, 442.
 Reported back, do pass, 590.
 Second reading and final passage, 645.
 Returned to House, 691, 801.
 Returned to Senate, 765.
 Signed by Speaker, 765.
 Signed by President, 775.

House Bill No. 767—

House Bill No. 767. A Bill for an Act to amend and reenact sections 11-1015, 54-0609, 58-0602, and 58-0701 of the 1957 Supplement to the North Dakota Revised Code of 1943 and section 23-1410 of the North Dakota Revised Code of 1943, relating to the mileage to be paid to state, county and township officials.

Received from House, 538.
 First reading and referred to Committee on Political Subdivisions, 545.
 Re-referred to Committee on State and Federal Government, 584.
 Returned to Senate, 584.
 Reported back, amended, 712.
 Amendments adopted, 751.
 Second reading and final passage, clincher, 818.

Returned to House, amended, 842.
House concurred, 900.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 769—

House Bill No. 769. A Bill for an Act to amend and reenact sections 57-0904 and 57-4505 of the North Dakota Revised Code of 1943 relating to the duties of the township board of equalization and the neglect of duty of county, township, or district officers in the administration of tax laws.

Received from House, 538.
First reading and referred to Committee on Political Subdivisions, 545.
Reported back, indefinitely postponed, 672.
Returned to House, indefinitely postponed, 715.

House Bill No. 770—

House Bill No. 770. A Bill for an Act to amend and reenact section 40-0408 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the changing from a commission system of city government.

Received from House, 367.
First reading and referred to Committee on Political Subdivisions, 383.
Reported back, do pass, 590.
Second reading and final passage, 645, 646.
Returned to House, 691, 801.
Returned to Senate, 765.
Signed by Speaker, 765.
Signed by President, 775.

House Bill No. 771—

House Bill No. 771. A Bill for an Act to provide authorization for the issuance to non-residents of a short term fishing license; to provide for a resident family fishing license; and to amend and reenact section 20-0312 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the schedule of fees for hunting and fishing licenses.

Received from House, 331.
First reading and referred to Committee on Natural Resources, 351.
Reported back, do pass, 672.
Second reading and final passage, 730.
Returned to House, 752, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 967.

House Bill No. 772—

House Bill No. 772. A Bill for an Act to amend and reenact section 10-2210 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to service of process on foreign corporation.

Received from House, 427.

First reading and referred to Committee on Judiciary, 475.

Reported back, do pass, 590.

Second reading and final passage, 646.

Returned to House, 691, 801.

Returned to Senate, 765.

Signed by Speaker, 765.

Signed by President, 775.

House Bill No. 776—

House Bill No. 776. A Bill for an Act to adopt a uniform law on boating safety, operation, registration, equipment and enforcement and to provide a penalty and to repeal section 20-0126 of the 1957 Supplement to the North Dakota Revised Code of 1943.

Received from House, 538.

First reading and referred to Committee on Natural Resources, 545.

Reported back, amended, 672.

Amended, 765.

Amendments adopted, 718, 765.

Second reading and final passage, clincher, 765, 766.

Returned to House, amended, 773.

House concurred, 867.

Returned to Senate, 980.

Signed by Speaker, 980.

Signed by President, 981.

Returned to House, 982.

House Bill No. 778—

House Bill No. 778. A Bill for an Act to amend and reenact section 65-0527 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to payment without probate proceedings of sums due the estate of a deceased workmen's compensation claimant.

Received from House, 357.

First reading and referred to Committee on Industry, Business and Labor, 376.

Reported back, do pass, 556.

Second reading and final passage, 582.

Returned to House, 624, 704.

Returned to Senate, 679.

Signed by Speaker, 679.

Signed by President, 703.

House Bill No. 779—

House Bill No. 779. A Bill for an Act to amend and reenact section 65-0105 of the North Dakota Revised Code of 1943 and to create and enact section 65-04271 of the North Dakota Revised Code of 1943 relating to workmen's com-

pensation insurance; unlawfully employing uninsured workers; penalty therefor; injunction to restrain unlawful employment of uninsured workers; injunction to restrain employment when premiums are delinquent; injunction to restrain employment for failure to comply with safety rules and regulations; application for injunction; procedure.

Received from House, 408.

First reading and referred to Committee on Judiciary, 443.

Reported back, amended, 619.

Amendments adopted, 661.

Second reading and final passage, 723, 724.

Returned to House, amended, 752.

House concurred, 775.

Returned to Senate, 959.

Signed by Speaker, 959.

Signed by President, 967.

Returned to House, 968.

House Bill No. 780—

House Bill No. 780. A Bill for an Act to amend and reenact section 4-1013 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to grade inspection fees and charges.

Received from House, 408.

First reading and referred to Committee on Agriculture, 443.

Reported back, do pass, 556.

Second reading and final passage, 582, 583.

Returned to House, 624, 704.

Returned to Senate, 679.

Signed by Speaker, 679.

Signed by President, 703.

House Bill No. 781—

House Bill No. 781. A Bill for an Act authorizing the state livestock sanitary board to provide by regulation for the quarantine of livestock feedlots; providing for the licensing of quarantined livestock feedlots; and making an appropriation.

Received from House, 538.

First reading and referred to Committee on Agriculture, 545.

Reported back, do pass, 590.

Second reading and final passage, 646, 647.

Returned to House, 691, 801.

Returned to Senate, 765.

Signed by Speaker, 765.

Signed by President, 775.

House Bill No. 783—

House Bill No. 783. A Bill for an Act to amend and reenact subsection 1 of section 57-3903 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the sale of property exempt from sales tax, and declaring an emergency.

Received from House, 367.
First reading and referred to Committee on Finance and Taxation, 383.
Reported back, do pass, 745.
Amended, 840.
Reconsidered, 840.
Placed on calendar, 841.
Second reading and final passage, lost, 812.
Lost, 928.
Laid over one legislative day, 841.
Returned to House, lost, 935.

House Bill No. 784—

House Bill No. 784. A Bill for an Act to amend and reenact sections 40-4602, 40-4604, 40-4609, and 40-4620 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to a tax levy for a city employees' pension fund and for the city's share of federal social security; membership fees and assessments; requirements for and amounts of retirement pay; and refunds to employees upon termination of employment or upon retirement from pension fund.

Received from House, 538.
First reading and referred to Committee on Political Subdivisions, 546.
Reported back, do pass, 659.
Second reading and final passage, 724.
Returned to House, 752, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 967.

House Bill No. 785—

House Bill No. 785. A Bill for an Act to provide a limitation of ten years upon the commencement of an action or proceeding to foreclose a real estate mortgage and to repeal Subsection 3 of Section 28-0115 of the North Dakota Revised Code of 1943.

Received from House, 487.
First reading and referred to Committee on Judiciary, 542.
Reported back, do pass, 590.
Second reading and final passage, 647.
Returned to House, 691, 858.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.

House Bill No. 786—

House Bill No. 786. A Bill for an Act to provide a limitation of ten years upon the commencement of an action or proceeding to cancel or enforce any contract for the sale or conveyance of real estate.

Received from House, 487.
First reading and referred to Committee on Judiciary, 542.

Reported back, do pass, 590.
Second reading and final passage, 648.
Returned to House, 691, 858.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.

House Bill No. 790—

House Bill No. 790. A Bill for an Act to regulate the issuance of car warranties, to require a license, bond, approval of car warranty contract form and the filing of rate schedules and to authorize the revocation of license upon breach of warranty contracts, and providing a penalty.

Received from House, 408.
First reading and referred to Committee on Industry,
Business and Labor, 443.
Reported back, do pass, 619.
Second reading and final passage, 688.
Returned to House, 714, 858.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.

House Bill No. 791—

House Bill No. 791. A Bill for an Act to amend and reenact section 57-3902 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the imposing of a sales tax and the effective dates therefor.

Received from House, 408.
First reading and referred to Committee on Finance
and Taxation, 443.
Reported back do pass, 568.
Second reading and final passage, 609, 610.
Returned to House, 664, 736.
Returned to Senate, 717.
Signed by Speaker, 717.
Signed by President, 735.

House Bill No. 792—

House Bill No. 792. A Bill for an Act to repeal Section 24-0235 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the giving of preference to North Dakota residents in bidding on contracts for road and bridge work and materials; and to amend and reenact Section 48-0206 of the 1957 Supplement to the North Dakota Revised Code of 1943, omitting the preference given to North Dakota residents in bidding for contracts for the construction, alteration, or repair of public buildings, and declaring an emergency.

Received from House, 408.
First reading and referred to Committee on State and
Federal Government, 443.
Reported back, amended, 556, 557.

Amendments adopted, 570.
Second reading and final passage, emergency clause
carried, 613, 614.
Returned to House, amended, 664.
House concurs, 696.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.
Returned to House, 858.

House Bill No. 793—

House Bill No. 793. A Bill for an Act to amend and re-enact Section 52-1003 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to public employees under Federal Social Security.

Received from House, 538.
First reading and referred to Committee on Political
Subdivisions, 546.
Reported back, do pass, 591.
Second reading and final passage, 648, 649.
Returned to House, 691, 801.
Returned to Senate, 765.
Signed by Speaker, 765.
Signed by President, 775.

House Bill No. 794—

House Bill No. 794. A Bill for an Act to amend and re-enact sections 40-4623 and 40-4625 of the North Dakota Revised Code of 1943 relating to employees' pension plan in cities and to repeal section 40-4624 of the North Dakota Revised Code of 1943.

Received from House, 408.
First reading and referred to Committee on Political
Subdivisions, 443.
Reported back, do pass, 591.
Second reading and final passage, 649.
Returned to House, 691, 801.
Returned to Senate, 765.
Signed by Speaker, 765.
Signed by President, 775.

House Bill No. 795—

House Bill No. 795. A Bill for an Act pertaining to police pensions in cities.

Received from House, 408.
First reading and referred to Committee on Political
Subdivisions, 443.
Reported back, do pass, 591.
Second reading and final passage, 649, 650.
Returned to House, 691, 801.
Returned to Senate, 765.
Signed by Speaker, 765.
Signed by President, 775.

House Bill No. 796—

House Bill No. 796. A Bill for an Act establishing a tax levy for a city having provided its employees with the federal social security plan.

Received from House, 408.
First reading and referred to Committee on Political Subdivisions, 443.
Reported back, do pass, 591.
Second reading and final passage, 650.
Returned to House, 691, 801.
Returned to Senate, 765.
Signed by Speaker, 765.
Signed by President, 775.

House Bill No. 797—

House Bill No. 797. A Bill for an Act to create and enact subsection 70 of section 40-0501 of the North Dakota Revised Code of 1943, as amended, relating to powers of all municipalities as to employee pension system.

Received from House, 408.
First reading and referred to Committee on Political Subdivisions, 444.
Reported back, do pass, 591.
Second reading and final passage, 650, 651.
Returned to House, 691, 858.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.

House Bill No. 799—

House Bill No. 799. A Bill for an Act to amend and re-enact section 40-0112 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the audit and allowance of claims and accounts against municipalities.

Received from House, 385.
First reading and referred to Committee on Political Subdivisions, 406.
Reported back, do pass, 659.
Second reading and final passage, 724, 725.
Returned to House, 752, 980.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 800—

House Bill No. 800. A Bill for an Act authorizing cities, counties, towns, villages, park districts or public bodies or any combination thereof, by resolution of their respective legislative bodies, to create airport authorities; granting to such airport authorities all powers necessary or incidental to the planning, promoting, acquisition, development, construction, improvement, enlargement, operation and maintenance of one or more public airports and defining

its powers and duties; providing that counties may levy tax for airport purposes; and provide reciprocity with adjoining states and political subdivisions.

Received from House, 538.
 First reading and referred to Committee on Political Subdivisions, 546.
 Reported back, do pass, 673.
 Second reading and final passage, clincher, 730, 755.
 Returned to House, 773, 982.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.

House Bill No. 801—

House Bill No. 801. A Bill for an Act relating to income taxation to create and enact section 57-38155 of the North Dakota Revised Code of 1943 to provide for retroactive and prospective nonrecognition of gain or loss on certain exchanges of property of a like kind, on certain exchanges by a corporation of its stock for property, on certain exchanges of property for the stock of a corporation, and on exchanges of the same kind of stock in the same corporation; and to create and enact subsection 7 of section 57-3818 of the North Dakota Revised Code of 1943 to provide that gross income shall not include certain stock dividends or stock rights already declared or to be declared.

Received from House, 367.
 First reading and referred to Committee on Finance and Taxation, 383.
 Reported back, do pass, 557.
 Second reading, 583, 616.
 Final passage, 616.
 Placed at foot of calendar, 583, 598.
 Returned to House, 664, 858.
 Returned to Senate, 799.
 Signed by Speaker, 799.
 Signed by President, 837.

House Bill No. 804—

House Bill No. 804. A Bill for an Act to amend and reenact Section 15-2221 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to dissolution of school districts and attachment of territory.

Received from House, 408.
 First reading and referred to Committee on Education, 444.
 Reported back, amended, 745.
 Amendments adopted, 802.
 Second reading and final passage, clincher, 857.
 Returned to House, amended, 873.
 House concurred, 900.
 Returned to Senate, 980.
 Signed by Speaker, 980.
 Signed by President, 981.
 Returned to House, 982.

House Bill No. 805—

House Bill No. 805. A Bill for an Act to amend and reenact sections 57-1201, 57-1204, 57-1207, and subsection 3 of section 57-0212 of the North Dakota Revised Code of 1943 relating to equalization of assessments by the county board of equalization.

Received from House, 541.
 First reading and referred to Committee on Political Subdivisions, 546.
 Reported back, do pass, 673.
 Second reading and final passage, 730.
 Indefinitely postponed, 731.
 Clincher, 731.
 Returned to House, indefinitely postponed, 752.

House Bill No. 808—

House Bill No. 808. A Bill for an Act to assist in the assessment and collection of personal property taxes on billboards used for advertising purposes.

Received from House, 538.
 First reading and referred to Committee on Finance and Taxation, 546.
 Reported back, do pass, 568.
 Second reading and final passage, 614.
 Returned to House, 664, 736.
 Returned to Senate, 717.
 Signed by Speaker, 717.
 Signed by President, 735.

House Bill No. 810—

House Bill No. 810. A Bill for an Act to amend and reenact section 52-0503 of the North Dakota Revised Code of 1943, relating to employment not included within title may be deemed subject to the provisions of this title when.

Received from House, 427.
 First reading and referred to Committee on State and Federal Government, 475, 476.
 Reported back, do pass, 712.
 Second reading, 789.
 Final passage, clincher, 822.
 Returned to House, 841, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 811—

House Bill No. 811. A Bill for an Act to prohibit the construction of any utility or transmission line within one hundred two feet of any public highway right of way, exceptions, and enforcement, and providing for relocation of right of way.

Received from House, 427.
 First reading and referred to Committee on Transportation, 476.

Reported back, amended, 659.
Amendments adopted, 695.
Second reading and final passage, clincher, 756, 757.
Returned to House, amended, 773.
House concurred, 867.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.
Returned to House, 982.

House Bill No. 815—

House Bill No. 815. A Bill for an Act to amend and re-enact section 57-15101 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the levy for advertising purposes.

Received from House, 538.
First reading and referred to Committee on Political Subdivisions, 546.
Reported back, do pass, 673.
Second reading and final passage, 731.
Lost, clincher, 732.
Returned to House, 752.

House Bill No. 818—

House Bill No. 818. A Bill for an Act to amend and re-enact section 54-0202 of the North Dakota Revised Code of 1943 relating to the State Flag.

Received from House, 309.
First reading and referred to Committee on Social Welfare and Veterans Affairs, 335.
Reported back, do pass, 660.
Second reading and final passage, 725.
Returned to House, 752, 980.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.

House Bill No. 820—

House Bill No. 820. A Bill for an Act to amend and re-enact Subsection 3 of Section 15-5001, Sections 15-5002, 15-5003, 15-5004 and Subsection 2 of Section 15-5006 of the North Dakota Revised Code of 1943 to conform with Chapter 132, Session Laws of 1955, relating to trade and correspondence schools.

Received from House, 487.
First reading and referred to Committee on Education, 543.
Reported back, do pass, 745.
Second reading and final passage, clincher, 812.
Returned to House, 814, 968.
Returned to Senate, 959.
Signed by Speaker, 959.
Signed by President, 967.

House Bill No. 821—

House Bill No. 821. A Bill for an Act to amend and reenact section 57-5204 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to special fuel taxes.

Received from House, 538.

First reading and referred to Committee on Finance and Taxation, 546.

Reported back, divided report, do pass, 712, 713.

Senate requests return, 929.

Placed at foot of calendar, 842.

Second reading and final passage, clincher, 842, 855.

Returned to House, 873, 967.

Senate to reconsider, 963.

Laid on table, 964.

House Bill No. 822—

House Bill No. 822. A Bill for an Act relating to county zoning and planning and providing for the submission of plans for the establishment of zoning and planning districts adjacent to cities, and for division of costs, and declaring an emergency.

Received from House, 539.

First reading and referred to Committee on State and Federal Government, 546, 547.

Reported back, amended, 713.

Amendments adopted, 751.

Second reading and final passage, emergency clause carried, clincher, 818, 819.

Emergency clause carried, clincher, 903.

Returned to House, amended, 842.

House does not concur, 900.

Conference Committee, Senate, 900.

Conference Committee, House, 900.

Conference Committee report, adopted, 902.

Returned to Senate, 980.

Signed by Speaker, 980.

Signed by President, 981.

Returned to House, 982.

House Bill No. 823—

House Bill No. 823. A Bill for an Act to amend and reenact Section 50-0921 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to amount the county is liable for payments for Aid to Dependent Children and providing for reimbursement by the county.

Received from House, 427.

First reading and referred to Committee on Social Welfare and Veterans Affairs, 476.

Reported back, amended, 673.

Amendments adopted, 718.

Second reading and final passage, clincher, 787, 788.

Returned to House, amended, 802.

House concurred, 867.

Returned to Senate, 959.

Signed by Speaker, 959.

Signed by President, 967.

Returned to House, 968.

House Bill No. 826—

House Bill No. 826. A Bill for an Act to amend Chapter 57-24 of the North Dakota Revised Code of 1943 by adding thereto section 57-2431 relating to collection of real estate taxes imposed on leasehold interests in exempt real property.

Received from House, 487.

First reading and referred to Committee on Finance and Taxation, 543.

Reported back, do pass, 557.

Second reading and final passage, 583.

Returned to House, 624, 704.

Returned to Senate, 679.

Signed by Speaker, 679.

Signed by President, 703.

House Bill No. 827—

House Bill No. 827. A Bill for an Act to amend and reenact sections 40-2201, 40-2208 and 40-2209 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to defraying expense of improvements by special assessments, creation of improvement districts, size and form thereof, and regulations governing the same, to amend and reenact sections 40-2217 and 40-2218 of the North Dakota Revised Code of 1943, relating to protests against improvements, and hearings thereon, and declaring an emergency.

Received from House, 539.

First reading and referred to Committee on Political Subdivisions, 547.

Reported back, do pass, 660.

Second reading and final passage, emergency clause carried, 725, 726.

Returned to House, 752, 968.

Returned to Senate, 958.

Signed by Speaker, 958.

Signed by President, 967.

House Bill No. 829—

House Bill No. 829. A Bill for an Act to amend and reenact section 64-0210 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to fee schedule for inspection of weighing and measuring devices.

Received from House, 408.

First reading and referred to Committee on Industry, Business and Labor, 444.

Reported back, do pass, 591.

Second reading and final passage, 651.

Returned to House, 691, 801.

Returned to Senate, 765.

Signed by Speaker, 765.

Signed by President, 775.

House Bill No. 831—

House Bill No. 831. A Bill for an Act to amend and re-enact Section 48-0102 of the North Dakota Revised Code of 1943, relating to contractors bonds.

Received from House, 539.
First reading and referred to Committee on Industry,
Business and Labor, 547.
Reported back, do pass, 619.
Second reading and final passage, 688, 689.
Returned to House, 714, 801.
Returned to Senate, 765.
Signed by Speaker, 765.
Signed by President, 776.

House Bill No. 832—

House Bill No. 832. A Bill for an Act to amend and re-enact Section 48-0207 of the North Dakota Revised Code of 1943, relating to allowance and payment of estimates upon public construction; and providing for the repeal of Section 48-0214 of the North Dakota Revised Code of 1943.

Received from House, 408.
First reading and referred to Committee on Industry,
Business and Labor, 444.
Reported back, do pass, 620.
Second reading and final passage, 689.
Returned to House, 714, 858.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.

House Bill No. 833—

House Bill No. 833. A Bill for an Act to amend and re-enact section 49-0301 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to provision of services by public utilities, the obtaining of certificates of public convenience and necessity, and the extension of pipeline gathering systems to oil and gas fields.

Received from House, 539.
First reading and referred to Committee on State and
Federal Government, 547.
Reported back, amended, 568.
Amendments adopted, 596.
Second reading and final passage, 651, 652.
Returned to House, amended, 691.
House concurs, 755.
Returned to Senate, 866.
Signed by Speaker, 866.
Signed by President, 979.
Returned to House, 980.

House Bill No. 836—

House Bill No. 836. A Bill for an Act to amend and re-enact section 64-0218 of the North Dakota Revised Code of 1943, relating to form of license for coin-weighing ma-

chines, scales, and public gasoline pumps, license displayed, unlicensed machine confiscated, and penalty assessed in lieu thereof.

Received from House, 541.
 First reading and referred to Committee on State and Federal Government, 549.
 Reported back, do pass, 713.
 Second reading and final passage, clincher, 789.
 Returned to House, 801, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 838—

House Bill No. 838. A Bill for an Act to amend and reenact sections 65-0601, 65-0602, 65-0603 and 65-0604 of the North Dakota Revised Code of 1943, and to create and enact Section 65-06041 of the North Dakota Revised Code of 1943, relating to workmen's compensation for volunteer firemen and volunteer civil defense trainees, definitions, granting of protection and rights, termination of protection and rights of volunteer civil defense trainees, and reimbursement to fund by state for excess liabilities to volunteer civil defense trainees.

Received from House, 539.
 First reading and referred to Committee on State and Federal Government, 547.
 Reported back, do pass, 713.
 Second reading and final passage, clincher, 789, 790.
 Returned to House, 802, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 839—

House Bill No. 839. A Bill for an Act to amend and reenact Section 7-0413 of the North Dakota Revised Code of 1943, relating to loans to members of savings and loan associations or building and loan associations, and providing loan limitation equal to Federally chartered associations.

Received from House, 408.
 First reading and referred to Committee on Finance and Taxation, 444.
 Reported back, do pass, 568.
 Second reading and final passage, 614, 615.
 Returned to House, 664, 736.
 Returned to Senate, 717.
 Signed by Speaker, 717.
 Signed by President, 735.

House Bill No. 840—

House Bill No. 840. A Bill for an Act to amend and reenact section 31-0116 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the Compensation and mileage paid to witnesses in civil or criminal cases.

Received from House, 408.
 First reading and referred to Committee on Judiciary,
 444.
 Reported back, do pass, 569.
 Second reading and final passage, 615.
 Returned to House, 664, 736.
 Returned to Senate, 717.
 Signed by Speaker, 717.
 Signed by President, 735.

House Bill No. 842—

House Bill No. 842. A Bill for an Act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and to provide funds for their payment; providing that this act may be cited as "The 1959 Bond Validating Act", and declaring an emergency.

Received from House, 427.
 First reading and referred to Committee on Judiciary,
 476.
 Reported back, do pass, 745.
 Second reading and final passage, emergency clause
 carried, clincher, 819.
 Returned to House, 842, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 843—

House Bill No. 843. A Bill for an Act authorizing the board of administration to sell, convey, and transfer to the city of Bismarck, North Dakota, as owner and operator of the Bismarck Municipal Airport, a clear zone easement over lands adjacent thereto owned by the State of North Dakota, as the City of Bismarck needs a clear zone easement for extension of its runways over lands owned by the state of North Dakota adjacent to its municipal airport and by it held in trust for the use and benefit of the soil conservation program and districts of the state, and said clear zone easement will not interfere with the use of said land for agricultural purposes.

Received from House, 408.
 First reading and referred to Committee on State and
 Federal Government, 444.
 Reported back, do pass, 713.
 Second reading and final passage, clincher, 790, 791.
 Returned to House, 802, 968.
 Returned to Senate, 959.
 Signed by Speaker, 959.
 Signed by President, 967.

House Bill No. 844—

House Bill No. 844. A Bill for an Act to amend and reenact section 30-2610 of the North Dakota Revised Code of 1943, relating to undertaking on appeal from a county court.

Received from House, 427.
 First reading and referred to Committee on Judiciary, 476.
 Reported back, do pass, 620.
 Second reading and final passage, 689, 690.
 Returned to House, 714, 980.
 Returned to Senate, 866.
 Signed by Speaker, 866.
 Signed by President, 979.

House Bill No. 846—

House Bill No. 846. A Bill for an Act to amend and reenact section 57-0504 of the North Dakota Revised Code of 1943 relating to the certification of mileage and valuation of railroads for the purposes of taxation and the payment of taxes on railroad property, providing a penalty thereon.

Received from House, 539.
 First reading and referred to Committee on Finance and Taxation, 547.
 Reported back, indefinitely postponed, 569.
 Returned to House, indefinitely postponed, 625.

House Bill No. 849—

House Bill No. 849. A Bill for an Act to create and enact section 15-42171 of the North Dakota Revised Code of 1943 relating to tuition charges in county agricultural and training schools, and to repeal section 15-4217 of the North Dakota Revised Code of 1943.

Received from House, 539.
 First reading and referred to Committee on Education, 547.
 Reported back, amended, 569.
 Amendments adopted, 596.
 Second reading and final passage, 652.
 Returned to House, amended, 691.
 House concurs, 755.
 Returned to Senate, 958.
 Signed by Speaker, 958.
 Signed by President, 967.
 Returned to House, 968.

House Bill No. 850—

House Bill No. 850. A Bill for an Act to amend and reenact section 15-2529, subsection 13 of section 15-2908, section 15-3213 and subsection 5 of section 15-5122 of the North Dakota Revised Code of 1943, relating to reports of school districts and providing for publication of financial statements.

Received from House, 539.
First reading and referred to Committee on Education,
547, 548.
Reported back, do pass, 746.
Second reading and final passage, clincher, 813.
Returned to House, 814, 968.
Returned to Senate, 959.
Signed by Speaker, 959.
Signed by President, 967.

House Bill No. 851—

House Bill No. 851. A Bill for an Act to amend and re-enact section 20-0803 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the authority of the governor to proclaim lottery seasons for taking of game and to provide for multiple applications.

Received from House, 408.
First reading and referred to Committee on Natural Resources, 444, 445.
Reported back, indefinitely postponed, 660.
Returned to House, indefinitely postponed, 691.

House Bill No. 853—

House Bill No. 853. A Bill for an Act to amend and re-enact subsection 3 of section 39-0617 of the 1957 Supplement to the North Dakota Revised Code of 1943 and to repeal subsection 4 of section 39-0617 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to age requirement for obtaining drivers licenses.

Received from House, 539.
First reading and referred to Committee on Transportation, 548.
Reported back, 660.
Placed on calendar, 660.
Second reading and final passage, 726.
Lost, 727.
Returned to House, 752.

House Bill No. 857—

House Bill No. 857. A Bill for an Act to amend and re-enact subsection 2 of section 57-3915 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to the limitation of time within which collection of sales and use taxes may be enforced.

Received from House, 487.
First reading and referred to Committee on Finance and Taxation, 543.
Reported back, do pass, 713.
Second reading and final passage, clincher, 791.
Returned to House, 802, 982.
Returned to Senate, 980.
Signed by Speaker, 980.
Signed by President, 981.

House Bill No. 861—

House Bill No. 861. A Bill for an Act to provide for the regulation of participation and eligibility in school activities, functions and athletic events by local school boards and requiring certain organizations to file annual audit.

Received from House, 539.

First reading and referred to Committee on Education, 548.

Reported back, indefinitely postponed, clincher, 749.

Returned to House, indefinitely postponed, 802.

House Bill No. 862—

House Bill No. 862. A Bill for an Act reappropriating any unexpended balance remaining in the appropriation made pursuant to chapter 82 of the North Dakota Session Laws of 1957 for extraordinary expenses of law enforcement.

Received from House, 539.

First reading and referred to Committee on Appropriations, 548.

Reported back, do pass, 714.

Second reading and final passage, clincher, 791, 792.

Returned to House, 802, 968.

Returned to Senate, 959.

Signed by Speaker, 959.

Signed by President, 967.

House Bill No. 863—

House Bill No. 863. A Bill for an Act providing for a separate special fund to carry on certain functions of the high school correspondence study division, making a standing appropriation of all income and collections of that division, and making an appropriation to such fund.

Received from House, 539.

First reading and referred to Committee on Appropriations, 548.

Reported back, do pass, 782.

Second reading and final passage, clincher, 828.

Returned to House, 842, 968.

Returned to Senate, 959.

Signed by Speaker, 959.

Signed by President, 967.

House Bill No. 864—

House Bill No. 864. A Bill for an Act to amend and reenact Section 54-3902 of the 1957 Supplement to the North Dakota Revised Code of 1943, relating to Korean Conflict Adjusted Compensation Bonds, purpose of issue and use of proceeds.

Received from House, 539.

First reading and referred to Committee on Social Welfare and Veterans Affairs, 548.

Reported back, do pass, 673.

Second reading and final passage, 732.
Returned to House, 752, 968.
Returned to Senate, 958.
Signed by Speaker, 958.
Signed by President, 967.

House Bill No. 865—

House Bill No. 865. A Bill for an Act to make a deficiency appropriation for the payment of general expenses of the Thirty-sixth Legislative Assembly, and declaring an emergency.

Received from House, 539.
First reading and referred to Committee on
Apropiations, 548.
Reported back, amended, 613.
Amendments adopted, 661.
Second reading and final passage, emergency clause
carried, 727.
Returned to House, amended, 752.
House concurred, 775.
Returned to Senate, 799.
Signed by Speaker, 799.
Signed by President, 837.
Returned to House, 858.

HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "A"—

House Concurrent Resolution "A". A concurrent resolution memorializing the Secretary of Agriculture to utilize available funds for purchase of poultry, beef and pork products in school lunch programs.

Received from House, 111.
Introduction, first reading, 120.
Referred to Committee on Agriculture, 120.
Reported back, amended, 157.
Amendments adopted, 173.
Second reading, adopted, 192.
To House, 214.
House concurred, 246.
Signed by Speaker, 265.
Received from House, 265.
Signed by President, 268.
Sent to House, 284.

House Concurrent Resolution "B"—

House Concurrent Resolution "B". A concurrent resolution providing and designating house and senate employees and naming and fixing their salaries.

Received from House, 71.
Introduction, first reading, 76.
Referred to Committee on Employment, 76.
Reported back, do pass, 80.
Second reading, 92, adopted, 93.
To House, 107.
Signed by Speaker, 111.
Received from House, 111.
Signed by President, 115.
Sent to House, 115.

House Concurrent Resolution "C"—

House Concurrent Resolution "C". A concurrent resolution favoring the early construction of the proposed Bowman Haley dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

Received from House, 139.
Introduction, first reading, 149.
Referred to Committee on Natural Resources, 149.
Second reading, adopted, 212.
To House, 214.
Signed by Speaker, 246.
Received from House, 246.
Signed by President, 251.
Sent to House, 284.

House Concurrent Resolution "D"—

House Concurrent Resolution "D". A concurrent resolution urging state departments and agencies to extend reasonable vacation and sick leave benefits to permanent employees who are paid on an hourly basis.

Received from House, 139.
 Introduction, first reading, 149.
 Referred to Committee on Natural Resources, 149.
 Reported back, indefinitely postponed, 782.
 To House, indefinitely postponed, 802.

House Concurrent Resolution "E"—

House Concurrent Resolution "E". A concurrent resolution memorializing Congress to provide additional funds for the construction of nursing homes.

Received from House, 160.
 Introduction, first reading, 175.
 Referred to Committee on Social Welfare and Veterans Affairs, 175.
 Reported back, do pass, 381.
 Second reading, adopted, 433.
 To House, 450.
 Signed by Speaker, 487.
 Received from House, 487.
 Signed by President, 521.
 Sent to House, 538.

House Concurrent Resolution "F"—

House Concurrent Resolution "F". A concurrent resolution memorializing the Secretary of Agriculture to re-establish a local testing program for grains that are subject to an application for a federal loan.

Received from House, 185.
 Introduction, first reading, 224.
 Referred to Committee on Agriculture, 224.
 Second reading, 396.
 Adopted, 397.
 To House, 419.
 Signed by President, 481.
 Sent to House, 481.
 Signed by Speaker, 465.
 Received from House, 465.

House Concurrent Resolution "G"—

House Concurrent Resolution "G". A concurrent resolution favoring the early construction of the proposed Pembilier dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

Received from House, 213.
 Introduction, first reading, 224.
 Referred to Committee on Natural Resources, 224.
 Reported back, 274.
 Second reading, adopted, 274.
 To House, 302.
 Signed by Speaker, 357.
 Received from House, 357.
 Signed by President, 362.
 Sent to House, 383.

House Concurrent Resolution "H"—

House Concurrent Resolution "H". A concurrent resolution endorsing and approving the Bureau of Reclamation project plan report on the Garrison Diversion Unit and supporting and urging early enactment of desirable and needed modifying and confirming legislation authorizing the construction thereof.

Received from House, 283.
Introduction, first reading, 304.
Referred to Committee on State and Federal Government, 304.
Returned to Senate, 540.
Placed on calendar, 540.
Second reading, 540.
Adopted, clincher, 540.
To House, 540.
Signed by Speaker, 551.
Received from House, 551.
Signed by President, 559.
Sent to House, 563.

House Concurrent Resolution "I"—

House Concurrent Resolution "I". A resolution relating to the illness of Lydia Langer, commending her and wishing her a speedy recovery.

Received from House, 111.
Introduction, first reading, 120.
Rules suspended, placed for second reading and final passage.
Second reading, 120.
Adopted, 120.
To House, 127.
Signed by Speaker, 139.
Received from House, 139.
Signed by President, 140.
Sent to House, 145.

House Concurrent Resolution "J"—

House Concurrent Resolution "J". A Concurrent Resolution for amendment of section 155 of the Constitution of the state of North Dakota relating to sale of original grant school lands and reservation of minerals therein.

Received from House, 331.
Introduction, first reading, 351.
Referred to Committee on Natural Resources, 351.
Reported back, amended, 782.
Amendments adopted, 837.
Second reading 881.
Adopted, 881.
To House, amended, 887.
House concurred, 921.
Signed by Speaker, 980.
Received from House, 980.
Signed by President, 981.
Sent to House, 982.

House Concurrent Resolution "K"—

House Concurrent Resolution "K". A concurrent resolution directing the legislative research committee to make an interim study of the feasibility of providing a single set of laws to govern the school districts of the state.

Received from House, 867.
Introduction, first reading, 881.
Second reading, 881.
Adopted, 881.
To House, 887.
Signed by Speaker, 980.
Received from House, 980.
Signed by President, 981.
Sent to House, 982.

House Concurrent Resolution "L"—

House Concurrent Resolution "L". A concurrent resolution providing for the repeal of Article 56 of the Amendments to the Constitution of the state of North Dakota and the amendment of section 1 of Article 60 of the Amendments to the Constitution and Section 186 of Article 12 of the Constitution of the state of North Dakota.

Received from House, 539.
Introduction, first reading, 548.
Referred to Committee on Finance and Taxation, 548.
Reported back, indefinitely postponed, 592.
To House, indefinitely postponed, 625.

House Concurrent Resolution "N"—

House Concurrent Resolution "N". A concurrent resolution relating to governmental activities affecting the "business climate" of the State.

Received from House, 265.
Introduction, first reading, 286.
Referred to Committee on Industry, Business and Labor, 286.
Reported back, do pass, 557.
Second reading, 596.
Adopted, 596.
To House, 664, 736.
Signed by Speaker, 717.
Received from House, 717.
Signed by President, 735.

House Concurrent Resolution "O"—

House Concurrent Resolution "O". A concurrent resolution urging Congress to retain the present two percent interest rate applying to loans made to rural electrical cooperative associations or corporations.

Received from House, 309.
Introduction, first reading, 335.
Referred to Committee on Industry, Business and Labor, 335.

Reported back, do pass, 620.
 Second reading, adopted, 690.
 To House, 714.
 Signed by Speaker, 980.
 Received from House, 980.
 Signed by President, 981.
 Sent to House, 982.

House Concurrent Resolution "P"—

House Concurrent Resolution "P". A concurrent resolution directing the state welfare board and department to pay full costs of hospitalization for welfare patients, and recommending adoption of the federal reimbursement cost formula.

Received from House, 427.
 Introduction, first reading, 476.
 Referred to Committee on Social Welfare and Veterans Affairs, 476.
 Reported back, amended, 660.
 Amendments adopted, 695.
 Second reading, 757.
 To House, indefinitely postponed, 802.

House Concurrent Resolution "Q"—

House Concurrent Resolution "Q". A concurrent resolution commending the North Dakota State Highway Department.

Received from House, 408.
 Introduction, first reading, 445.
 Referred to Committee on Transportation, 445.
 Reported back, do pass, 661.
 Second reading, adopted, 728.
 To House, 752.
 Signed by Speaker, 980.
 Received from House, 980.
 Signed by President, 981.
 Sent to House, 982.

House Concurrent Resolution "T"—

House Concurrent Resolution "T". A concurrent resolution memorializing the village of Medora to take all action possible to preserve and restore Medora as a pioneer cattle town.

Received from House, 427.
 Introduction, first reading, 476.
 Referred to Committee on State and Federal Government, 476.
 Reported back, do pass, 714.
 Second reading, adopted, 792.
 Signed by Speaker, 980.
 Received from House, 980.
 Signed by President, 981.
 Sent to House, 982.

House Concurrent Resolution "U"—

House Concurrent Resolution "U". A concurrent resolution urging the Governor of the State of North Dakota to appoint a commission to work with the village of Medora in the formulation, development and completion of a plan aimed at restoring the pioneer cattle town, and authorizing and directing the State's schools of higher learning to assist in the development of the plan.

Received from House, 427.
 Introduction, first reading, 476.
 Referred to Committee on State and Federal Government, 476.
 Reported back, amended, 557.
 Amendments adopted, 570.
 Second reading, 615.
 Adopted, 616.
 To House, amended, 664.
 House concurs, 696.
 Signed by Speaker, 958.
 Received from House, 958.
 Signed by President, 967.
 Sent to House, 968.

House Concurrent Resolution "W"—

House Concurrent Resolution "W". A concurrent resolution lauding the sound development of organized labor in North Dakota, and memorializing Congress to vigorously legislate to stamp out racketeering in the labor and management fields, and to protect the democratic rights of member control within labor unions.

Received from House, 265.
 Introduction, first reading, 286.
 Referred to Committee on Industry, Business and Labor, 286.
 Returned to Senate, 654.
 Reported back, do pass, 714.
 Second reading, 654, 792, 829.
 Adopted, 829.
 To House, 841.
 Signed by Speaker, 980.
 Received from House, 980.
 Signed by President, 981.
 Sent to House, 982.

House Concurrent Resolution "X"—

House Concurrent Resolution "X". A concurrent resolution directing the legislative research committee with the aid and cooperation of the state tax department to make a study of the state tax laws and tax structure.

Received from House, 867.
 Introduction, first reading, 881.
 Second reading, 882.
 Adopted, 882.
 To House, 887.
 Signed by Speaker, 980.

Received from House, 980.
Signed by President, 981.
Sent to House, 983.

House Concurrent Resolution "Y"—

House Concurrent Resolution "Y". A concurrent resolution recognizing the efficient operation of the fiscal affairs of the State of North Dakota and commending the Governor and the administration for its excellent record during the past biennium and anticipated continued excellent record for the coming biennium.

Received from House, 251.
Introduction, first reading, 258.
Referred to Committee on State and Federal Government, 258.
Second reading, 263.
Adopted, 264.
To House, 284.
Signed by Speaker, 309.
Received from House, 309.
Signed by President, 326.
Sent to House, 332.

House Concurrent Resolution "A 1"—

House Concurrent Resolution "A1". A concurrent resolution urging state departments, agencies and institutions to employ the printing services of weekly newspaper publishers in the production of state printed matter.

Received from House, 408.
Introduction, first reading, 445.
Referred to Committee on State and Federal Government, 445.
Reported back, do pass, 746.
Second reading, adopted, 814.
To House, 814.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.

House Concurrent Resolution "D 1"—

House Concurrent Resolution "D1". A concurrent resolution memorializing Congress to provide full one hundred percent parity for products produced on family-type farms.

Received from House, 276.
Introduction, first reading, 304.
Referred to Committee on Agriculture, 304.
Reported back, do pass, 371.
Second reading, 397, 412.
Placed at foot of calendar, 397.
Adopted, 412.
To House, 450.
Signed by Speaker, 487.
Received from House, 487.
Signed by President, 521.
Sent to House, 538.

House Concurrent Resolution "E 1"—

House Concurrent Resolution "E1". A concurrent resolution memorializing Congress to make an adequate appropriation for school lunch programs.

Received from House, 276.
Introduction, first reading, 304.
Referred to Committee on Education, 304.
Re-referred to Committee on Legislative Research Resolutions, 571.
Reported back, do pass, 570.
Returned to Senate, 840.
Second reading, adopted, 840.
To House, 873.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.

House Concurrent Resolution "H 1"—

House Concurrent Resolution "H1". A concurrent resolution requesting the state board of higher education to study salary scales at the institutions of higher learning.

Received from House, 487.
Introduction, first reading, 543.
Referred to Committee on Education, 543.
Reported back, indefinitely postponed, 570.
To House, indefinitely postponed, 625.

House Concurrent Resolution "I 1"—

House Concurrent Resolution "I1". A concurrent resolution commending the North Dakota State Capitol Commission for the outstanding work and foresight in planning the state capitol building.

Received from House, 276.
Introduction, first reading, 304.
Referred to Committee on State and Federal Government, 304.
Reported back, do pass, 557.
Second reading, adopted, 596.
To House, 664, 737.
Signed by Speaker, 717.
Received from House, 717.
Signed by President, 735.

House Concurrent Resolution "J 1"—

House Concurrent Resolution "J1". A concurrent resolution memorializing Congress to establish and maintain the United States Maritime Service as a uniformed service.

Received from House, 408.
Introduction, first reading, 445.
Referred to Committee on Social Welfare and Veterans Affairs, 445.
Reported back, do pass, 592.
Second reading, 653.

Adopted, 653.
To House, 691.
Signed by Speaker, 866.
Received from House, 866.
Signed by President, 979.
Sent to House, 980.

House Concurrent Resolution "O 1"—

House Concurrent Resolution "O1". A concurrent resolution requesting the governor to authorize by proclamation the taking of fish from the Missouri River by the use of spears.

Received from House, 487.
Introduction, first reading, 543.
Referred to Committee on Natural Resources, 543.
Reported back, do pass, 592.
Second reading, 653.
Adopted, 653.
To House, 691.
Signed by Speaker, 866.
Received from House, 866.
Signed by President, 979.
Sent to House, 980.

House Concurrent Resolution "P 1"—

House Concurrent Resolution "P1". A concurrent resolution memorializing the Congress of the United States to increase the exemptions on federal income tax.

Received from House, 408.
Introduction, first reading, 445.
Referred to Committee on Finance and Taxation, 445.
Reported back, do pass, 570.
Second reading, 616.
Adopted, 616.
To House, 664.
Signed by Speaker, 866.
Received from House, 866.
Signed by President, 979.
Sent to House, 980.

House Concurrent Resolution "Q 1"—

House Concurrent Resolution "Q1". A concurrent resolution directing the board of administration to take immediate necessary action to improve the lighting in the legislative chambers.

Received from House, 408.
Introduction, first reading, 445.
Referred to Committee on State and Federal Government, 445.
Reported back, do pass, 558.
Second reading, 596.
Adopted, 596.
To House, 664, 737.
Signed by Speaker, 717.
Received from House, 717.
Signed by President, 735.

House Concurrent Resolution "T 1"—

House Concurrent Resolution "T1". A concurrent resolution urging the State Board of Administration to provide adequate quarters for the offices of the legislative research committee at such time as additional space becomes available in the Capitol building.

- Received from House, 487.
- Introduction, first reading, 543.
- Referred to Committee on State and Federal Government, 543.
- Reported back, do pass, 557.
- Second reading, adopted, 596.
- To House, 664, 737.
- Signed by Speaker, 717.
- Received from House, 717.
- Signed by President, 735.

House Concurrent Resolution "V 1"—

House Concurrent Resolution "V-1". A concurrent resolution requesting the Corps of U. S. Army Engineers to study and investigate the most feasible means of protecting from erosion the banks of the Missouri River in the reaches thereof between the Oahe Reservoir and Garrison Dam.

- Received from House, 427.
- Introduction, first reading, 477.
- Referred to Committee on Natural Resources, 477.
- Reported back, do pass, 593, 594.
- Second reading, 653.
- Adopted, 653.
- To House, 691.
- Signed by Speaker, 981.
- Received from House, 981.
- Signed by President, 982.
- Sent to House, 983.

House Concurrent Resolution "W 1"—

House Concurrent Resolution "W 1". A concurrent resolution expressing the policy of the legislative assembly in regard to the conduct of athletic events in public schools.

- Received from House, 465.
- Introduction, first reading, 486.
- Referred to Committee on Education, 486.
- Re-referred to Committee on Legislative Research Resolutions, 571.
- Reported back, do pass, 570.
- Second reading, adopted, 690.
- To House, 714.
- Signed by Speaker, 958.
- Received from House, 958.
- Signed by President, 967.
- Sent to House, 968.

House Concurrent Resolution "Z 1"—

House Concurrent Resolution "Z 1". A concurrent resolution directing the legislative research committee to study certain trade practices.

Received from House, 883.
Introduction, first reading, 946.
Second reading, 946.
Adopted, 946.
To House, 947.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.

House Concurrent Resolution "A 2"—

House Concurrent Resolution "A 2". A concurrent resolution directing the legislative research committee to review the oil and gas conservation and property laws of the state.

Received from House, 867.
Introduction, first reading, 881.
Second reading, 882.
Adopted, 882.
To House, 887.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.

House Concurrent Resolution "B 2"—

House Concurrent Resolution "B 2". A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate after the legislative session for the purpose of completing legislative work.

Received from House, 867.
Introduction, first reading, 881.
Second reading, 883.
Adopted, 883.
To House, 887.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.

House Concurrent Resolution "C 2"—

House Concurrent Resolution "C 2". A Concurrent Resolution providing for the completion of the legislative journals of the House and Senate.

Received from House, 867.
Introduction, first reading, 881.
Second reading, 883.
Adopted, 884.
To House, 887.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.

House Concurrent Resolution "D 2"—

House Concurrent Resolution "D 2". A Concurrent Resolution providing for the preparation of a compilation of a record of bills introduced in the House of Representatives, and the Senate, of the State of North Dakota.

Received from House, 867.
Introduction, first reading, 881.
Second reading, 884.
Adopted, 884.
To House, 887.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.

House Concurrent Resolution "E 2"—

House Concurrent Resolution "E 2". A concurrent resolution endorsing the proposed dramatization of the story of General George Custer and his men who played such a large role in the history of the state of North Dakota.

Received from House, 799.
Introduction, first reading, 841.
Second reading, 841.
Adopted, 841.
To House, 873.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.

House Concurrent Resolution "F 2"—

House Concurrent Resolution "F 2". A concurrent resolution memorializing the Congress to adopt Senate Resolution 19 relating to the Senate Committee on Veterans Affairs.

Received from House, 867.
Introduction, first reading, 881.
Second reading, 884.
Lost, 885.
To House, lost, 887.

House Concurrent Resolution "G 2"—

House Concurrent Resolution "G 2". A concurrent resolution authorizing the governor to appoint a special committee to study labor laws.

Received from House, 942.
Introduction, first reading, 946.
Second reading, 946.
Adopted, 946.
To House, 947.
Signed by Speaker, 981.
Received from House, 981.
Signed by President, 982.
Sent to House, 983.