

CONSTITUTIONAL AMENDMENTS PROPOSED

CHAPTER 358

HOUSE CONCURRENT RESOLUTION "D" (Committee on Veterans and Military Affairs)

KOREAN VETERANS BONUS

A concurrent resolution providing for the issuance, sale and delivery of the bonds of the state of North Dakota not to exceed the sum of \$9,000,000.00 to be used in the payment of an adjusted compensation to North Dakota veterans of the Korean conflict who served in the armed forces of the United States or any of its allies between June 25, 1950 and July 27, 1953.

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein:

The following amendment to the Constitution of the state of North Dakota is hereby agreed to and shall be submitted to the qualified electors of North Dakota at the primary election in June, 1956, in accordance with the provisions of section 202 of the North Dakota Constitution.

The Constitution of the state of North Dakota shall be amended by adding thereto the following article to the amendments to the Constitution of North Dakota.

ARTICLE 65

SECTION 1. The legislative assembly of the state of North Dakota is hereby authorized and empowered to provide by legislation for the issuance, sale and delivery of the bonds of the state of North Dakota in the principal amount not to exceed \$9,000,000.00, the proceeds thereof to be used in payment of adjusted compensation to North Dakota veterans of the Korean conflict who served in the armed forces of the United States or any of its allies during the period from June 25, 1950 to July 27, 1953 on the basis of terms of service, and under such terms and conditions as the legislative assembly may prescribe.

Filed March 3, 1955.

CHAPTER 359

HOUSE CONCURRENT RESOLUTION "O"
(Beede and Nygaard)

COMPENSATION FOR PRIVATE PROPERTY; JURY TRIAL

A concurrent resolution for an amendment of section 14 of the Constitution of the state of North Dakota.

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein:

That the following proposed amendment to section 14 of the Constitution of the state of North Dakota is agreed to and shall be submitted to the qualified electors of the state of North Dakota for approval or rejection at the primary election to be held in June, 1956 in accordance with the provisions of section 202 of the Constitution of the state of North Dakota, as amended.

§ 1.) Section 14 of the Constitution of the state of North Dakota is hereby amended and reenacted to read as follows:

SECTION 14. Private property shall not be taken or damaged for public use without just compensation having been first made to, or paid into court for the owner. No right of way shall be appropriated to the use of any corporation until full compensation therefor be first made in money or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, provided however, that when the state or any of its departments, agencies or political subdivisions seeks to acquire right of way, it may take possession upon making an offer to purchase and by depositing the amount of such offer with the clerk of the district court of the county wherein the right of way is located. The clerk shall immediately notify the owner of such deposit. The owner may thereupon appeal to the court in the manner provided by law, and may have a jury trial, unless a jury be waived, to determine the damages.

Filed March 9, 1955.

CHAPTER 360

HOUSE CONCURRENT RESOLUTION C-2
(Sticka, Leet and Lindberg)

LEGISLATIVE PAY

A concurrent resolution for the amendment of section 45 of the Constitution of the state of North Dakota relating to the compensation of members of the legislative assembly.

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein:

The following amendment to section 45 of the Constitution of the state of North Dakota is agreed to and shall be submitted to the qualified electors of the state of North Dakota for approval or rejection at the primary election to be held in June, 1956, in accordance with the provisions of section 202 of the Constitution of the state of North Dakota:

§ 1.) Section 45 of the Constitution of the state of North Dakota is hereby amended and reenacted to read as follows:

SECTION 45. Each member of the legislative assembly shall receive as compensation for his services for each session, ten dollars per day as salary, plus ten cents for every mile of necessary travel in going to and returning from the place of the meeting of the legislative assembly, on the most usual route.

Filed March 9, 1955.

CHAPTER 361

HOUSE CONCURRENT RESOLUTION T-1
(Bjella, Esterby, Link, Poling and Rolfsrud)

WILLISTON EDUCATIONAL INSTITUTION

A concurrent resolution for an amendment to section 216 of the Constitution of the state of North Dakota, and directing the legislative assembly to establish an educational institution at Williston.

Be It Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring Therein:

The following amendment to the Constitution of the state of North Dakota is agreed to and shall be submitted to the qualified electors of North Dakota for approval or rejection

at the primary election in June, 1956, in accordance with the provisions of section 202 of the North Dakota Constitution:

§ 1. Amendment.) Section 216 of the Constitution of the state of North Dakota is hereby reenacted to read as follows:

SECTION 216. The following named public institutions are hereby permanently located as hereinafter provided, each to have so much of the remaining grant of one hundred seventy thousand acres of land made by the United States for "other educational and charitable institutions" as is allotted by law, namely:

First: A soldiers' home, when located, or such other charitable institution as the legislative assembly may determine, at Lisbon, in the county of Ransom, with a grant of forty thousand acres of land.

Second: The blind asylum shall be known as the North Dakota school for the blind and may be removed from the county of Pembina to such other location as may be determined by the board of administration to be in the best interests of the students of such institution and the state of North Dakota.

Third: An industrial school and school for manual training or such other educational or charitable institution as the legislative assembly may provide at the town of Ellendale, in the county of Dickey, with a grant of forty thousand acres.

Fourth: A school of forestry, or such other institution as the legislative assembly may determine, at such place in one of the counties of McHenry, Ward, Bottineau or Rolette, as the electors of said counties may determine by an election for that purpose, to be held as provided by the legislative assembly.

Fifth: A scientific school or such other educational or charitable institution as the legislative assembly may prescribe, at the city of Wahpeton, county of Richland, with a grant of forty thousand acres.

Sixth: A state normal school at the city of Minot in the county of Ward.

Seventh: (a) A state normal school at the city of Dickinson, in the county of Stark. (b) A state hospital for the insane at such place within this state as shall be selected by the legislative assembly, provided, that no other institution of a character similar to any one of those located by this article shall be established or maintained without a revision of this constitution.

Eighth: A trade school or such other educational institution as the legislative assembly shall prescribe to be located at the city of Williston, in the county of Williams.

Filed March 9, 1955.

CHAPTER 362

SENATE CONCURRENT RESOLUTION "A"
(Legislative Research Committee)

PUBLICATION OF SUPREME COURT DECISIONS

A concurrent resolution for an amendment of section 93 of the Constitution of the state of North Dakota.

Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

That the following proposed amendment to section 93 of the Constitution of the state of North Dakota is agreed to and shall be submitted to the qualified electors of the state of North Dakota for approval or rejection at the primary election to be held in June, 1956, in accordance with the provisions of section 202 of the Constitution of the state of North Dakota, as amended.

§ 1.) Section 93 of the Constitution of the state of North Dakota is hereby reenacted to read as follows:

SECTION 93. There shall be a clerk and also a reporter of the supreme court, who shall be appointed by the judges thereof, and who shall hold their offices during the pleasure of said judges, and whose duties and emoluments shall be prescribed by law and by rules of the supreme court not inconsistent with law. The decisions of the supreme court shall be published or recorded in the manner and form prescribed by the legislative assembly.

Filed March 5, 1955.

CHAPTER 363

SENATE CONCURRENT RESOLUTION "M"
(Hernett, Hagen, Duffy, Page and Leier)

HIGHWAY CONSTRUCTION BOND ISSUE

A concurrent resolution for an amendment to the Constitution of the state of North Dakota authorizing a bond issue for the construction of highways.

Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

The following amendment to the Constitution of the state of North Dakota is agreed to and shall be submitted to the

qualified electors of North Dakota for approval or rejection at the primary election in June, 1956, in accordance with the provisions of section 202 of the North Dakota Constitution:

§ 1.) The Constitution of the state of North Dakota shall be amended by adding thereto the following article:

The legislative assembly of the state of North Dakota is hereby authorized and empowered to provide by legislation for the issuance, sale, and delivery of bonds of the state of North Dakota in the principal amount of not to exceed fifty-four million dollars, the proceeds thereof to be used in the construction and reconstruction of highways, roads, streets, and bridges of the North Dakota state highway system.

Filed March 9, 1955.

CHAPTER 364

SENATE CONCURRENT RESOLUTION "W" (Leier, Duffy, Kusler and Berube)

INDIAN JURISDICTION

A concurrent resolution for an amendment of paragraph 2 of section 203 of the Constitution of the state of North Dakota, relating to state jurisdiction over lands of the United States and Indian lands.

Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring Therein:

The following amendment to paragraph 2 of section 203 of the Constitution of the state of North Dakota is agreed to and shall be submitted to the qualified electors of the state of North Dakota for approval or rejection at the primary election to be held in June, 1956, in accordance with the provisions of section 202 of the Constitution of the state of North Dakota, as amended:

§ 1.) Paragraph 2 of section 203 of the Constitution of the state of North Dakota is hereby amended and reenacted to read as follows:

Second. The people inhabiting this state do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, and to all lands lying within said limits owned or held by any Indian or Indian tribes, and that until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the

United States, and that said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States, provided, however, that the legislative assembly of the state of North Dakota may, upon such terms and conditions as it shall adopt, provide for the acceptance of such jurisdiction as may be delegated to the state by act of congress; that the lands belonging to citizens of the United States residing without this state shall never be taxed at a higher rate than the lands belonging to residents of this state; that no taxes shall be imposed by this state on lands or property therein, belonging to, or which may hereafter be purchased by the United States or reserved for its use. But nothing in this article shall preclude this state from taxing as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person, a title thereto, by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any acts of congress containing a provision exempting the lands thus granted from taxation, which last mentioned lands shall be exempt from taxation so long, and to such an extent, as is, or may be provided in the act of congress granting the same.

Filed March 9, 1955.