
SENATE RESOLUTIONS

SENATE RESOLUTION No. 1

(Dolan, Erickstad, Wartner, Garaas, and Yunker)

COGHLAN VS. BERUBE ELECTION CONTEST; COMMITTEE

A resolution relating to the election contest in the 19th Legislative District.

WHEREAS, John Coghlan of Rolette County has filed with the secretary of state a notice of contest of election of Philip Berube of the 19th Legislative District; and

WHEREAS, such notice of contest of election has been forwarded to the Senate, and the Senate, pursuant thereto has appointed a special committee upon procedure to make recommendations in regard to the investigation and the procedure to be followed in relation to investigating the charges contained in such notice of contest; and

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

Now, Therefore, Be It Resolved By The Senate Of The Thirty-fifth Legislative Assembly:

That the president of the Senate appoint a special Senate election committee of five members for the purpose of conducting an investigation into the charges contained in the said notice of contest of election by the said John Coghlan;

Be It Further Resolved that such committee shall have all power and authority necessary to investigate the charges contained in such notice of contest, which shall specifically include the following powers and authority:

1. Authority to subpoena witnesses;
2. Subpoena public and private records;
3. To administer oaths or affirmations to all witnesses;
4. To apply to the Senate for the punishment of any witness for contempt or for any disobedience of a subpoena, a refusal to be sworn, or to answer as a witness;
5. To reduce the testimony to writing as the committee deems it advisable;
6. To conduct such hearing at such place or places as the committee may deem necessary or convenient;
7. That the committee be authorized to employ such personnel or other assistance as they may deem necessary;

Be It Further Resolved that the expenses of such investigation as are authorized by the committee be paid from legislative funds, including subpoena fees and the mileage and fees of subpoenaed witnesses at the rates provided for witnesses of the district courts.

Filed January 15, 1957.

SENATE RESOLUTION No. 2
(Baeverstad and Dewing)

CHAPLAIN SERVICE

A resolution relating to chaplain service.

Be It Resolved By The Senate Of The Thirty-fifth Legislative Assembly Of The State Of North Dakota:

The schedule of chaplaincy for the senate of the Thirty-fifth Legislative Assembly as set forth in the journal of the senate on pages 25 and 26 is agreed to and the employment of chaplains in accordance with such schedule at six dollars per diem, to be paid as legislative expense, is hereby authorized.

Filed January 15, 1957.

SENATE RESOLUTION No. 3
(Dolan, Erickstad, Wartner, Garaas and Yunker)

COGHLAN VS. BERUBE ELECTION CONTEST; DISMISSAL

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

WHEREAS, a special senate election committee of five members was appointed by the president of the senate pursuant to Senate Resolution No. 1 of the Thirty-fifth Legislative Assembly, consisting of Senators Dolan, Erickstad, Garaas, Wartner and Yunker, to investigate the charges made by John Coghlan of Rolette County; and

WHEREAS, said special senate election committee met and subpoenaed The Honorable Clarence Johnson, sheriff of Rolette County, the Honorable W. A. Lawston, county judge of Rolette County, and the Honorable C. A. Berg, county auditor of Rolette County, as well as the ballots, poll books and tally

sheets of the general election held on November 6, 1956, in Rolette County; and

WHEREAS, the special senate election committee examined the poll books and tally sheets, and made a recount of the ballots cast at the general election in the townships of Ingebretson and Couture of Rolette County, being the ballots of the precincts in question; and

WHEREAS, the results of said recount were as follows:

Ingebretson Township

John Coghlan	
Total votes	63
Absent voters ballot (not stamped and not initialed)	5
Total legal Coghlan votes.....	58
Philip Berube	
Total votes	104
Absent voters ballot (not stamped and not initialed)	4
Total legal Berube votes.....	100
Additional information:	
Ballots for both	8
Ballots with no vote for either Coghlan or Berube	27
Absent voters ballots not stamped and not initialed as indicated above.....	9
Total void ballots	44
Total legal votes	158
Total ballots	202
(The above represents the recount as the special senate investigating committee determined the votes)	

Ingebretson Township, Poll Book Record:

John Coghlan—Legal votes	59
Philip Berube—Legal votes	103
Total legal votes	162
(As taken from the poll book itself)	

Couture Township

John Coghlan	
Total legal votes	138
Philip Berube	
Total legal votes	284
Total legal votes cast for both Berube and Coghlan	422

Additional information:

Ballots with no votes cast for either	
Berube or Coghlan	90
Ballots with votes cast for both	
Berube and Coghlan	12
Total void ballots	102
(The above represents the recount as the special senate investigating committee determined the votes)	

Couture Township, Poll Books Record:

John Coghlan	
Total legal votes	138
Philip Berube	
Total legal votes	281
Total legal votes cast for both	
Berube and Coghlan	419
(As taken from the poll book itself)	

and,

WHEREAS, subsequent to said recount and examination Attorney Mack V. Traynor of the law firm of Traynor and Traynor of Devils Lake, North Dakota, one of the attorneys for contestant, John Coghlan, informed the committee that in light of said recount, the contestant desired to withdraw his contest of said election and has filed a written withdrawal of contest, and notice of contest signed by contestant, John Coghlan;

Now, Therefore, Be It Resolved By The Senate Of The Thirty-fifth Legislative Assembly:

That all original papers, as filed with the special senate election committee, and the original records of the minutes of said committee be filed with the secretary of the senate;

Be It Further Resolved that the said contest of said election be dismissed, and that the special senate election committee be discharged.

Filed January 17, 1957.

SENATE RESOLUTION No. 4
(O'Brien, Meidinger, and Dewing)

NEWSPAPERMAN'S DAY

A resolution for the purpose of designating February 7, 1957 as Newspaperman's Day at the state legislative assembly.

WHEREAS, the editors and reporters of North Dakota daily and weekly newspapers are in active partnership with the senators and representatives of this state in the task of keeping the citizens informed about their government;

Therefore Be It Resolved, that the senate of North Dakota, individually and collectively, invite the newspapermen of their respective districts to spend the day of February 7, 1957 at the state capitol as our guests, to witness at first hand, legislative process.

Be It Further Resolved, that we participate in the meeting sponsored by the North Dakota Sigma Delta Chi chapter of professional journalists in the House Chambers at 4 p. m. that day for a discussion of the duties and responsibilities of both the press and public officials under the constitutional guarantee of freedom of the press.

Be It Further Resolved, that the Senate of North Dakota join in the invitation to Mason Walsh, managing editor of the Dallas (Texas) Times Herald and chairman of the freedom of information committee of the Associated Press Managing Editors Association, to address the joint meeting of newspapermen and legislators.

Filed February 2, 1957.

SENATE RESOLUTION No. 5
(Thomas, George and Vendsel)

OFFICIAL SENATE PHOTOGRAPHER

A senate resolution to appoint an official photographer for the senate of the Thirty-fifth Legislative Assembly of the state of North Dakota.

Be It Resolved By The Senate Of The State Of North Dakota:

WHEREAS, for historical purposes it has been the custom of all North Dakota legislative assemblies to have composite group pictures made of all members of such assemblies; and

WHEREAS, Campbell's Studio of Bismarck, North Dakota offers to make a composite group picture of the Thirty-fifth

Legislative Assembly, size 30 x 40, said picture to be framed and ready to hang and, fifty-five eleven by fourteen copies of said picture for each member and desk force of the senate at a cost of three hundred seventy-five dollars;

Now, Therefore, Be It Resolved, that Campbell's Studio, Bismarck, North Dakota, be, and is hereby appointed official photographer for the North Dakota senate of the Thirty-fifth legislative assembly.

Be It Further Resolved, that the Campbell's Studio of Bismarck, North Dakota, be and is hereby awarded the sole privilege of photographing members of the senate of the Thirty-fifth Legislative Assembly, at a cost price of three hundred seventy-five dollars, to be taken out of legislative expenses.

Filed February 11, 1957.

SENATE RESOLUTION No. 6
(Kieley by Request)

COMMITTEE TO INVESTIGATE INDUSTRIAL POSSIBILITIES
OF POTATO INDUSTRY

A resolution requesting the governor to appoint a five-man committee to investigate the industrial possibilities of the potato industry and to make recommendations.

WHEREAS, the past several years have greatly changed the methods of handling and marketing potatoes; and

WHEREAS, the potato industry contributes much to the economy of the state; and

WHEREAS, the introduction of plants to process potatoes and to manufacture products from potatoes would provide employment and opportunity for many persons;

Now, Therefore, Be It Resolved By The Senate Of The State Of North Dakota:

That the governor of the state is hereby requested to appoint a committee of five persons, selected by him to serve without compensation, to study the potentialities of the potato industry and to report back to him its findings, and to make recommendations as to what action should be taken, and what, if any, future legislation should be enacted affecting the industry.

Filed February 26, 1957.