

FORTY-NINTH DAY

Bismarck, March 16, 1981

The House convened at 1:00 p.m., with Speaker Peterson presiding. Prayer was offered by Reverend DeVern Schwenn, First United Methodist Church, Bismarck, North Dakota.

Roll was called and all members were present except Reps. R. Hausauer and Wagner.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

Mr. Speaker: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Forty-eighth Day and finds the same to be correct.

 Chairman

Rep. Gorder moved that the report be adopted, which motion prevailed.

COMMUNICATIONS  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 16, 1981

The Honorable James Peterson  
Speaker of the House  
North Dakota House of Representatives  
State Capitol  
Bismarck, North Dakota 58505  
Dear Mr. Speaker:

House Bill 1251, as passed by the Legislature, amended subsection 5-01-06 of the North Dakota Century Code, which is sometimes referred to as a "Dram Shop statute." This amendment would be an important change in the law because the effect of House Bill 1251 would be to take away the right, in certain limited situations, to bring an action against a host who negligently serves additional intoxicants to a person who is already "intoxicated", and who then injures or damages a totally innocent third person.

Each person should be held accountable for his actions. Where someone has provided alcoholic beverages to "a person under twenty-one years of age, an habitual drunkard, an incompetent, or an intoxicated person ..." (NDCC 5-01-09), and thereby created a situation where a totally innocent third party is injured or killed because of the subsequent activity of the intoxicated person, then I believe that the priority of responsibility and accountability to those injured or killed must be first on the intoxicated individual, and secondly, on the person who sold or gave the intoxicant to the intoxicated individual.

That is what the present law provides. However, House Bill 1251

would exempt the person who gave away the intoxicants from any liability, and if the intoxicated person has no insurance or assets to compensate the totally innocent third person who was injured or killed, then the burden falls entirely on that totally innocent person. It would also exempt from any liability an adult who gives away liquor to a minor who might cause injury or damage to a totally innocent party on the highway or elsewhere.

That is an unjust result and contrary to the philosophy that each person should be held accountable for his actions.

The proponents of the bill argue that a person should be able to serve intoxicants to guests in his home without concern for possibly being civilly liable because of subsequent acts committed by his guests. That activity can be conducted in one's home under the existing law if the host acts responsibly; however, if he does not act responsibly, he should not be insulated from liability to the possible detriment of a totally innocent third party.

The statute as it presently exists gives our citizens who are damaged and are totally innocent of wrongdoing two possible sources of recovery for their damage - first, recovery from the intoxicated person and, secondly, from the provider of the intoxicants.

House Bill 1251 would eliminate one of those possible sources of recovery to the detriment of a totally innocent third party. In turn, that is detrimental to the citizens of North Dakota.

For the above reasons, I veto House Bill 1251.

Sincerely,  
ALLEN I. OLSON  
Governor

#### MOTIONS

Rep. Strinden moved that House Bill No. 1251 be placed on the calendar Tuesday, March 17, 1981, for the purpose of its reconsideration as a vetoed measure pursuant to Article V, Section 9 of the Constitution of the State of North Dakota, which motion prevailed.

Rep. Strinden moved that Senate Bill Nos. 2356 and 2295 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that Senate Bills Nos. 2404 and 2323, which appear on the 6th order of business today, be laid over one legislative day, which motion prevailed.

#### POINT OF PERSONAL PRIVILEGE

Rep. Mushik: I rise on a point of personal privilege and request that my remarks be printed in the Journal:

"On Saturday night, the Mandan High School basketball team completed one of its most successful basketball seasons ever, winning the State Championship, and completing their season with a 22-4 record.

"Rep. Gerl and I want to take this opportunity to offer congratulations to Coach Don Hanson, Assistant Coaches Cal Fischer and Henry Schroeder, and all the Mandan Braves for their successful season and for being the 1981 North Dakota Class A Basketball Champions."

#### SPECIAL ORDER OF BUSINESS

Rep. Strinden introduced Miss Jenny Sandvick to the Assembly.

"Miss Jenny Sandvick was elected YMCA Youth Governor following the YMCA Model Legislature which met at the Capitol on April 20-21, 1980. She represented North Dakota at the YMCA Youth Governor's Conference in Washington, D.C., in June 1980."

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER:

Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- House Bill No. 1252
- House Bill No. 1397
- House Bill No. 1426
- House Bill No. 1514
- House Bill No. 1543
- House Bill No. 1595
- House Bill No. 1654
- House Concurrent Resolution No. 3016
- House Concurrent Resolution No. 3065

and find the same correctly } Enrolled.

*Craig R. Riche* Chairman  
Craig Riche moved that the report be adopted, which

Representative L. Hanson motion prevailed, and the report was adopted.

Mr. Speaker: Your Procedural Committee on Delayed Bills recommends that HCR #3082 be introduced.

*Earl Strinden* Chairman  
Earl Strinden

Rep. Kretschmar moved that the report be adopted, which motion

prevailed and the report was adopted.

**House Concurrent Resolution No. 3082.** — A concurrent resolution for the amendment of section 2 of article IX of the Constitution of the State of North Dakota, relating to the disposition of the interest and income of the common school trust fund and fines collected for violation of state laws.

STATEMENT OF INTENT

This amendment would allow the legislative assembly to determine the method for distributing common school trust fund interest and income to the public schools, rather than have the money distributed on the basis of the proportionate number of school age children in each school district.

ANNOUNCEMENT

Speaker Peterson announced that House Concurrent Resolution No. 3082 be referred to the Committee on Joint Constitutional Revision.

Report of Conference Committee

Mr. Speaker: Your Conference Committee to whom was referred House Bill No. 1042 has had the same under consideration and recommends:

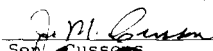
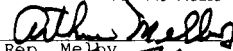

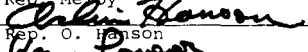
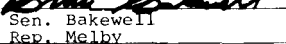
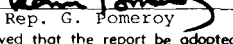
That the Senate recede from its amendment and that House Bill 1042 be amended as follows:

On page 2, line 15, after the word "equalization" insert a period and delete the following words "except with respect to"

On page 2, delete lines 16 and 17

On page 2, line 24, delete the words "The natural resources council."

And renumber the lines, sections, subsections, and pages accordingly

For the Senate	For the House
 Sen. Cussons	 Rep. Melby
 Sen. Dykshoof	 Rep. O. Hanson
 Sen. Bakewell	 Rep. G. Pomeroy

\_\_\_\_\_ moved that the report be adopted, which motion prevailed.

House Bill No. 1042 was placed on the 6th

order of business on the calendar for the succeeding legislative day.

### SIXTH ORDER OF BUSINESS

Rep. Kloubec moved that the amendments to Senate Bill No. 2160 as recommended by the committee on Natural Resources as printed on page 1731 of the House Journal be adopted, which motion prevailed.

Rep. Timm moved that the amendments to Senate Bill No. 2204 as recommended by the committee on Transportation as printed on pages 1731 and 1732 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2224 as recommended by the committee on Political Subdivisions as printed on pages 1732 and 1733 of the House Journal be adopted, which motion prevailed.

Rep. Lang moved that the amendments to Senate Bill No. 2286 as recommended by the committee on Political Subdivisions as printed on pages 1733 and 1734 of the House Journal be adopted, which motion prevailed.

Rep. A. Hausauer moved that the amendments to Senate Bill No. 2358 as recommended by the committee on Finance and Taxation as printed on pages 1736 and 1737 of the House Journal be adopted, which motion prevailed.

Rep. A. Hausauer moved that the amendments to Senate Bill No. 2392 as recommended by the committee on Finance and Taxation as printed on pages 1737 and 1738 of the House Journal be adopted, which motion prevailed.

Rep. Kloubec moved that the amendments to Senate Bill No. 2399 as recommended by the committee on Natural Resources as printed on pages 1738 and 1739 of the House Journal be adopted, which motion prevailed.

### MOTION

Rep. Strinden moved that Senate Bill No. 2399 be rereferred to the Committee on Appropriations, which motion prevailed.

### ANNOUNCEMENT

Speaker Peterson announced that Senate Bill No. 2399 was rereferred to the Committee on Appropriations.

### MESSAGES TO THE SENATE

#### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has amended:

House Concurrent Resolution No. 3035

House Concurrent Resolution No. 3055  
House Concurrent Resolution No. 3069

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2021  
Senate Bill No. 2078  
Senate Bill No. 2142  
Senate Bill No. 2214  
Senate Bill No. 2377  
Senate Bill No. 2419  
Senate Concurrent Resolution No. 4043

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2385  
Senate Concurrent Resolution No. 4064

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2112  
Senate Bill No. 2120  
Senate Bill No. 2344  
Senate Bill No. 2416  
Senate Concurrent Resolution No. 4001  
Senate Concurrent Resolution No. 4021  
Senate Concurrent Resolution No. 4050  
Senate Concurrent Resolution No. 4055  
Senate Concurrent Resolution No. 4056  
Senate Concurrent Resolution No. 4057  
Senate Concurrent Resolution No. 4059  
Senate Concurrent Resolution No. 4062  
Senate Concurrent Resolution No. 4065  
Senate Concurrent Resolution No. 4066  
Senate Concurrent Resolution No. 4068  
Senate Concurrent Resolution No. 4069  
Senate Concurrent Resolution No. 4071  
Senate Concurrent Resolution No. 4072  
Senate Concurrent Resolution No. 4073  
Senate Concurrent Resolution No. 4078  
Senate Concurrent Resolution No. 4081  
Senate Concurrent Resolution No. 4083  
Senate Concurrent Resolution No. 4084

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE SENATE

Mr. President: I have the honor to return enrolled House Bill No. 1512 and engrossed House Bill No. 1512, which the Senate has requested.

Very respectfully,

ROY GILBREATH, Chief Clerk  
MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
 House Bill No. 1265  
 House Bill No. 1266  
 House Bill No. 1354  
 House Bill No. 1385  
 House Bill No. 1400  
 House Bill No. 1413  
 House Bill No. 1425  
 House Bill No. 1446  
 House Bill No. 1499  
 House Bill No. 1540  
 House Bill No. 1609  
 House Concurrent Resolution No. 3079  
 Which the President has signed.

LEO LEIDHOLM, Secretary

### REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

H.B. No. 1265

H.B. No. 1266

H.B. No. 1354

H.B. No. 1385

H.B. No. 1400

H.B. No. 1413

H.B. No. 1425

H.B. No. 1446

H.B. No. 1499

H.B. No. 1540

H.B. No. 1609

were delivered to the <sup>Governor</sup>  
~~Secretary of State~~ for his approval at the hour of  
 10:49 o'clock A.M., March 16, 1981

*Craig M. Richie*  
 Rep. Craig Richie Chairman.

### REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

H.C.R. 3079

MONDAY, MARCH 16, 1981

1747

..... WAS delivered to the } ~~Governor~~  
Secretary of State ~~xxxxxxx~~ at the hour of  
..... 10:46 o'clock A.M., March 16, 1981

  
Rep. Craig Richie Chairman.

MESSAGE FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2106  
Senate Bill No. 2107  
Senate Bill No. 2139  
Senate Bill No. 2168  
Senate Bill No. 2227  
Senate Bill No. 2287  
Senate Bill No. 2294  
Senate Bill No. 2307  
Senate Bill No. 2309  
Senate Bill No. 2326  
Senate Bill No. 2345  
Senate Bill No. 2369  
Senate Bill No. 2371  
Senate Concurrent Resolution No. 4023  
Senate Concurrent Resolution No. 4029  
Senate Concurrent Resolution No. 4040  
Senate Concurrent Resolution No. 4052  
Senate Concurrent Resolution No. 4061  
Senate Concurrent Resolution No. 4074

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

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Chief Clerk announced that the Speaker signed the following:

Senate Bill No. 2106  
Senate Bill No. 2107  
Senate Bill No. 2139  
Senate Bill No. 2168  
Senate Bill No. 2227  
Senate Bill No. 2287  
Senate Bill No. 2294  
Senate Bill No. 2307  
Senate Bill No. 2309  
Senate Bill No. 2326  
Senate Bill No. 2345  
Senate Bill No. 2369  
Senate Bill No. 2371  
Senate Concurrent Resolution No. 4023  
Senate Concurrent Resolution No. 4029

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2106

Senate Bill No. 2107  
 Senate Bill No. 2139  
 Senate Bill No. 2168  
 Senate Bill No. 2227  
 Senate Bill No. 2287  
 Senate Bill No. 2294  
 Senate Bill No. 2307  
 Senate Bill No. 2309  
 Senate Bill No. 2326  
 Senate Bill No. 2345  
 Senate Bill No. 2369  
 Senate Bill No. 2371  
 Senate Concurrent Resolution No. 4023  
 Senate Concurrent Resolution No. 4029  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MOTIONS

Rep. Backes moved that we reconsider our action by which the House adopted the amendments to Senate Bill No. 2392, which motion prevailed.

Rep. Strinden moved that Senate Bill No. 2392 be laid over one legislative day, which motion prevailed.

ANNOUNCEMENT

Speaker Peterson announced that Senate Bill No. 2392 was laid over one legislative day on the sixth order.

MOTION

Rep. Berg moved that Senate Bill No. 2392 be rereferred to the Committee on Finance and Taxation, which motion failed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2219.** — A Bill for an Act to amend and reenact section 28-21-08 of the North Dakota Century Code, concerning levy of execution on 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, 3; nays, 91; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•			•			•			•
ANDERSON, C. JT.		•	HOFFNER		•	NETZ		•	THOMPSON		•
ANDERSON, R. JW.		•	HORGAN		•	MEYER		•	TIMM		•
BACKES		•	HOUMANN		•	MOORE		•	UNHJEA		•
BERG		•	HUGHES		•	MOUW		•	VANDER VORST		•
BERGER		•	HUWE		•	MURPHY		•	VIG		•
BLACK		•	JACOBSEN, R.		•	MUSHIK		•	WAGNER		•
BOYUM		•	JACOBSON, I.		•	NAGEL		•	WALD		•
BROKAW		•	KELLY		•	NICHOLAS		•	WENTZ		•
CONMY		•	KENT		•	OLAFSON		•	WHALEN		•
CRABTREE		•	KINGSBURY		•	OLSEN		•	ZIMBLEMAN		•
DICK		•	KLOUBEC		•	OLSON, A. #11		•			
DIETZ		•	KNUDSON		•	OLSON, D. #13		•	MR. SPEAKER		•
DOTZENROD		•	KOLAND		•	OPEDAHL		•			
DUBORD		•	KOSKI		•	PELTIER		•			
EAGLES		•	KRETSCHMAR		•	PETERSON		•			
FREBORG		•	KUCHERA		•	POMEROY, E. #24		•			
GATES		•	LANG		•	POMEROY, G. #41		•			
GERL		•	LARSON, #112		•	REED		•			
GOSTI		•	LARSON, G. #29		•	REITEN		•			
GORDER		•	LARSON, H. #7		•	RETZER		•			
GUNDERSON		•	LIPSIEA		•	RICE		•			
GUNSCH		•	MARSDEN		•	RICHARD		•			
HANSON, L. #48		•	MARTIN		•	RICHIE		•			
HANSON, O. #3		•	MARTINSON		•	RIEHL		•			
HAUGLAND		•	MATCHIE		•	RUED		•			





Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 4; nays, 91; absent and not voting, 5.

REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7				• HOFFNER	•		• METZ	•		• THOMPSON	•
• ANDERSON, R. #36	•			• HORGAN	•		• MEYER	•		• TIMM	•
• BACKES	•			• HOUMANN	•		• MOORE	•		• UNHJEM	•
• BERG	•			• HUGHES	•		• MOUM	•		• VANDER VORST	•
• BERGER	•			• HUWE	•		• MURPHY	•		• VIG	•
• BLACK	•			• JACOBSEN, R.	•		• MUSHIK	•		• WAGNER	•
• BOYUM	•			• JACOBSON, I.	•		• NAGEL	•		• WALD	•
• BROKAW	•			• KELLY	•		• NICHOLAS	•		• WENTZ	•
• CONNY	•			• KENT	•		• OLAFSON	•		• WHALEN	•
• CRABTREE	•			• KINGSBURY	•		• OLSEN	•		• ZIMBLEMAN	•
• DICK	•			• KLOUBEC	•		• OLSON, A. #11	•			
• DIETZ	•			• KNUDSON	•		• OLSON, D. #13	•		• MR. SPEAKER	•
• DOTZENROD	•			• KOLAND	•		• OPEDAHL	•			
• DUBORD	•			• KOSKI	•		• PELTIER	•			
• EAGLES	•			• KRETSCHMAR	•		• PETERSON	•			
• FREBORG	•			• KUCHERA	•		• POMEROY, E. #24	•			
• GATES	•			• LANG	•		• POMEROY, G. #42	•			
• GERL	•			• LARSON, B. #12	•		• REED	•			
• GOETZ	•			• LARSON, G. #29	•		• REITEN	•			
• GORDER	•			• LARSON, H. #7	•		• RETZER	•			
• GUNDERSON	•			• LIPSIEA	•		• RICE	•			
• GUNTSCH	•			• MARSDEEN	•		• RICHARD	•			
• HANSON, L. #4	•			• MARTIN	•		• RICHIE	•			
• HANSON, O. #3	•			• MARTINSON	•		• RIEHL	•			
• HAUGLAND	•			• MATCHIE	•		• RUED	•			
• HAUSAUER, A. #9	•			• MATHENY	•		• SCHINDLER	•			
• HAUSAUER, R. #25	•			• MATTSOEN	•		• SOLBERG	•			
• HEDSTROM	•			• MEIERS	•		• SORUM	•			
• HEGAARD	•			• MELBY	•		• STRINDEN	•			
• HILL	•			• MERTENS	•		• SWIONTEK	•			

So the bill was declared lost.

Senate Bill No. 2346. — A Bill for an Act to establish the North Dakota merit scholarship program; and to provide 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, 29; nays, 69; absent and not voting, 2.

REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7				• HOFFNER	•		• METZ	•		• THOMPSON	•
• ANDERSON, R. #36	•			• HORGAN	•		• MEYER	•		• TIMM	•
• BACKES	•			• HOUMANN	•		• MOORE	•		• UNHJEM	•
• BERG	•			• HUGHES	•		• MOUM	•		• VANDER VORST	•
• BERGER	•			• HUWE	•		• MURPHY	•		• VIG	•
• BLACK	•			• JACOBSEN, R.	•		• MUSHIK	•		• WAGNER	•
• BOYUM	•			• JACOBSON, I.	•		• NAGEL	•		• WALD	•
• BROKAW	•			• KELLY	•		• NICHOLAS	•		• WENTZ	•
• CONNY	•			• KENT	•		• OLAFSON	•		• WHALEN	•
• CRABTREE	•			• KINGSBURY	•		• OLSEN	•		• ZIMBLEMAN	•
• DICK	•			• KLOUBEC	•		• OLSON, A. #11	•			
• DIETZ	•			• KNUDSON	•		• OLSON, D. #13	•		• MR. SPEAKER	•
• DOTZENROD	•			• KOLAND	•		• OPEDAHL	•			
• DUBORD	•			• KOSKI	•		• PELTIER	•			
• EAGLES	•			• KRETSCHMAR	•		• PETERSON	•			
• FREBORG	•			• KUCHERA	•		• POMEROY, E. #24	•			
• GATES	•			• LANG	•		• POMEROY, G. #42	•			
• GERL	•			• LARSON, B. #12	•		• REED	•			
• GOETZ	•			• LARSON, G. #29	•		• REITEN	•			
• GORDER	•			• LARSON, H. #7	•		• RETZER	•			
• GUNDERSON	•			• LIPSIEA	•		• RICE	•			
• GUNTSCH	•			• MARSDEEN	•		• RICHARD	•			
• HANSON, L. #4	•			• MARTIN	•		• RICHIE	•			
• HANSON, O. #3	•			• MARTINSON	•		• RIEHL	•			
• HAUGLAND	•			• MATCHIE	•		• RUED	•			
• HAUSAUER, A. #9	•			• MATHENY	•		• SCHINDLER	•			
• HAUSAUER, R. #25	•			• MATTSOEN	•		• SOLBERG	•			
• HEDSTROM	•			• MEIERS	•		• SORUM	•			
• HEGAARD	•			• MELBY	•		• STRINDEN	•			
• HILL	•			• MERTENS	•		• SWIONTEK	•			

So the bill was declared lost.

MESSAGES FROM THE SENATE  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:

House Bill No. 1307  
House Bill No. 1422  
House Concurrent Resolution No. 3077  
House Concurrent Resolution No. 3078  
House Concurrent Resolution No. 3080  
Very Respectfully,

LEO LEIDHOLM, Secretary  
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has amended:

House Bill No. 1049  
House Bill No. 1076  
House Bill No. 1077  
House Bill No. 1177  
House Bill No. 1290  
House Bill No. 1593  
Very Respectfully,

LEO LEIDHOLM, Secretary

SENATE AMENDMENTS TO HOUSE BILL NO. 1049

On page 2 of the reengrossed bill, line 13, delete the word "three" and insert in lieu thereof the following: "one-half of the Bank of North Dakota prime rate at the date the loan is approved"

On page 2 of the reengrossed bill, line 14, delete the word "percent"

On page 3 of the reengrossed bill, line 14, delete the words "general fund in the state treasury" and insert in lieu thereof the words "land and mineral trust fund"

On page 3 of the reengrossed bill, line 25, delete the words "Not less than \$600,000" and insert in lieu thereof the following: "Six hundred thousand dollars, or so much thereof as may be necessary,"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the appropriation from general fund to the land and mineral trust fund, it changes the interest rate allowed on the loans from three percent to one-half of the Bank of North Dakota prime rate, and provides that \$600,000 or so much as may be necessary shall be available for loans to construct residential facilities for physically disabled persons.

SENATE AMENDMENTS TO HOUSE BILL NO. 1076

On page 7 of the engrossed bill, line 4, delete the words "within the community"

SENATE AMENDMENTS TO HOUSE BILL NO. 1077

On page 7 of the engrossed bill, line 1, delete the word "elected" and insert in lieu thereof the word "appointed"

- On page 7 of the engrossed bill, line 7, after the word "board", insert the words "which shall not exceed twelve percent per annum on those issues sold at private sale"
- On page 7 of the engrossed bill, line 7, after the period, insert the words "There is no interest rate ceiling on warrants sold at public sale or to the state of North Dakota or any of its agencies or instrumentalities."
- On page 17 of the engrossed bill, line 29, delete the word "commission" and insert in lieu thereof the words "state engineer"
- On page 18 of the engrossed bill, line 1, delete the word "commission" and insert in lieu thereof the words "state engineer"
- On page 18 of the engrossed bill, line 3, delete the word "commission" and insert in lieu thereof the words "state engineer"
- On page 18 of the engrossed bill, line 6, delete the word "commission" and insert in lieu thereof the words "state engineer"
- On page 18 of the engrossed bill, line 15, delete the word "commission" and insert in lieu thereof the words "state engineer"
- On page 18 of the engrossed bill, line 18, delete the word "commission" and insert in lieu thereof the words "state engineer"
- On page 19 of the engrossed bill, line 22, delete the words "Any person aggrieved by any"
- On page 19 of the engrossed bill, delete lines 23 through 25
- On page 19 of the engrossed bill, line 26, delete the words "the state engineer shall be entered."
- On page 22 of the engrossed bill, line 26, delete the words "land surveyor or"
- On page 22 of the engrossed bill, line 31, delete the words "surveyor or"
- On page 22 of the engrossed bill, line 34, delete the words "surveyor or"
- On page 23 of the engrossed bill, line 5, delete the words "surveyor's or"
- On page 25 of the engrossed bill, line 8, delete the word "affected" and insert in lieu thereof the words "in which the affected landowners reside, and in the official county newspaper of each county in which the benefited lands are located"
- On page 31 of the engrossed bill, line 32, delete the words "be less than" and insert in lieu thereof the words "exceed one and one-half percent above"
- On page 36 of the engrossed bill, line 6, delete the words "to be" and insert in lieu thereof the words "or rates and be sold at a price resulting in an average net interest cost not exceeding twelve percent per annum if sold at private sale. There is no interest rate ceiling on warrant issues sold at public sale or to the state of North Dakota or any of its agencies or instrumentalities."
- On page 36 of the engrossed bill, delete line 7
- On page 40 of the engrossed bill, line 16, delete the word "two" and insert in lieu thereof the word "five"
- On page 41 of the engrossed bill, line 15, delete the words "and the cost thereof shall exceed five hundred"
- On page 41 of the engrossed bill, line 16, delete the word "dollars,"

REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #36			● LEIBMAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senator Melland moved that the Conference Committee Report on Senate Bill No. 2404 as printed on page 1737 of the Senate Journal be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2404 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**Senate Bill No. 2404.** — A Bill for an Act to establish a higher education study commission and to provide for its membership, duties, responsibilities, and administrative procedures, to provide an appropriation; and to declare 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 2.

REGULAR SESSION			NORTH DAKOTA SENATE ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #36			● LEIBMAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

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

Senator Parker moved that the Conference Committee Report on House Bill No. 1189 as printed on pages 1678 - 1680 of the Senate Journal be adopted, which motion prevailed.

Senator Parker moved that the rules be suspended, that House Bill No. 1189 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1189.** — A Bill for an Act to create and enact subsections 12, 13, and 14 to section 43-15-10 and a new section to chapter 43-15 of the North Dakota Century Code, relating to powers of the board of pharmacy and to disciplinary penalties for pharmacists; and to amend and reenact subsection 1 of section 43-15-10 of the North Dakota Century Code, relating to powers of the board of pharmacy.

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 3.

## SENATE AMENDMENTS TO HOUSE BILL NO. 1290

On page 1, line 1, after the word "Act", insert the words "to create and enact a new subdivision to subsection 20 of section 57-02-08 of the North Dakota Century Code, to allow a homestead credit for any permanently and totally disabled person who is permanently confined to use of a wheelchair, and"

On page 1, line 22, delete the word "eight" and overstrike the word "thousand"

On page 1, line 23, overstrike the words "dollars from all sources" and insert in lieu thereof the words "the maximum amount of income provided in section 57-02-08.1 for receiving a homestead credit under that section"

On page 1, line 27, overstrike the word "eight" and insert in lieu thereof the word "ten"

On page 1, after line 27, insert the following new section:

"SECTION 2. A new subdivision to subsection 20 of section 57-02-08 of the 1979 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Any permanently and totally disabled person who is permanently confined to use of a wheelchair, or, if deceased, the unremarried surviving spouse of such a person, shall be entitled to a reduction of ten thousand dollars of assessed valuation. If the spouse of such a permanently and totally disabled person owns the homestead or if it is jointly owned by them, the same reduction in assessed valuation shall apply as long as both reside thereon. The provisions of this subdivision shall not reduce the liability for special assessments levied upon the homestead. The phrase "permanently confined to use of a wheelchair" means that the person cannot walk with the assistance of crutches or any other device and will never be able to do so and that a physician selected by the local governing board has so certified."

And renumber the lines, sections, subdivisions and pages accordingly.

## SENATE AMENDMENTS TO HOUSE BILL NO. 1593

On page 1, line 16, after the period, add the following language:  
 "This section does not apply to rating organizations licensed under this chapter for the rating of inland marine nor for the rating of insurance on growing crops."

And renumber the lines accordingly

## Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following, which the Senate has amended:

Senate Concurrent Resolution No. 4002

Senate Concurrent Resolution No. 4004

Senate Concurrent Resolution No. 4008

Senate Concurrent Resolution No. 4016

Senate Concurrent Resolution No. 4027

Very Respectfully,



YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• WETZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN			• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUN			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK			• JACOBSEN, R			• MUSHIK			• WAGNER	•	
• BOYUM			• JACOBSON, I			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOBEBC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA	•		• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWONTEK					

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

MOTIONS

Rep. Strinden moved that Senate Bills Nos. 2386 and 2435 be laid over one legislative day, which motion prevailed.

Rep. Strinden moved that Senate Concurrent Resolution No. 4033 be laid over until the Fifty-fifth Legislative Day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2381. — A Bill for an Act to repeal chapter 43-22 of the North Dakota Century Code, relating to the registration, bonding, and activities of persons engaged in the business of buying leases, mineral rights, royalties, or other interests in oil or gas properties and certain other described minerals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 87; nays, 9; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• WETZ			• THOMPSON		
• ANDERSON, R. #36			• HORGAN		•	• MEYER			• TIMM		
• BACKES			• HOUMANN			• MOORE			• UNHJEM		
• BERG			• HUGHES			• MOUN			• VANDER VORST		
• BERGER			• HUWE			• MURPHY			• VIG		
• BLACK		•	• JACOBSEN, R			• MUSHIK			• WAGNER	•	
• BOYUM			• JACOBSON, I			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		
• CONMY		•	• KENT			• OLAFSON		•	• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOBEBC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA	•		• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL		•	• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCH		•	• MARSDEN			• RICHARD	•				
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					



● HAUSAUER, A #49	● MATHENY	● SCHINDLER
● HAUSAUER, R #15	● MATTONSON	● SOLBERG
● HEDSTROM	● MEIERS	● SORUM
● HEIGAARD	● MELBY	● STRINDEK
● HILL	● MERTENS	● SWIONTEK

So the bill passed and the title was agreed to.

**REQUEST**

Rep. R. Anderson requested that the records show that he voted incorrectly on Senate Bill No. 2381. His vote was recorded as aye, and he intended to vote nay, which request was granted.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2412.** — A Bill for an Act to amend and reenact section 4 of chapter 208 of the 1979 Session Laws of North Dakota, authorizing the board of university and school lands to invest in property development related to the Dickinson experiment station land transfers; and providing 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, 44; nays, 53; absent and not voting, 3.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
ANDERSON, C #1	●		HOFFNER	●		METZ	●		THOMPSON	●	
ANDERSON, R #36		●	HORGAN	●		MEYER	●		TIMM	●	
BACKES	●		HOUWMANN	●		MOORE	●		UNHJEM	●	
BERG	●		HUGHES	●		MOUM	●		VANDER VORST	●	
BERGER	●		HUWS	●		MURPHY	●		VIG	●	
BLACK	●		JACOBSEN, R.	●		MURPHY	●		WAGNER	●	
BOYUM	●		JACOBSON, I.	●		NAGEL	●		WALD	●	
BROKAW	●		KELLY	●		NICHOLAS	●		WENTZ	●	
CONNY	●		KENT	●		OLAFSON	●		WHALEN	●	
CRABTREE	●		KINGSBURY	●		OLSEN	●		ZIMBLEMAN	●	
DICK	●		KLOUBEC	●		OLSON, A #11	●				
DIETZ	●		KNUDSON	●		OLSON, D #13	●		MR SPEAKER	●	
DOTZENROD	●		KOLAND	●		OPEDAH	●				
DUBORD	●		KOSKI	●		PELTHER	●				
EAGLES	●		KRETSCHMAR	●		PETERSON	●				
FREBERG	●		KUCHERA	●		POMERROY, E #24	●				
GATES	●		LANG	●		POMERROY, G #42	●				
GERL	●		LARSON, B #12	●		REED	●				
GOETZ	●		LARSON, G #29	●		REITEN	●				
GORFER	●		LARSON, H #7	●		RETZER	●				
GUNDERSON	●		LIPSIEA	●		RICE	●				
GUNSON	●		MARSDEN	●		RICHARD	●				
HANSON, L #48	●		MARTIN	●		RICHIE	●				
HANSON, O #3	●		MARTINSON	●		RIEHL	●				
HAUGLAND	●		MATCHIE	●		RUED	●				
HAUSAUER, A #49	●		MATHENY	●		SCHINDLER	●				
HAUSAUER, R #15	●		MATTONSON	●		SOLBERG	●				
HEDSTROM	●		MEIERS	●		SORUM	●				
HEIGAARD	●		MELBY	●		STRINDEK	●				
HILL	●		MERTENS	●		SWIONTEK	●				

So the bill was declared lost.

**Senate Bill No. 2413.** — A Bill for an Act to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota 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, 86; nays, 9; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS

• ANDERSON, C. #7	• HOFFNER	• METZ	• THOMPSON
• ANDERSON, R. #36	• HORGAN	• MEYER	• TIMM
• BACKES	• HOUWMANN	• MOORE	• UNHJEM
• BERG	• HUGHES	• MOUM	• VANDER VORST
• BERGER	• HUWE	• MURPHY	• VIG
• BLACK	• JACOBSEN, R.	• MUSHIK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• COMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DuBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCHE	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEN	
• HILL	• MERTENS	• SWIONTEK	

So the bill passed and the title was agreed to.

**Senate Bill No. 2423.** — A Bill for an Act to amend and reenact section 40-18-19 of the North Dakota Century Code, relating to bail bonds on appeals from municipal court determinations.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 66; nays, 29; absent and not voting, 5.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION				ROLL CALL				1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		
• ANDERSON, R. #36	•		• HORGAN			• MEYER			• TIMM		•
• BACKES			• HOUWMANN			• MOORE		•	• UNHJEM		•
• BERG			• HUGHES	•	•	• MOUM			• VANDER VORST		
• BERGER			• HUWE			• MURPHY		•	• VIG		
• BLACK			• JACOBSEN, R.		•	• MUSHIK			• WAGNER	•	
• BOYUM	•		• JACOBSON, I.			• NAGEL			• WALD		•
• BROKAW			• KELLY			• NICHOLAS			• WENTZ		•
• COMY			• KENT	•		• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		•
• DICK			• KLOUBEC		•	• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD	•		• KOLAND		•	• OPEDAHL					
• DuBORD			• KOSKI			• PELTIER		•			
• EAGLES	•		• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER	•		• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE		•			
• GUNSCHE			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #3	•		• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED		•			
• HAUSAUER, A. #49	•		• MATHENY			• SCHINDLER		•			
• HAUSAUER, R. #25			• MATTSON			• SOLBERG		•			
• HEDSTROM			• MEIERS		•	• SORUM					
• HEIGAARD			• MELBY		•	• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

**SECOND READING OF SENATE CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4020.** — A concurrent resolution directing the Legislative Council to conduct a study of the functions, operations, and authority of the State Health Council and the State Social Service Board.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 25; nays, 63; absent and not voting, 12.

REGULAR SESSION			ROLL CALL			1981 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
ANDERSON, C. #7		•	•	HOFFNER		•	METZ	•	THOMPSON	•
ANDERSON, R. #36		•	•	HORGAN		•	MEYER	•	TIMM	•
BACKES		•	•	HOUWMANN		•	MOORE	•	UNHJEM	•
BERG		•	•	HUGHES		•	MOUM	•	VANDER VORST	•
BERGER		•	•	HUME		•	MURPHY	•	VIG	•
BLACK		•	•	JACOBSEN, R.		•	MUSHIK	•	WAGNER	•
BOYUM		•	•	JACOBSON, I.		•	NAGEL	•	WALD	•
BROKAW		•	•	KELLY		•	NICHOLAS	•	WENTZ	•
CONNY		•	•	KENT		•	OLAFSON	•	WHALEN	•
CRABTREE		•	•	KINGSBURY		•	OLSEN	•	ZIMBLEMAN	•
DICK		•	•	KLOUBEC		•	OLSON, A. #11	•		
DIETZ		•	•	KNUDSON		•	OLSON, D. #13	•	MR. SPEAKER	•
DOTZENROD		•	•	KOLAND		•	OPEDAHL	•		
DuBORD		•	•	KOSKI		•	PELTIER	•		
EAGLES		•	•	KRETSCHMAR		•	PETERSON	•		
FREBORG		•	•	KUCHERA		•	POWERDY, E. #24	•		
GATES		•	•	LANG		•	POWERDY, G. #42	•		
GERL		•	•	LARSON, B. #12		•	REED	•		
GOETZ		•	•	LARSON, G. #29		•	REITEN	•		
GORDER		•	•	LARSON, H. #7		•	RETZER	•		
GUNDERSON		•	•	LIPSIEA		•	RICE	•		
GUNSCH		•	•	MARSDEN		•	RICHARD	•		
HANSON, L. #48		•	•	MARTIN		•	RICHIE	•		
HANSON, O. #3		•	•	MARTINSON		•	RIEHL	•		
HAUGLAND		•	•	MATCHIE		•	RUED	•		
HAUSAUER, A. #49		•	•	MATHENY		•	SCHINDLER	•		
HAUSAUER, R. #25		•	•	MATTSON		•	SOLBERG	•		
HEDSTROM		•	•	MEIERS		•	SORUM	•		
HEGAARD		•	•	MELBY		•	STRINDEK	•		
HILL		•	•	MERTENS		•	SWONTEK	•		

So the Senate Concurrent Resolution No. 4020 was declared lost.

**Senate Concurrent Resolution No. 4046.** — A concurrent resolution directing a Legislative Council study of the statutes relating to, operations, and other aspects of, the unemployment compensation program in North Dakota.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 21; nays, 65; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1981 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
ANDERSON, C. #7			•	HOFFNER		•	METZ	•	THOMPSON	•
ANDERSON, R. #36			•	HORGAN		•	MEYER	•	TIMM	•
BACKES			•	HOUWMANN		•	MOORE	•	UNHJEM	•
BERG			•	HUGHES		•	MOUM	•	VANDER VORST	•
BERGER			•	HUME		•	MURPHY	•	VIG	•
BLACK			•	JACOBSEN, R.		•	MUSHIK	•	WAGNER	•
BOYUM			•	JACOBSON, I.		•	NAGEL	•	WALD	•
BROKAW			•	KELLY		•	NICHOLAS	•	WENTZ	•
CONNY			•	KENT		•	OLAFSON	•	WHALEN	•
CRABTREE			•	KINGSBURY		•	OLSEN	•	ZIMBLEMAN	•
DICK			•	KLOUBEC		•	OLSON, A. #11	•		
DIETZ			•	KNUDSON		•	OLSON, D. #13	•	MR. SPEAKER	•
DOTZENROD			•	KOLAND		•	OPEDAHL	•		
DuBORD			•	KOSKI		•	PELTIER	•		
EAGLES			•	KRETSCHMAR		•	PETERSON	•		
FREBORG			•	KUCHERA		•	POWERDY, E. #24	•		
GATES			•	LANG		•	POWERDY, G. #42	•		
GERL			•	LARSON, B. #12		•	REED	•		
GOETZ			•	LARSON, G. #29		•	REITEN	•		
GORDER			•	LARSON, H. #7		•	RETZER	•		
GUNDERSON			•	LIPSIEA		•	RICE	•		
GUNSCH			•	MARSDEN		•	RICHARD	•		
HANSON, L. #48			•	MARTIN		•	RICHIE	•		
HANSON, O. #3			•	MARTINSON		•	RIEHL	•		
HAUGLAND			•	MATCHIE		•	RUED	•		
HAUSAUER, A. #49			•	MATHENY		•	SCHINDLER	•		
HAUSAUER, R. #25			•	MATTSON		•	SOLBERG	•		

— HEDSTROM	• MEIERS	— SORUM
— HEIGAARD	• MELBY	— STRINDEN
— HILL	• MERTENS	— SWIONTEK

So the Senate Concurrent Resolution No. 4046 was declared lost.

**Senate Concurrent Resolution No. 4047.** — A concurrent resolution directing the Legislative Council to study and review the powers and authorities of irrigation districts, and related statutes pertaining to irrigation as contained in chapters 61-05 through 61-14 of the North Dakota Century Code.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 84; nays, 2; absent and not voting, 14.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1981 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		•
• ANDERSON, R. #36			• HORGAN		•	• MEYER	•		• TIMM		
• BACKES			• HOUWMANN			• MOORE			• UNHJEM		•
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE	•		• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK	•		• WAGNER		•
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS	•		• WENTZ		•
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13					
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHARA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL	•		• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #1			• RETZER	•				
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSON	•		• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #31			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEN					
• HILL			• MERTENS			• SWIONTEK					

So the Senate Concurrent Resolution No. 4047 was declared adopted.

**Senate Concurrent Resolution No. 4053.** — A concurrent resolution directing the Legislative Council to conduct a study of state regulation of nursing homes, including the rates nursing homes charge.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 79; nays, 8; absent and not voting, 13.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL-CALL				1981 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ			• THOMPSON		•
• ANDERSON, R. #36			• HORGAN			• MEYER	•		• TIMM		
• BACKES			• HOUWMANN			• MOORE			• UNHJEM		•
• BERG			• HUGHES			• MOUM			• VANDER VORST		
• BERGER			• HUWE	•		• MURPHY			• VIG		
• BLACK			• JACOBSEN, R.			• MUSHIK	•		• WAGNER		•
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS	•		• WENTZ		•
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND	•		• OPEDAHL					

• DuBORD	• KOSKI	• PELTIER
• EAGLES	• KRETSCHMAR	• PETERSON
• FREBERG	• KUCHERA	• POMEROY, E #24
• GATES	• LANG	• POMEROY, G #42
• GERL	• LARSON, B #12	• REED
• GOETZ	• LARSON, G #29	• REITEN
• GORDER	• LARSON, H #7	• RETZER
• GUNDERSON	• LIPSIEA	• RICE
• GUNSCH	• MARSDEN	• RICHARD
• HANSON, L #48	• MARTIN	• RICHIE
• HANSON, O #3	• MARTINSON	• RIEHL
• HAUGLAND	• MATCHIE	• RUED
• HAUSAUER, A #49	• MATHENY	• SCHINDLER
• HAUSAUER, R #25	• MATTSON	• SOLBERG
• HEDSTROM	• MEIERS	• SORUM
• HEIGAARD	• MELBY	• STRINDEN
• HILL	• MERTENS	• SWONTEK

So the Senate Concurrent Resolution No. 4053 was declared adopted.

**Senate Concurrent Resolution No. 4082.** — A concurrent resolution directing the Legislative Council to study waterbank programs and the acquisition by governmental entities of easements in North Dakota.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 88; nays, 2; absent and not voting, 10.

NORTH DAKOTA HOUSE OF REPRESENTATIVES									
REGULAR SESSION					1981 LEGISLATURE				
ROLL CALL									
YEAS	N-V	YEAS	N-V	YEAS	N-V	YEAS	N-V	YEAS	NAYS
• ANDERSON, C #7		• HOFNER		• WETZ		• THOMPSON		•	
• ANDERSON, R #36		• HORGAN		• MEYER	•	• TIMM		•	
• BACKES		• HOUMANN		• MOORE		• UNHJEM			
• BERG		• HUGHES		• MOUM		• VANDER VORST			
• BERGER		• HUWE		• MURPHY		• VIG			
• BLACK		• JACOBSEN		• MUSHIK		• WAGNER		•	
• BOYUM		• JACOBSON, J.		• NAGEL		• WALD			
• BROKAW		• KELLY		• NICHOLAS		• WENTZ		•	
• CONNY		• KENT		• OLAFSON		• WHALEN			
• CRABTREE		• KINGSBURY		• OLSEN		• ZIMBLEMAN			
• DICK		• KLOUBEK		• OLSON, A #11					
• DIETZ		• KNUDSON		• OLSON, D #13		• MR. SPEAKER			
• DOTZENROD		• KOLAND		• OPEDAHM					
• DuBORD		• KOSKI		• PELTIER					
• EAGLES		• KRETSCHMAR		• PETERSON					
• FREBERG		• KUCHERA		• POMEROY, E #24					
• GATES		• LANG		• POMEROY, G #42					
• GERL		• LARSON, B #12		• REED					
• GOETZ		• LARSON, G #29		• REITEN					
• GORDER		• LARSON, H #7		• RETZER	•				
• GUNDERSON		• LIPSIEA		• RICE					
• GUNSCH		• MARSDEN		• RICHARD					
• HANSON, L #48		• MARTIN		• RICHIE					
• HANSON, O #3		• MARTINSON		• RIEHL					
• HAUGLAND		• MATCHIE		• RUED					
• HAUSAUER, A #49		• MATHENY		• SCHINDLER					
• HAUSAUER, R #25		• MATTSON		• SOLBERG					
• HEDSTROM		• MEIERS		• SORUM					
• HEIGAARD		• MELBY		• STRINDEN					
• HILL		• MERTENS		• SWONTEK					

So the Senate Concurrent Resolution No. 4082 was declared adopted.

**MOTION**

Rep. Kretschmar moved that the House waive the reading of the title to Senate Bill No. 2061, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2061.** — A Bill for an Act to create and enact a new section to chapters 26-38 and 54-52.1 of the North Dakota Century Code, relating to coordination of benefits provisions and authorizing the state employees retirement board to offer health maintenance organizations as optional health insurance coverage for state employees, and to create and enact a new subsection to section 54-52.1-01 of the North Dakota Century Code, relating to defining health maintenance organizations; to amend and reenact section 23-17.2-03, subsection 4 of section 26-38-03, section 26-38-06, subdivision d of subsection 2 of section

26-38-10, section 26-38-16, subsection 3 of section 26-38-17, sections 26-38-20 and 26-38-24, and subsection 3 of section 26-41-10 of the North Dakota Century Code, relating to facilities included for certificate of need laws, health maintenance organizations' applications for certificates of authority, review of applications for certificates of authority, evidence of coverage under a health care plan, open enrollment for health maintenance organizations, malpractice complaints, cancellation of health maintenance organization enrollees, acceptance of other health maintenance organization examinations, and coordination of benefits with basic no-fault benefits.

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, 77; nays, 14; absent and not voting, 9.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HOFFNER		•	METZ				•	THOMPSON
•			•	HORGAN		•	MEYER	•			•	TIMM
•			•	HUGHES	•	•	MOORE				•	UNHJEM
•			•	HUWHE		•	MQUAM				•	VANDER VORST
•			•	JACOBSEN, R		•	MURPHY	•			•	VIG
•			•	JACOBSON, I		•	MUSHIK				•	WAGNER
•			•	KELLY		•	NAGEL				•	WALD
•			•	KENT		•	NICHOLAS				•	WENTZ
•			•	KINGSBURY	•	•	OLAFSON				•	WHALEN
•			•	KLOUBEC		•	OLSEN	•			•	ZIMBLEMAN
•			•	KNUDSON		•	OLSON, A #11	•				
•			•	KOLAND		•	OLSON, D #12				•	MR. SPEAKER
•			•	KOSKI		•	OPEDAH					
•			•	KRETSCHMAR		•	PELTIER					
•			•	KUCHERA	•	•	PETERSON					
•			•	LANG		•	POWEROF, E #24					
•			•	LARSON, B #12		•	POWEROF, G #42					
•			•	LARSON, G #29		•	REED	•				
•			•	LARSON, H #7		•	REITEN					
•			•	LIPSIEA		•	RETZER					
•			•	MARSDEN		•	RICE					
•			•	MARTIN		•	RICHARD					
•			•	MARTINSON		•	RICHIE					
•			•	MATCHIE		•	RIEHL					
•			•	MATHENY		•	RUED					
•			•	MATTSON		•	SCHINDLER					
•			•	MEIERS		•	SOLBERG					
•			•	MELBY		•	SORUM					
•			•	MERTENS		•	STRINDEN					
•						•	SWINTEK					

So the bill passed and the title was agreed to.

**Senate Bill No. 2068.** — A Bill for an Act to create and enact two new sections to chapter 32-15, and a new section to chapter 54-12 of the North Dakota Century Code, relating to eminent domain appraisals and offers to purchase, disclosures, and the attorney general preparing eminent domain pamphlets; and to amend and reenact section 32-15-01 of the North Dakota Century Code, relating to the definition of eminent domain.

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, 92; nays, 1; absent and not voting, 7.

NORTH DAKOTA HOUSE OF REPRESENTATIVES												
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	HOFFNER		•	METZ				•	THOMPSON
•			•	HORGAN		•	MEYER	•			•	TIMM

• BACKES	• HOUMANN	• MOORE	• UNHJEM
• BERG	• HUGHES	• MOUM	• VANDER VORST
• BERGER	• HUWE	• MURPHY	• VIC
• BLACK	• JACOBSEN, R.	• MUSHIK	• WAGNER
• BOYUM	• JACOBSON, I.	• NAGEL	• WALD
• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONMY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DUBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBORG	• KUCHERA	• POMEROY, E. #24	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNSCHE	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #7	• MARTINSON	• RIEHL	
• HAUGLAND	• MATCHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTSON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEK	
• HILL	• MERTENS	• SWIONTEK	

So the bill passed and the title was agreed to.

**Senate Bill No. 2079.** — A Bill for an Act to provide for a transfer to the general fund; and to amend and reenact sections 39-26-11 and 39-26-12 of the North Dakota Century Code, relating to the abandoned motor vehicle disposal fund and the tax on motor vehicle registrations.

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, 90; nays, 4; absent and not voting, 6.

NORTH DAKOTA HOUSE OF REPRESENTATIVES											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER			• METZ		•	• THOMPSON		
• ANDERSON, R. #36			• MORGAN			• MEYER	•		• THOM		
• BACKES		•	• HOUMANN			• MOORE		•	• UNHJEM		
• BERG			• HUGHES			• MOUM			• VANDER VORST		•
• BERGER			• HUWE			• MURPHY			• VIC		•
• BLACK			• JACOBSEN, R.			• MUSHIK		•	• WAGNER	•	
• BOYUM			• JACOBSON, I.			• NAGEL			• WALD		
• BROKAW			• KELLY			• NICHOLAS	•		• WENTZ		
• CONMY			• KENT			• OLAFSON			• WHALEN		
• CRABTREE			• KINGSBURY			• OLSEN			• ZIMBLEMAN		
• DICK			• KLOUBEC			• OLSON, A. #11					
• DIETZ			• KNUDSON			• OLSON, D. #13			• MR. SPEAKER		
• DOTZENROD			• KOLAND			• OPEDAHL					
• DUBORD			• KOSKI			• PELTIER					
• EAGLES			• KRETSCHMAR			• PETERSON					
• FREBORG			• KUCHERA			• POMEROY, E. #24					
• GATES			• LANG			• POMEROY, G. #42					
• GERL			• LARSON, B. #12			• REED					
• GOETZ			• LARSON, G. #29			• REITEN					
• GORDER			• LARSON, H. #7			• RETZER					
• GUNDERSON			• LIPSIEA			• RICE					
• GUNSCHE			• MARSDEN			• RICHARD					
• HANSON, L. #48			• MARTIN			• RICHIE					
• HANSON, O. #7			• MARTINSON			• RIEHL					
• HAUGLAND			• MATCHIE			• RUED					
• HAUSAUER, A. #49			• MATHENY			• SCHINDLER					
• HAUSAUER, R. #25			• MATTSON			• SOLBERG					
• HEDSTROM			• MEIERS			• SORUM					
• HEIGAARD			• MELBY			• STRINDEK					
• HILL			• MERTENS			• SWIONTEK					

So the bill passed and the title was agreed to.

**Senate Bill No. 2113.** — A Bill for an Act to reenact section 52-06-36 of the North Dakota Century Code, relating to the factors considered in determining suitability of work and good cause for voluntary leaving with respect to unemployment compensation benefits.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 65; nays, 33; absent and not voting, 2.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER	•	• METZ	• THOMPSON		
• ANDERSON, R. #36			• HORGAN		• MEYER	• TIMM		
• BACKES		•	• HOUMANN		• MOORE	• UNHJEM		
• BERG			• HUGHES		• MOUM	• VANDER VORST		
• BERGER	•		• HUWE		• MURPHY	• VIG		
• BLACK			• JACOBSEN, R.	•	• MUSHIK	• WAGNER	•	
• BOYUM	•		• JACOBSON, I.	•	• NAGEL	• WALD		
• BROKAW			• KELLY		• NICHOLAS	• WENTZ		
• CONNY	•		• KENT		• OLAFSON	• WHALEN		
• CRABTREE			• KINGSBURY	•	• OLSEN	• ZIMBLEMAN		
• DICK			• KNOXSON		• OLSON, A. #11			
• DIETZ	•		• KOLAND		• OLSON, D. #13	• MR. SPEAKER		
• DOTZENROD			• KOSKI	•	• OPEDAHL			
• DUBORD	•		• KRETSCHMAR		• PELTIER			
• EAGLES			• KUCHERA		• PETERSON			
• FREBORG			• LANG		• POMEROY, E. #24	•		
• GATES			• LARSON, B. #12		• POMEROY, G. #42			
• GERL	•		• LARSON, G. #29		• REED			
• GOETZ			• LARSON, H. #7		• REITEN			
• GORDER	•		• LIPSIEA		• RETZER			
• GUNDERSON			• MARSDEN		• RICE			
• GUNSCH			• MARTIN		• RICHARD			
• HANSON, L. #48	•		• MARTINSON		• RIEHL			
• HANSON, O. #7			• MACHE	•	• RIJED			
• HAUGLAND			• MATHENY		• SCHINDLER			
• HAUSAUER, A. #49			• NATTSON		• SOLBERG			
• HAUSAUER, R. #15			• MEIERS		• SORUM			
• HEDSTROM			• MELBY		• STRINDEK			
• HEIGAARD	•		• MERTENS	•	• SWIONTEK			
• HILL								

So the bill passed and the title was agreed to.

MOTIONS

Rep. Rued moved that Senate Bill No. 2114 be laid over one legislative day, which motion prevailed.

Rep. Kretschmar moved that the House waive the reading of the title to Senate Bill No. 2141, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2141. — A Bill for an Act to create and enact subsection 8.1 to section 52-01-01 of the North Dakota Century Code, relating to unemployment compensation definitions; to amend and reenact subsections 1 and 2 of section 52-01-01, section 52-04-05, subsections 1, 2, and 4 of section 52-04-06, sections 52-04-09 and 52-04-10, and subsections 1 and 2 of section 52-04-19.1 of the North Dakota Century Code, relating to unemployment compensation definitions, contributions, and notification; to provide an effective date; and to declare 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, 92; nays, 4; absent and not voting, 4.

NORTH DAKOTA HOUSE OF REPRESENTATIVES								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ANDERSON, C. #7			• HOFFNER	•	• METZ	• THOMPSON		
• ANDERSON, R. #36			• HORGAN		• MEYER	• TIMM		
• BACKES		•	• HOUMANN		• MOORE	• UNHJEM		
• BERG			• HUGHES		• MOUM	• VANDER VORST		
• BERGER			• HUWE		• MURPHY	• VIG		
• BLACK			• JACOBSEN, R.		• MUSHIK	• WAGNER	•	
• BOYUM			• JACOBSON, I.		• NAGEL	• WALD		



• BROKAW	• KELLY	• NICHOLAS	• WENTZ
• CONNY	• KENT	• OLAFSON	• WHALEN
• CRABTREE	• KINGSBURY	• OLSEN	• ZIMBLEMAN
• DICK	• KLOUBEC	• OLSON, A. #11	
• DIETZ	• KNUDSON	• OLSON, D. #13	• MR. SPEAKER
• DOTZENROD	• KOLAND	• OPEDAHL	
• DUBORD	• KOSKI	• PELTIER	
• EAGLES	• KRETSCHMAR	• PETERSON	
• FREBERG	• KUCHERA	• POMEROY, E. #74	
• GATES	• LANG	• POMEROY, G. #42	
• GERL	• LARSON, B. #12	• REED	
• GOETZ	• LARSON, G. #29	• REITEN	
• GORDER	• LARSON, H. #7	• RETZER	
• GUNDERSON	• LIPSIEA	• RICE	
• GUNTSCH	• MARSDEN	• RICHARD	
• HANSON, L. #48	• MARTIN	• RICHIE	
• HANSON, O. #3	• MARTINSON	• RIEHL	
• HAUGLAND	• MATHIE	• RUED	
• HAUSAUER, A. #49	• MATHENY	• SCHINDLER	
• HAUSAUER, R. #25	• MATTSOON	• SOLBERG	
• HEDSTROM	• MEIERS	• SORUM	
• HEIGAARD	• MELBY	• STRINDEK	
• HILL	• MERTENS	• SWIONTEK	

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

MOTION

Rep. Dick moved that the House reconsider its action whereby Senate Bill No. 2314 was passed, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILLS

Senate Bill No. 2314. — A Bill for an Act to allow a city tax on rental accommodations of up to two percent to promote tourism, providing for administration and collection of the tax by the state tax commissioner, 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, 54; nays, 43; absent and not voting, 3.

REGULAR SESSION			ROLL CALL				1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
• ANDERSON, C. #7		•	• HOFFNER			• METZ		• THOMPSON	
• ANDERSON, R. #34		•	• HORGAN			• MEYER		• TIMM	
• BACKES		•	• HOUMANN			• MOORE		• UNHJEM	
• BERG		•	• HUGHES			• MOUM		• VANDER VORST	
• BERGER		•	• HUWE		•	• MURPHY		• VIG	
• BLACK		•	• JACOBSEN, R.			• MUSHIK		• WAGNER	
• BOYUM		•	• JACOBSON, I.			• NAGEL		• WALD	
• BROKAW		•	• KELLY			• NICHOLAS		• WENTZ	
• CONNY		•	• KENT			• OLAFSON		• WHALEN	
• CRABTREE		•	• KINGSBURY		•	• OLSEN		• ZIMBLEMAN	
• DICK		•	• KLOUBEC			• OLSON, A. #11			
• DIETZ		•	• KNUDSON			• OLSON, D. #13		• MR. SPEAKER	
• DOTZENROD		•	• KOLAND			• OPEDAHL			
• DUBORD		•	• KOSKI			• PELTIER			
• EAGLES		•	• KRETSCHMAR		•	• PETERSON			
• FREBERG		•	• KUCHERA			• POMEROY, E. #74			
• GATES		•	• LANG			• POMEROY, G. #42			
• GERL		•	• LARSON, B. #12			• REED			
• GOETZ		•	• LARSON, G. #29			• REITEN			
• GORDER		•	• LARSON, H. #7			• RETZER			
• GUNDERSON		•	• LIPSIEA			• RICE			
• GUNTSCH		•	• MARSDEN			• RICHARD			
• HANSON, L. #48		•	• MARTIN			• RICHIE			
• HANSON, O. #3		•	• MARTINSON			• RIEHL			
• HAUGLAND		•	• MATHIE		•	• RUED			
• HAUSAUER, A. #49		•	• MATHENY			• SCHINDLER			
• HAUSAUER, R. #25		•	• MATTSOON			• SOLBERG			
• HEDSTROM		•	• MEIERS			• SORUM			
• HEIGAARD		•	• MELBY			• STRINDEK			
• HILL		•	• MERTENS			• SWIONTEK			

So the bill passed and the title was agreed to.  
SIGNING OF BILLS

The Honorable James Peterson  
 Speaker of the House  
 House Chambers  
 Bismarck, North Dakota 58505  
 Dear Mr. Speaker:

This is to inform you that on March 16, 1981, I signed House Bill 1153.

Sincerely,  
 ALLEN I. OLSON  
 Governor

The Honorable James Peterson  
 Speaker of the House  
 House Chambers  
 Bismarck, North Dakota 58505  
 Dear Mr. Speaker:

This is to inform you that on March 15, 1981, I signed House Bill 1301.

Sincerely,  
 ALLEN I. OLSON  
 Governor

**MESSAGE FROM THE SENATE**  
 Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following:

Senate Bill No. 2067

Senate Bill No. 2072

Senate Bill No. 2093

Senate Bill No. 2179

Senate Bill No. 2189

Senate Bill No. 2200

Senate Bill No. 2256

Senate Bill No. 2257

Senate Bill No. 2300

Senate Bill No. 2367

Senate Concurrent Resolution No. 4042

Senate Concurrent Resolution No. 4051

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

LEO LEIDHOLM, Secretary

**MOTIONS**

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

Rep. Strinden moved that the House be on the thirteenth order of business, and at the conclusion of the thirteenth order, that the House stand adjourned until 1:00 p.m., Tuesday, March 17, 1981, which motion prevailed.

**FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4002.** — A concurrent resolution to create a new article VII to the Constitution of the State of North Dakota, relating to political subdivisions; and to repeal the present article VII of the Constitution of the State of North Dakota, relating to municipal corporations, the election of a superintendent of schools for each county, and county and township organization.

Which was read the first time and referred to the Committee on Joint Constitutional Revision.

**Senate Concurrent Resolution No. 4004.** — A concurrent resolution for the amendment of sections 7, 10, and 13 of article IX and section 9 of article X of the Constitution of the State of North Dakota, relating to obsolete references in sections concerning appraisal and sale of institutional lands, the location of the school for the blind, and the tax levy to insure owners of growing crops against losses by hail.

Which was read the first time and referred to the Committee on Joint Constitutional Revision.

**Senate Concurrent Resolution No. 4008.** — A concurrent resolution for the amendment of section 1 of article V of the Constitution of the State of North Dakota, relating to the election of the governor and lieutenant governor to a two-year term in 1988 and thereafter to four-year terms.

Which was read the first time and referred to the Committee on Joint Constitutional Revision.

**Senate Concurrent Resolution No. 4016.** — A concurrent resolution for the amendment of section 46 of article IV of the Constitution of the State of North Dakota, relating mileage expenses for members of the legislative assembly.

Which was read the first time and referred to the Committee on Joint Constitutional Revision.

**Senate Concurrent Resolution No. 4027.** — A concurrent resolution for the amendment of section 16 of article I of the Constitution of the State of North Dakota, relating to eminent domain.

Which was read the first time and referred to the Committee on Joint Constitutional Revision.

The House stood adjourned pursuant to Rep. Strinden's motion.

ROY GILBREATH, Chief Clerk