

EIGHTH DAY

Bismarck, January 15, 1981

The Senate convened at 1:30 p.m., with President Sands presiding.

The prayer was offered by Rev. Duane Danielson, House of Prayer Lutheran Church.

Dear Gracious Father in Heaven, Creator and Sustainer of all things, great in power and wisdom, mighty in compassion and mercy, we ask Your presence and spirit to be with this legislative assembly. Help us to respond to Your will with acts filled with Your justice. Help us to respond knowing that we stand under Your judgment. You entrust to us the challenging task of ordering our society for the welfare of industry and culture, for the protection of the weak and oppressed, for the preservation of our environment, and for the betterment of our government and state. It is a lofty task, to be approached with humility, discipline, and dedication. Lord, guide us and make us worthy servants. Where we are correct, give us the courage to stand for our convictions. Where we are misguided and divided, let our love guide us to unity of purpose.

Be with our Governor, the Lt. Governor and all members of the Senate and House of Representatives. Let the freedom we here share through this democratic process be overshadowed only by the freedom we have from sin, through Jesus Christ, our Lord, who lives and reigns with You and the Holy Spirit, One God, now and forever, Amen.


The roll was called and all members were present except Senators Melland, Nething, Solberg, Tennesfos and two vacancies.

Senator Nething is in Sarasota, Florida attending the New Legislative Leaders' Symposium.

A quorum was declared by the President.

Correction and Revision of The Journal

Mr. President Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Seventh day and finds the same to be correct.

 Chairman
SENATOR TENNEFOS

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

Report of Procedural Committee

MR. PRESIDENT:

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

Senate Bill No. 2063
Senate Bill No. 2102

and find the same correctly } Engrossed

Stella Fritzell
Stella Fritzell Chairman

Senator Dykshoorn 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 Concurrent Resolution No. 4019
Senate Bill No. 2003

and find the same correctly } Enrolled

Stella Fritzell
Stella Fritzell Chairman

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

PETITIONS AND COMMUNICATIONS

Ben Meier
SECRETARY OF STATE
701-224-2900

State of North Dakota

Robert R. Schaible
DEPUTY



DEPARTMENT OF STATE
Bismarck, North Dakota 58505

January 15, 1981

President of the Senate
Forty-seventh Legislative Assembly
Capitol Building
Bismarck, ND 58505

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 in a special election held January 12, 1981, as members of the Forty-seventh legislative Assembly of the State of North Dakota:

District No.	Counties or parts thereof	Name	Address
7	McHenry, Pierce	William (Bill) Parker	Rugby
15	Ramsey	Floyd Stromme	Devils Lake

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 15th day of January, 1981.

Great Seal

Ben Meier
Ben Meier
Secretary of State
State of North Dakota

Senator Thane moved that a committee of two be appointed to escort Chief Justice Ralph Erickstad of the Supreme Court of the State of North Dakota to the rostrum for the purpose of administering the Oath

of Office to the newly elected Senators, which motion prevailed. The President appointed as such committee, Senators Holmberg and Grotberg, and Chief Justice Erickstad was escorted to the rostrum.

Senator Thane moved that a committee of two be appointed to escort Senator-elect William Parker to the rostrum, which motion prevailed. The President appointed as such committee, Senators Leibhan and Adams.

Senator Thane moved that a committee of two be appointed to escort Senator-elect Floyd Stromme to the rostrum, which motion prevailed. The President appointed as such committee, Senators Berube and Dotzenrod.

Mrs. Parker and Stromme were escorted to the rostrum and Chief Justice Erickstad then administered the Oath of Office to the new Senators.

POINT OF PERSONAL PRIVILEGE

Senator Thane: Mr. President, ladies and gentlemen of the Senate, I think it is in order for me on behalf of the leadership of the Senate as well as the entire Senate to welcome our two new members to this body. It is always a pleasure to have a full compliment so that we know that all the people of North Dakota are being fairly represented.

Senator Redlin: Mr. President, I should like to join the assistant Majority Leader in extending a welcome and I have to admit that I am even happier than he is.

MOTIONS

Senator H. Christensen moved that Senate Bill 2078 that is on the 6th Order of Business today, be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Lodoen moved that Senate Bill No. 2140 be returned to the Senate floor from the Committee on State and Federal Government, which motion prevailed.

Senator Lodoen requested the unanimous consent of the Senate to withdraw Senate Bill No. 2140. There being no objection, it was so ordered by the President.

Senator Lips moved that Senate Bill No. 2231 be returned to the Senate floor from the Committee on Political Subdivisions, which motion prevailed.

Senator Lips requested the unanimous consent of the Senate to withdraw Senate Bill No. 2231. There being no objection, it was so ordered by the President.

Report of Standing Committee

Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS to whom was referred SENATE Bill No. 2065

Has had the same under consideration and recommends that the same

- do pass
 do not pass
 be placed on calendar without recommendation

be amended as follows:

Handwritten signature of Senator Holmberg
Senator Holmberg Chairman

SENATE Bill No. 2065 was placed on the Eleventh

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


Mr. President : Your Committee on Education
to whom was referred Senate Bill No. 2072

Has had the same under consideration and recommends that the same

- do pass
- do not pass
- be placed on calendar without recommendation
- be amended as follows:

On page 4, line 14, delete the word "if"
 On page 4, delete all of line 15
 On page 4, line 16, delete the words, "complied with"
 and renumber the lines and sections accordingly

And when so amended recommends the same do pass.

 Chairman
 Senator Gary Nelson Sixth

Senate Bill No. 2072 was placed on the _____

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

Mr. President : Your Committee on Social Services & Veterans Affairs
to whom was referred Senate Bill No. 2077

Has had the same under consideration and recommends that the same

- do pass
- do not pass
- be placed on calendar without recommendation
- be amended as follows:

 Chairman
 Senator Peterson

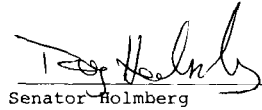
Senate Bill No. 2077 was placed on the eleventh

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

Mr. PRESIDENT : Your Committee on POLITICAL SUBDIVISIONS
to whom was referred SENATE Bill No. 2083

Has had the same under consideration and recommends that the same

- do pass
- do not pass
- be placed on calendar without recommendation
- be amended as follows:

 Chairman
 Senator Holmberg

SENATE Bill No. 2083 was placed on the Eleventh

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

Mr. President : Your Committee on Education
to whom was referred Senate Bill No. 2101

Has had the same under consideration and recommends that the same

- do pass
- do not pass
- be placed on calendar without recommendation
- be amended as follows:

On page 1, line 1, delete the word "section" and insert in lieu thereof "sections 15-34.2-12 and"

On page 1, after line 5, insert the following new section:

"SECTION 1. AMENDMENT. Section 15-34.2-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-34.2-12 SCHOOL BOARDS' AUTHORITY TO PURCHASE SCHOOL BUS EQUIPMENT. School boards shall have the power to purchase a bus body, a chassis, or complete motor bus. Such bus body, chassis, or complete motor bus shall meet the standards set up under the authority of section 39-21-27.1. School boards shall be required to advertise for bids in accordance with the provisions of section 15-47-15. School boards may use money in the general fund to purchase a bus body, a chassis, or a complete motor bus on the installment plan, provided that the payment of such plan shall not extend over a period greater than ~~four~~ six years."

On page 1, line 6, after the word "SECTION", delete the number "1" and insert in lieu thereof "2"


On page 1, line 10, remove the overstrike over the word "and"

On page 1, line 11, remove the overstrike over the words "~~approval-of~~", and after the words "~~sixty-percent~~", insert the words "a majority", and remove the overstrike over the words "~~of-the-voters-in-the-school-district~~"

On page 1, line 12, remove the overstrikes over the words "~~at-the-next-election~~"

And renumber the lines and sections accordingly

And when so amended recommends the same do pass.

 Chairman
 Senator Gary Nelson Sixth

Senate Bill No. 2101 was placed on the _____

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

Mr. PRESIDENT Your Committee on Industry, Business & Labor
 to whom was referred Senate Bill No. 2103

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 2, after the first comma, insert the following "subsection 1 of section 13-03-09,"

On page 1, line 5, after the word "unions" insert the following ", examination of licensees,"

On page 3, after line 20, insert the following new section:
 "SECTION 3. AMENDMENT. Subsection 1 of section 13-03-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

JOURNAL OF THE SENATE

1. At least once each year the state-examiner commissioner or his duly authorized representatives shall make an examination of the place of business of each licensee and of the loans, transactions, books, papers, annual reports, and records of such licensee so far as they pertain to the business licensed under this chapter. The actual cost of every examination shall be paid-to the-state-examiner-by charged by the commissioner for every licensee so examined. Such sums costs shall be paid-by-the-state-examiner to the state treasurer to be-credited-to-the-general-fund-of-this-state."

And renumber the lines, sections and pages accordingly

And when so amended recommends the same do pass.


 Senator Reiten Chairman

Senate Bill No. 2103 was placed on the Sixth

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

Mr. PRESIDENT: Your Committee on INDUSTRY, BUSINESS & LABOR
 to whom was referred SENATE Bill No. 2127

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
 without recommendation

be amended as follows:

On page 4, line 28, remove the overstrike over the word "~~SIX~~"
 and delete the word "TEN"

On page 5, line 5, remove the overstrike over the word "~~six~~"
 and delete the word "ten"

On page 5, line 26, after the word "~~dollars~~", insert the
 words "one hundred", remove the overstrike over the
 words "~~per-week,~~" and delete the words "sixty percent
of the"

On page 5, delete line 27

On page 5, line 28, delete the words "next highest dollar"
 and insert in lieu thereof "one hundred dollars"

On page 7, line 17, remove the overstrike over the word "~~six~~"
 and delete the word "ten"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.


 Senator Reiten Chairman


Senate Bill No. 2127 was placed on the Sixth

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

Mr. President: Your Committee on Social Services & Veterans Affairs
 to whom was referred Senate Bill No. 2152

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation
 be amended as follows:

 Chairman
Senator Peterson

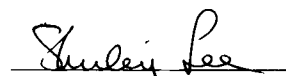
Senate Bill No. 2152 was placed on the eleventh

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

Mr. President: Your Committee on Natural Resources
to whom was referred Senate Bill No. 2164

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation
 be amended as follows:

 Chairman
Senator Lee

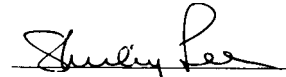
Senate Bill No. 2164 was placed on the 11th

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

Mr. President: Your Committee on Natural Resources
to whom was referred Senate Bill No. 2188

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation
 be amended as follows:

 Chairman
Senator Lee

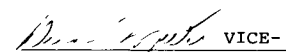
Senate Bill No. 2188 was placed on the 11th

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

Mr. PRESIDENT: Your Committee on TRANSPORTATION
to whom was referred SENATE CONCURRENT RESOLUTION No. 4017

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation
 be amended as follows:

 VICE- Chairman

SENATE CONCURRENT RESOLUTION NO. 4017 SENATOR MUTCH,
was placed on the 11th

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

FIRST READING OF SENATE BILLS

Senator Holmberg introduced:

Senate Bill No. 2234. — A Bill for an Act to amend and reenact subdivision j of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, allowing a greater reduction in North Dakota taxable income for benefits received under the United States Civil Service Act, or from firemen's relief associations or policemen's pension funds.

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

Senator Lashkowitz introduced:

Senate Bill No. 2235. — A Bill for an Act to amend and reenact sections 28-32-19 and 65-10-01 of the North Dakota Century Code, relating to scope of and procedure on appeal from decisions of the workmen's compensation bureau.

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

Senators Reiten, Vosper, Tallackson, Walsh introduced:

Senate Bill No. 2236. — A Bill for an Act to amend and reenact subsection 9 of section 6-01-02, sections 6-03-13.1, 6-03-14, and 6-03-17 of the North Dakota Century Code, relating to services rendered by bank paying and receiving stations and separate drive-in facilities.

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

Senator Reiten introduced:

Senate Bill No. 2237. — A Bill for an Act to amend and reenact section 12.1-27.1-12 of the North Dakota Century Code, relating to state preemption of local laws regulating obscenity, and providing an exception relating to city zoning authority.

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

Senator Reiten introduced:

Senate Bill No. 2238. — A Bill for an Act to repeal sections 12.1-27.1-04, 12.1-27.1-05, 12.1-27.1-06, 12.1-27.1-07, 12.1-27.1-08, 12.1-27.1-09, and 12.1-27.1-10 of the North Dakota Century Code, relating to the prior determination of obscenity in a separate civil proceeding before a criminal prosecution may be brought, and to related definitions.

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

Senators Sorum, Bakewell, Wright, Reps. O. Hanson, Nagel, Houmann introduced:

Senate Bill No. 2239. — A Bill for an Act to create and enact a new section to chapter 57-61 of the North Dakota Century Code to provide an exemption for coal used for space heating purposes.

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

Senator Barth, Reps. Kretschmar, Meyer, Riehl introduced:

Senate Bill No. 2240. — A Bill for an Act to provide for parimutuel horse or dog racing conducted by nonprofit charitable, fraternal, religious, and veterans' organizations, civic and service clubs, and other public-spirited organizations; definitions; the creation of a racing commission; appointment of a director of racing; racing commission powers and duties; issuance of licenses; license authorization and fees; allotment of racing days to applicants; bets and certificates; bet payoff formulas; special racing commission fund and general fund deposits; audits and investigations; reasons and procedure for license refusal, suspension and revocation; and the attorney general to represent the commission in hearings; providing a penalty; and providing an appropriation.

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

Senator Lips introduced:

Senate Bill No. 2241. — A Bill for an Act to amend and reenact subsection 3 of section 26-08-11 of the North Dakota Century Code, relating to the authorized investments of domestic insurance companies.

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

Senator Tallackson, Rep. Unhjem introduced:

Senate Bill No. 2242. — A Bill for an Act to amend and reenact section 54-52-17 of the North Dakota Century Code, relating to the multiplier used to calculate benefits for members of the public employees retirement system.

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

Senators Lashkowitz, Tennesos, Stenehjem, Reps. Kloubec, Vig introduced:

Senate Bill No. 2243. — A Bill for an Act to provide for the licensing and regulation of respiratory therapists and respiratory therapy technicians, providing for a North Dakota respiratory therapy examining board; and providing a penalty.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

Senator Lips introduced:

Senate Bill No. 2244. — A Bill for an Act to authorize domestic insurance companies to invest funds in the purchase of electric or mechanical machines constituting a data processing system, and to hold such system as an admitted asset for use in the company's business.

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

Senators Hanson, H. Christensen, Tierney, Fritzell introduced:

Senate Bill No. 2245. — A Bill for an Act to amend and reenact sections 15-40.1-16, 15-40.1-16.1, and 15-40.1-17 of the North Dakota Century Code to provide transportation aid for school children bused within the city limits.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1140. — A Bill for an Act to amend and reenact section 4-35-18 of the North Dakota Century Code, relating to the reciprocal issuance of a pesticide use certification to a nonresident by the pesticide control board.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3003. — A concurrent resolution directing a Legislative Council study to monitor the establishment of intermediate care facilities-services for developmentally disabled persons during the 1981-83 biennium.

Was read the first time and referred to the committee on Social Services and Veterans Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 2102. — A Bill for an Act to amend and reenact section 6-06-26 of the North Dakota Century Code, relating to payment of dividends by credit unions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, S.J. page 148 the roll was called and there were ayes 42, nays 4, absent and not voting 4.

Senate Bill No. 2026. — A Bill for an Act making an appropriation for defraying the expenses of the abandoned motor vehicles division of 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 47, nays 0, absent and not voting 3.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2063. — A Bill for an Act to create and enact a new section to chapter 26-30, providing a right to a civil action against insurance companies for damages resulting from unfair insurance practices and authorizing exemplary damages and attorney's fees to be awarded.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, S.J. page 146, the roll was called and there were ayes 15, nays 32, absent and not voting 3.

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

Senate Bill No. 2063 was declared lost.

MOTION

Senator Redlin moved that Senate Bill No. 2076 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2108. — A Bill for an Act to amend and reenact section 54-09-04 of the North Dakota Century Code, relating to the fees collected by 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 45, nays 0, absent and not voting 5.

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			

YEAS			N-V			NAYS			YEAS			N-V			NAYS		
● ADAMS			● GROETBERG			● NELSON			● TALLACKSON								
● ALBERS			● HANSON			● NETHING ●			● TENNEFOS ●								
● BAKEWELL			● HOLMBERG			● OLIN			● THANE								
● BARTH			● ISZLER			● PETERSON			● TIERNEY								
● BERUBE			● LASKOWITZ			● QUAIL			● TWETEN								
● CHRISTENSEN, H. #5			● LEE			● REDLIN ●			● VOSPER								
● CHRISTENSEN, R. #34			● LEIBHAN			● REITEN			● WALSH								
● CUSSONS			● LIPS			● ROEN			● WENSTROM								
● DOTZENROD			● LODDEN			● SHABLOW			● WRIGHT								
● DYKSHOORN			● MELLAND			● SOLBERG ●			● PARKER								
● ERICKSON			● MOORE			● SORUM			● STROMME								
● FRITZELL			● MUTCH			● STENEHJEM			● MR. PRESIDENT								
● GOODMAN			● NAADEN			● STREIBEL											

So the bill passed and the title was agreed to.

Senate Bill No. 2111. — A Bill for an Act to amend and reenact subsection 3 of section 54-52-17 of the North Dakota Century Code, relating to retirement dates under the public employees retirement 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 4.

NORTH DAKOTA SENATE											
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			● TALLACKSON		
● ALBERS			● HANSON			● NETHING ●			● TENNEFOS ●		
● BAKEWELL			● HOLMBERG			● OLIN			● THANE		
● BARTH			● ISZLER			● PETERSON			● TIERNEY		
● BERUBE			● LASKOWITZ			● QUAIL			● TWETEN		
● CHRISTENSEN, H. #5			● LEE			● REDLIN ●			● VOSPER		
● CHRISTENSEN, R. #34			● LEIBHAN			● REITEN			● WALSH		
● CUSSONS			● LIPS			● ROEN			● WENSTROM		
● DOTZENROD			● LODDEN			● SHABLOW			● WRIGHT		
● DYKSHOORN			● MELLAND			● SOLBERG ●			● PARKER		
● ERICKSON			● MOORE			● SORUM			● STROMME		
● FRITZELL			● MUTCH			● STENEHJEM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STREIBEL					

So the bill passed and the title was agreed to.

Senate Bill No. 2138. — A Bill for an Act to amend and reenact subsection 11 of section 65-01-02, and section 65-05-07 and 65-09-02 of the North Dakota Century Code, relating to definition of permanent impairment and time for filing a claim.

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 4.

NORTH DAKOTA SENATE											
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			● TALLACKSON		
● ALBERS			● HANSON			● NETHING ●			● TENNEFOS ●		
● BAKEWELL			● HOLMBERG			● OLIN			● THANE		
● BARTH			● ISZLER			● PETERSON			● TIERNEY		
● BERUBE			● LASKOWITZ			● QUAIL			● TWETEN		
● CHRISTENSEN, H. #5			● LEE			● REDLIN ●			● VOSPER		
● CHRISTENSEN, R. #34			● LEIBHAN			● REITEN			● WALSH		
● CUSSONS			● LIPS			● ROEN			● WENSTROM		
● DOTZENROD			● LODDEN			● SHABLOW			● WRIGHT		
● DYKSHOORN			● MELLAND			● SOLBERG ●			● PARKER		
● ERICKSON			● MOORE			● SORUM			● STROMME		
● FRITZELL			● MUTCH			● STENEHJEM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STREIBEL					

So the bill passed and the title was agreed to.

Senate Bill No. 2143. — A Bill for an Act to amend and reenact section 65-01-09 of the North Dakota Century Code, relating to the bureau's subrogation interest in third party recoveries.

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 4, absent and not voting 4.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2146. — A Bill for an Act to create and enact chapter 26-36.1 of the North Dakota Century Code, relating to the establishment of a life, title, surety, disability, credit, mortgage guaranty, and ocean marine insurance guaranty association.

Which has been read and has committee recommendation of do not pass.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 0, nays 47, absent and not voting 3.

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

Senate Bill No. 2146 was declared lost.

Senate Bill No. 2154. — A Bill for an Act to amend and reenact section 15-21-17 of the North Dakota Century Code, relating to compensation for state board of public school education 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 45, nays 0, absent and not voting 5.

NORTH DAKOTA SENATE								
REGULAR SESSION						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON		● TALLACKSON
● ALBERS			● HANSON			● NETHING		● TENNEFOS
● BAKEWELL			● HOLMBERG			● OLIN		● THANE
● BARTH			● ISZLER			● PETERSON		● TIERNEY
● BERUBE			● LASHKOWITZ			● QUAIL		● TWETEN
● CHRISTENSEN, H. #5			● LEE			● REDLIN		● VOSPER
● CHRISTENSEN, R. #M			● LEIBMAN			● REITEN		● WALSH
● CUSSONS			● LIPS			● ROEN		● WENSTROM
● DOTZENROD			● LODDEN			● SHABLOW		● WRIGHT

• DYKSHOORN	• MELLAND	• SOLBERG	• PARKER
• ERICKSON	• MOORE	• SORUM	• STROMME
• FRITZELL	• MUTCH	• STENEHJEM	• MR. PRESIDENT
• GOODMAN	• NAADEN	• STREIBEL	

So the bill passed and the title was agreed to.

Senate Bill No. 2158. — A Bill for an Act to amend and reenact section 65-01-11 of the North Dakota Century Code, relating to burden of proof in compensation claims.

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 2, absent and not voting 5.

NORTH DAKOTA SENATE											
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			• TALLACKSON		
• ALBERS	•		• HANSON			• NETHING	•		• TENNEFOS	•	
• BAKEWELL			• HOLMBERG			• OLIN			• THANE		
• BARTH			• ISZLER			• PETERSON			• TIERNEY		
• BERUBE			• LASKOWITZ	•		• QUAIL			• TWETEN		
• CHRISTENSEN, H. #5			• LEE			• REDLIN	•		• VOSPER		
• CHRISTENSEN, R. #36			• LEIBMAN			• REITEN			• WALSH		
• CUSSONS			• LIPS			• ROEN			• WENSTROM		
• DOTZENROD			• LODOEN			• SHABLOW		•	• WRIGHT		
• DYKSHOORN			• MELLAND			• SOLBERG	•		• PARKER		
• ERICKSON			• MOORE			• SORUM			• STROMME		
• FRITZELL			• MUTCH			• STENEHJEM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STREIBEL					

So the bill passed and the title was agreed to.

Senate Bill No. 2170. — A Bill for an Act to amend and reenact section 65-13-04.1 of the North Dakota Century Code, relating to inmates who are crime victims.

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 6.

NORTH DAKOTA SENATE											
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			• TALLACKSON		
• ALBERS	•		• HANSON			• NETHING	•		• TENNEFOS		
• BAKEWELL			• HOLMBERG			• OLIN			• THANE		
• BARTH			• ISZLER			• PETERSON			• TIERNEY		
• BERUBE			• LASKOWITZ	•		• QUAIL			• TWETEN		
• CHRISTENSEN, H. #5			• LEE			• REDLIN	•		• VOSPER		
• CHRISTENSEN, R. #36			• LEIBMAN			• REITEN			• WALSH		•
• CUSSONS			• LIPS			• ROEN			• WENSTROM		
• DOTZENROD			• LODOEN			• SHABLOW		•	• WRIGHT		•
• DYKSHOORN			• MELLAND			• SOLBERG	•		• PARKER		
• ERICKSON			• MOORE			• SORUM			• STROMME		
• FRITZELL			• MUTCH			• STENEHJEM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STREIBEL					

So the bill passed and the title was agreed to.

Senate Bill No. 2186. — A Bill for an Act to amend and reenact subsection 1 of section 30.1-14-07, subsection 2 of section 30.1-15-14, subsection 2 of section 57-37.1-08, and section 57-37.1-13 of the North Dakota Century Code, relating to notices to the tax commissioner of appointment, proceedings in probate, notices pertaining to estates and given to the tax commissioner by financial institutions and insurance companies, and the distribution of minimum estate tax payments; and to repeal section 57-37.1-05 of the North Dakota Century Code, relating to property previously subject to estate 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 4.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2190. — A Bill for an Act to amend and reenact subsection 2 of section 57-62-02 of the North Dakota Century Code, relating to allocation of moneys in the coal development funds; and to declare 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 3.

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

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

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4001. — A concurrent resolution directing the Legislative Council to conduct a study of the extent of the jurisdiction of the district and new county courts over trusts, equitable matters, and provisional remedies.

Was read the second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution 4001 was declared adopted on a voice vote.

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

Senate Bill No. 2003

Senate Concurrent Resolution No. 4019

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Mr. Speaker: Senate Chamber

I have the honor to transmit herewith the following:

Senate Bill No. 2003

Senate Concurrent Resolution No. 4019

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

LEO LEIDHOLM, Secretary

JOURNAL OF THE SENATE
MESSAGE TO THE HOUSE
Senate Chamber

Mr. Speaker:

I have the honor to transmit herewith the following, which the Senate has passed and your favorable consideration is requested on:

Senate Bill No. 2043
Senate Bill No. 2047
Senate Bill No. 2048
Senate Bill No. 2070
Senate Bill No. 2071
Senate Bill No. 2099
Senate Bill No. 2100
Senate Bill No. 2109
Senate Bill No. 2132
Senate Bill No. 2151
Senate Bill No. 2156
Senate Bill No. 2187

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
House Chamber

Mr. President:

I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1067
House Bill No. 1071
House Bill No. 1074
House Bill No. 1088
House Bill No. 1133
House Bill No. 1142
House Bill No. 1151
House Bill No. 1169

ROY GILBREATH, Chief Clerk

Mr. President: House Chamber

I have the honor to return:
Senate Bill No. 2003
Senate Concurrent Resolution No. 4019

Which the Speaker has signed.


ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4019

..... was delivered to the } Secretary of State on January 15, 1981.


Stella Fritzell Chairman

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

Senator Thane moved that after the reading of Senate Bills Nos. 2065, 2076, 2077, 2083, 2152, 2164, 2188 and SCR 4017, the Senate adjourn and will convene at 12:30 p.m., Friday, January 16, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary