

EIGHTEENTH DAY

Bismarck, January 29, 1981

The Senate Convened at 1:00 p.m., with President Sands presiding.

The prayer was offered by Rev. Thomas Kramer, Cathedral of the Holy Spirit, Bismarck.

LET US PRAY.

Lord God, we come to You again today, asking for Your assistance. Grant us clarity of vision to see Your designs in the confusing events of our world. Free us from useless anxiety but make us restless in pursuing what is right and just. Make us impatient with shame and pretense and relentless in our opposition to injustice and oppression of any kind.

Give us guidance in our search, perseverance in our efforts and courage in our decisions.

Help us to appreciate the gift of freedom and make us responsible in our use of it. Send Your spirit upon us to make us honest and untiring, bold and unselfish in our work for the people we represent. Amen.

The roll was called and all members were present except Senators Melland, Nething, Roen, Shablow and Vosper.

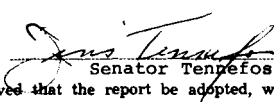
A quorum was declared by the President.

Correction and Revision of The Journal

Mr. President Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Seventeenth day and

finds the same to be correct.

..... Senator Walsh

.....

 Senator Tenpefos Chairman
 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. 2014
 Senate Bill No. 2038
 Senate Bill No. 2040
 Senate Bill No. 2053

Senate Bill No. 2173
Senate Bill No. 2197
Senate Bill No. 2241
Senate Bill No. 2251

Senate Concurrent Resolution No. 4018

and find the same correctly

Engrossed

Stella H. Fritzell
Stella Fritzell Chairman

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

PROCLAMATION

President Sands:

President Reagan has proclaimed today, January 29, 1981, as a day of thanksgiving for the freedom of the 52 americans who were held hostage for 444 days in Iran, and who were released and returned safely home to the greatest country on earth, the United States of America.

We in the Senate join those 52 Americans, their families and all the people in America to celebrate this great day.

A minute of silent prayer was observed by the Senate body.

Report of Standing Committee

Mr. President: Your Committee on Appropriations
to whom was referred Senate Bill No. 2019

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 13, delete the numerals "402,196" and insert in lieu thereof the numerals "427,112"

On page 1, line 17, delete the numerals "466,733" and insert in lieu thereof the numerals "491,649"

On page 1, after line 17, insert the following:

"SECTION 2. NONCONTRIBUTORY RETIREMENT PLAN. For the agency named in this Act \$32,129 is included in the salaries and wages line item to fund a noncontributory employee retirement program. The amount referred to in this section shall not be used for any purpose other than to fund a non-contributory retirement program for state employees. If the forty-seventh legislative assembly does not provide by statute for a noncontributory retirement program for state employees, such amount shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages of the Securities Commissioner are increased by \$24,916 to provide funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including \$32,129 for the state funding of the employee's share of PERS.

And when so amended recommends the same do pass.

Frank E. Lips Chairman
Senator Lips

Senate Bill No. 2019 was placed on the 6th

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

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2031

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 14, delete the numerals "1,635,685" and insert in lieu thereof the numerals "1,720,266"

On page 1, line 15, delete the words and numerals "Fees and services" and "1,171,557" and insert in lieu thereof the words and numerals "Operating expenses" and "1,315,046"

On page 1, line 23, delete the numerals "4,187,006" and insert in lieu thereof the numerals "4,415,076"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages of the Motor Vehicle Department are increased by \$84,581, of which \$62,981 is to allow funds for the continuation of the 10 percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including the state funding the employee's share of PERS, and \$21,600 is to restore funding for temporary and overtime salaries. Operating expenses are increased by \$143,489 to restore funding in the following areas: Rent - \$78,228; Printing - \$46,280; Travel - \$13,001; Supplies - \$2,913; Service contracts - \$1,817; and Moving costs - \$1,250.

And when so amended recommends the same do pass.

Frank E. Lips Chairman
Senator Lips

Senate Bill No. 2031 was placed on the 6th

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

Mr. PRESIDENT: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred Senate Bill No. 2113

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:

Shoemaker Chairman
Senator Reiten

Senate Bill No. 2113 was placed on the Eleventh

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

JOURNAL OF THE SENATE

Mr. PRESIDENT : Your Committee on INDUSTRY, BUSINESS AND LABOR
to whom was referred Senate Bill No. 2114

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:


Senator Reiten Chairman

Senate Bill No. 2114 was placed on the Eleventh

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

Mr. PRESIDENT : Your Committee on INDUSTRY, BUSINESS AND LABOR
to whom was referred Senate Bill No. 2116

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:


Senator Reiten Chairman

Senate Bill No. 2116 was placed on the Eleventh

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. 2117

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 16, overstrike the word "five" and
insert in lieu thereof the word "ten"

And renumber the lines accordingly

And when so amended recommends the same do pass.


Senator C. Reiten Chairman

SENATE Bill No. 2117 was placed on the Sixth

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

Mr. PRESIDENT : Your Committee on INDUSTRY, BUSINESS AND LABOR
to whom was referred Senate Bill No. 2120

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:



Senator Reiten

Chairman

Senate Bill No. 2120 was placed on the Eleventh

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

Mr. President: Your Committee on Senate Education

to whom was referred Senate Bill No. 2123

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, after the word "enact", delete the word "a" and insert in lieu thereof the word "two", and after the word "new" delete the word "subsection" and insert in lieu thereof the word "subsections"

On page 1, line 3, after the word "interest" insert the words "and base salary"

On page 1, line 12, delete the word "A" and insert in lieu thereof the word "Two", and after the word "new" delete the word "subsection" and insert in lieu thereof the word "subsections"

On page 1, line 13, after the word "Code" delete the word "is" and insert in lieu thereof the word "are"

On page 1, after line 24, insert the following:
"Base salary" as applied to the purchase of additional service credit shall be the teacher's first annual salary earned in North Dakota immediately following the period for which service credit may be purchased."

On page 3, line 14, after the word "or" insert the word "by"

On page 6, line 11, overstrike the words "Credit may be claimed"

On page 6, line 12, overstrike the words "and interest shall be paid"

On page 6, line 13, overstrike the words "on all payments required under this subsection"

On page 6, overstrike all of lines 20 through line 29

On page 7, delete all of line 3

On page 7, line 4, delete the words and comma "provision of law,"

On page 7, line 6, overstrike the words "his return to" and after the word "teaching" insert the words "one year in North Dakota subsequent to military service" and overstrike the words "and the payment"

On page 7, overstrike all of lines 7 and 8

On page 7, line 9, overstrike the words "salary on return to teaching in the state"

On page 7, line 23, overstrike the words "All payments required under"

On page 7, overstrike line 24

On page 7, line 35, overstrike the words "upon the payment of the"

On page 8, overstrike lines 1 through 5

On page 8, line 6, overstrike the words and delete the comma "district or state institution where he was employed,"

On page 8, line 7, delete the words "plus interest" and overstrike the words and period ". Such back assessments must be paid"

On page 8, line 8, overstrike "prior to" and "retirement under this"

On page 8, line 9, overstrike the word "chapter"

On page 8, line 34, after the word "or" insert the word "by", and after the date "July 1," delete "1981" and insert in lieu thereof the date "1986" and after the period add the words "The payment shall include teacher and employer assessments, plus interest, calculated upon the teacher's base salary, which shall also be the basis of the retirement benefits which the teacher shall be entitled to receive."

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

Sen Gary Nelson Chairman
Senator Gary Nelson

Senate Bill No. 2123 was placed on the Sixth

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

Mr. PRESIDENT: Your Committee on TRANSPORTATION
to whom was referred SENATE Bill No. 2155

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, delete everything after the words "A BILL" and insert in lieu thereof the following:

"for an Act to create and enact a new section to chapter 49-11 of the North Dakota Century Code, relating to

obstructing alternative railroad crossings; to amend and reenact sections 24-09-04, 49-11-01, 49-11-06, and 49-11-19 of the North Dakota Century Code, relating to temporary way and crossing during railroad alterations, construction and maintenance of railroad crossings, obstructing a railroad crossing, and advance warning signs; to repeal sections 49-11-13, 49-11-14, and 49-11-15 of the North Dakota Century Code, relating to safety determination of railroad grade crossings, notice to railroad of investigation of grade crossing, and the penalty for violation of an order; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 24-09-04 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

24-09-04. ADVANCE WARNING SIGNS -EXCEPTIONS. The sole signing duty of the road authority, except as otherwise designated by the commission, at each public grade crossing crossings in the state shall be the erection and maintenance of advance warning signs in accordance with the manual on uniform traffic control devices. The road authorities shall have a reasonable length of time, not exceeding four two years, in which to fully implement this requirement.

SECTION 2. A new section to chapter 49-11 of the Dakota Century Code is hereby created and enacted to read as follows:

BLOCKING OR OBSTRUCTING ALTERNATIVE CROSSINGS-
PENALTY. Any person operating a train who shall block
or obstruct a public railroad crossing and who has
the alternative of blocking or obstructing a crossing
with active grade crossing traffic control devices or
a crossing without such device shall, where feasible,
and subject to the exception set forth in section
49-11-19, leave open the crossing with active grade

crossing control devices. Any person who violates this section is guilty of an infraction.

SECTION 3. Section 49-11-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-11-01. ~~CHANGING-HIGHWAY~~ OBSTRUCTION OF CROSSING BY RAILROAD - PROVISION FOR TEMPORARY WAY. Every railroad corporation while engaged in raising or lowering any ~~public-highway~~ railroad track or in making any other alterations, by means of which ~~such-highway~~ a railroad crossing may be obstructed, shall provide and keep in good order a suitable temporary highways way and crossing with adequate protection to enable travelers to avoid or pass such ~~obstructions~~ obstruction.

SECTION 4. AMENDMENT. Section 49-11-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-11-06. RAILROAD CROSSINGS - CONSTRUCTION AND MAINTENANCE.

1. A public highway-railroad crossing at grade shall be constructed of a grade of earth on one or both sides of the railroad track, as the location may require, for the entire width of the highway grade but in no case less than twenty feet [6.10 meters] in width, the middle point of which shall be as nearly as practicable at the middle point of the highway and such grade shall be of such slope as shall be necessary for the safety and convenience of the traveling public.
2. Firmly fastened planks, concrete, asphalt, or other suitable material for highway construction shall be used on and for the full length of the ties used in the roadbed of such railway where such crossing occurs. The highway material next inside of the rail shall not be more than two and one-half

inches [6.35 centimeters] from the inside surface of such rail. The highway material used in the crossing shall not be less than three inches [7.62 centimeters] in thickness, and shall be laid so that the upper surface of the highway material shall be on a level with the upper surface of the rail. ~~Such highway material shall extend along the railway the entire width of the highway grade and in no case less than twenty feet {6.10 meters}.~~

3. At such time as tracks through a railroad crossing are raised or otherwise altered by the railroad, the railroad shall, unless otherwise ordered by the commission, adjust and restore the crossing and the highway approaches, surfaces and grades as shall be necessary for the safety and convenience of the traveling public. At such time as a public highway at a railroad crossing is altered by the road authority, the road authority at its expense shall adjust and restore the crossing and the highway approaches, surfaces and grades as shall be necessary for the safety and convenience of the traveling public.
4. It shall be the duty of the railroad to maintain all railroad crossings in a safe and convenient condition for the traveling public. Such responsibility for maintenance shall be limited to that portion of the crossing lying between the tracks and for two feet [.61 meters] beyond the ends of the cross ties on each side of the crossing.

SECTION 5. AMENDMENT. Section 49-11-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-11-19. BLOCKING OR OBSTRUCTING CROSSING WITH TRAIN - PENALTY. ~~Any person in charge or in control of any railroad car, engine, or train of cars, who, for a~~

~~period-of-more-than-fifteen-consecutive-minutes,-shall obstruct-or-block-any-railroad-crossing,-rural-highway, or-city-street,-by-placing-or-permitting-any-car,-engine, or-train-of-cars-to-stand-or-remain-stationary-thereon, is-guilty-of-an-infraction.~~

No person shall operate any train in such a manner as to prevent vehicular use of any roadway for a period of time in excess of ten consecutive minutes except:

1. When necessary to comply with safety signals affecting the safety of the movement of trains;
2. When necessary to avoid striking any object or person on the track;
3. When the train is disabled, by accident or otherwise;
4. When the train is in motion except when engaged in switching operations;
5. When there is no vehicular traffic waiting to use the crossing; or
6. When necessary to comply with a government statute or regulation.

Any person who violates this section is guilty of an infraction. The provisions of this section do not apply to cities which have or-may-have on the date of such obstruction ordinances covering the same subject matter.

SECTION 6. REPEAL. Sections 49-11-13, 49-11-14, and 49-11-15 of the North Dakota Century Code are hereby repealed.

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass.

Chairman

SENATOR SOLBERG

SENATE Bill No. 2155 was placed on the SIXTH

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2165

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:

Chuck Goodman Chairman
Senator Chuck Goodman

Senate Bill No. 2165 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. 2196

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 3, after the word "neither" insert the word "a", and after the word "parent" insert the words "nor a legal guardian"

On page 1, line 4, delete the words "North Dakota" and insert in lieu thereof the words "the school district"

On page 1, line 22, overstrike the word "welfare" and insert in lieu thereof the words "social service"

On page 2, line 18, after the "parent" insert the words "or legal guardian"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass

Sen Gary Nelson Chairman
Senator Gary Nelson

Senate Bill No. 2196 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. 2206

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:

Sen C. Reiten Chairman
Senator C. Reiten

SENATE Bill No. 2206 was placed on the Eleventh

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. 2210

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:


 Senator Peterson Chairman

Senate Bill No. 2210 was placed on the eleventh

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

Mr. President: Your Committee on Finance and Taxation
 to whom was referred Senate Bill No. 2249

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 4, following the word "products"
 insert the words "; and to provide an effective date"

Or page 6, following line 4, insert the following new
 section:

"SECTION 8. EFFECTIVE DATE. This act shall become
 effective on January 1, 1982."

and renumber the lines, sections and pages accordingly

And when so amended recommends the same do pass.


 Senator Chuck Goodman Chairman

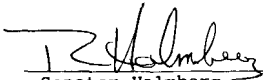
Senate Bill No. 2249 was placed on the sixth

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. 2258

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:


 Senator Holmberg Chairman

SENATE Bill No. 2258 was placed on the Eleventh

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

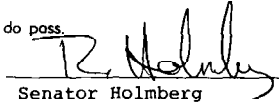
Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS
 to whom was referred SENATE Bill No. 2278

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 15, after the word "chapter" delete the word "shall" and insert the word "may"

And when so amended recommends the same do pass.

 Chairman
 Senator Holmberg

SENATE Bill No. 2278 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. 2289

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:

And be rereferred to the Committee on Appropriations


 Chairman
 Senator Peterson

Senate Bill No. 2289 was rereferred to the Committee on Appropriations.

Mr. PRESIDENT: Your Committee on TRANSPORTATION to whom was referred SENATE Bill No. 2296

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 SOLBERG

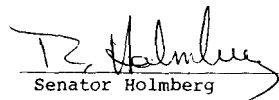
SENATE Bill No. 2296 was placed on the 11th

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. 2324

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. 2324 was placed on the Eleventh

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

Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred Senate Bill No. 2327

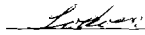
Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 2, line 4, delete "fifteen" and insert "thirty"

And when so amended recommends the same do pass.

 Chairman
Senator Lodoen

Senate Bill No. 2327 was placed on the Sixth

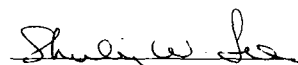
order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources
to whom was referred Senate Concurrent Resolution No. 4011

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

SCR No. 4011 was placed on the 11th

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 Concurrent Resolution No. 4020

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 Concurrent Resolution No. 4020 was placed on the eleventh

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

CONSIDERATION OF AMENDMENTS

Senator H. Christensen moved that the amendments to Senate Bill No. 2076 recommended by the Committee on Judiciary and printed on page 337 of the Senate Journal be adopted, which motion prevailed.

Senator Solberg moved that the amendments to Senate Bill No. 2227 recommended by the Committee on Transportation and printed on

pages 337, 338 of the Senate Journal be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Naaden, Reps. Wald, D. Olsen introduced:

Senate Concurrent Resolution No. 4031. — A concurrent resolution to request appropriate action by the Congress, either acting by consent of two-thirds of both houses or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention for the purpose of considering, drafting, and proposing an amendment to the Constitution of the United States to provide protection of the right to life of all human beings.

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

Senator Olin, Reps. Wald, Goetz introduced:

Senate Concurrent Resolution No. 4032. — A concurrent resolution urging the President and Congress to fund and implement immediately the mineral impact loan program authorized under section 317(c) of the Federal Land Policy and Management Act of 1976.

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

Senator Melland introduced:

Senate Concurrent Resolution No. 4033. — A concurrent resolution establishing the procedures for the Legislative Assembly to call itself into special session, relating to the call of the special session by the governor, speaking to the role of legislative standing committees, and relating to other matters of legislative procedure.

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

Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4034. — A concurrent resolution urging Congress to dispense aid to the state in the form of block grants.

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

Senators Mutch, Lee, Naaden introduced:

Senate Concurrent Resolution No. 4035. — A concurrent resolution urging the United States Congress to pass the resolution which has been introduced by Senator Jesse Helms and Representative Robert K. Dornan calling for a right to life amendment to the United States Constitution.

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

Senators Mutch, Naaden, Roen introduced:

Senate Concurrent Resolution No. 4036. — A concurrent resolution requesting the Congress of the United States to propose to the people an amendment to the United States Constitution expressly prohibiting the government of the United States from engaging in enterprise in competition with its citizens, the supreme law of the land, and repealing the sixteenth amendment.

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

Senators Mutch, Naaden, Lee introduced:

Senate Concurrent Resolution No. 4037. — A concurrent resolution urging the Congress of the United States to exercise its power, granted

under section 2 of article III of the United States Constitution, to limit the jurisdiction of the United States Supreme Court to prevent deprivation of the right to life from the moment of conception.

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

Senators Nething, Redlin, Rep. Strinden introduced:

Senate Concurrent Resolution No. 4038. — A concurrent resolution urging the United States Secretary of the Interior to proceed with phased construction of, and to seek consultations on, the authorized Garrison Diversion Unit.

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

Senators Iszler, Nelson, Vosper introduced:

Senate Concurrent Resolution No. 4039. — A concurrent resolution requesting the Secretary of Agriculture to ensure that federal farm programs neither require nor encourage cultivation of highly erosive land.

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

Senators Vospers, Shablow, Rep. A. Olson introduced:

Senate Concurrent Resolution No. 4040. — A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the Pembilier Dam Project.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1017. -- A Bill for an Act making an appropriation for defraying the expenses of unemployment insurance for the various departments and institutions of the state of North Dakota.

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

House Bill No. 1082. -- A Bill for an Act to empower counties to regulate and restrict the subdivision of land, to provide for the preparation of a subdivision resolution, to provide for a plat approval procedure, and to provide a penalty and civil remedies.

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

House Bill No. 1087. -- A Bill for an Act to provide a supplemental appropriation to the coal development impact office of the state of North Dakota to provide for additional grants; and declaring an emergency.

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

House Bill No. 1093. -- A Bill for an Act to amend and reenact sections 15-35-09 and 15-35-10 of the North Dakota Century Code; and to provide for tornado and disaster emergency drills in public and private elementary and secondary schools.

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

House Bill No. 1094. -- A Bill for an Act to authorize the state health officer of the state department of health to sell or trade three tracts of land owned by the state of North Dakota and used by the state hospital.

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

House Bill No. 1120. — A Bill for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to exempting sales to certain nonprofit voluntary health associations from sales and use taxes.

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

House Bill No. 1139. — A Bill for an Act to amend and reenact section 4-30-36 of the North Dakota Century Code, relating to the standards for grade A milk and milk products.

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

House Bill No. 1158. — A Bill for an Act to create and enact five new sections to chapter 50-01 of the North Dakota Century Code, relating to work requirements for poor relief recipients, establishment of community work experience programs, and termination of benefits; and to repeal sections 50-01-17 and 50-01-18 of the North Dakota Century Code, relating to work requirements for poor relief recipients.

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

House Bill No. 1228. — A Bill for an Act to amend and reenact section 15-38-07 of the North Dakota Century Code, relating to required subjects in the public and private schools.

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

FIRST READING OF

HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3002. — A concurrent resolution encouraging state agencies, institutions, and service providers on the community level to implement a plan for community services for developmentally disabled persons.

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

House Concurrent Resolution No. 3013 — A concurrent resolution urging Congress to repeal the national 55 mile per hour speed limit.

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

House Concurrent Resolution No. 3021. — A concurrent resolution expressing the gratitude and congratulations of the Forty-seventh Legislative Assembly to Warren Christopher for his contribution to securing the release of the Iranian hostages.

Was read the first time.

Senator Thane moved that the rules be suspended, the House Concurrent Resolution No. 3021 as printed on pages 338 and 339 of the House Journal, be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A

HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3021. — A concurrent resolution expressing the gratitude and congratulations of the Forty-seventh Legislative Assembly to Warren Christopher for his contribution to securing the release of the Iranian hostages.

Was read the second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3021 was declared adopted on a voice vote.

SECOND READING OF SENATE BILLS

Senate Bill No. 2014. — A Bill for an Act making an appropriation for defraying the expenses of the department of veterans' affairs of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ page 320, the roll was called and there were ayes 48, nays 0, absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #24			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODDEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAN			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			MR. PRESIDENT		
• GOODMAN			• NAAEDEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2038. — A Bill for an Act making an appropriation for defraying the expenses of the Crime Victims Reparations Act under the supervision of the workmen's compensation bureau of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ pages 320, 321, the roll was called and there were ayes 48, nays 0, absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #24			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODDEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAN			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			MR. PRESIDENT		
• GOODMAN			• NAAEDEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2040. — A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund and to the community water facility loan fund of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ page 321 the roll was called and there were ayes 48, nays 0, absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											

YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• 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.

MOTIONS

Senator Iszler moved that Senate Bill No. 2246 be returned to the Senate floor from the Committee on Agriculture, which motion prevailed.

Senator Iszler requested the unanimous consent of the Senate to withdraw Senate Bill No. 2246.

Senator Naaden objected to the motion that Senate Bill No. 2246 be withdrawn. The President re-referred Senate Bill No. 2246 back to the Committee on Agriculture.

Senator Fritzell moved that Senate Bill No. 2290 be returned to the Senate floor from the Committee on Judiciary, which motion prevailed.

Senator Fritzell requested the unanimous consent of the Senate to withdraw Senate Bill No. 2290. There being no objection, it was so ordered by the President.

Senator Lodoen moved that Senate Bill No. 2341 be returned to the Senate floor from the Committee on State and Federal Government.

Senator Lodoen requested the unanimous consent of the Senate to withdraw Senate Bill No. 2341. There being no objection, it was so ordered by the President.

Senator Lee moved that Senate Bill No. 2361 be returned to the Senate floor from the Committee on Natural Resources, which motion prevailed.

Senator Lee moved that Senate Bill No. 2361 be re-referred to the Committee on Agriculture, which motion prevailed.

**SECOND READING OF
SENATE BILLS**

Senate Bill No. 2053. — A Bill for an Act to provide for a revolving fund controlled by the superintendent of public instruction to fund school bus route analyses; and to provide an appropriation.

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

ROLL CALL

The question being on the final passage of the bill, as amended, SJ page 322, the roll was called and there were ayes 15, nays 31, absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS		•		GROTBERG	•		NELSON	•		STREIBEL	•
• ALBERS			•	HANSON			NETHING	•		STROMME	•
• BAKEWELL		•	•	HOLMBERG			OLIN			TALLACKSON	•
• BARTH		•		ISZLER	•		PARKER	•		TENNEFOS	•
• BERUBE				LASHKOWITZ	•		PETERSON	•		THANE	•
• CHRISTENSEN, H. #5		•		LEE	•		QUAIL		•	TIERNEY	•
• CHRISTENSEN, R. #36			•	LEIBHAN			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	•			

page 323, the roll was called and there were ayes 47, nays 0, absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. JS			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. FW			• LEIBMAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODDEN			• 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.

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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ page 324, the roll was called and there were ayes 46, nays 0, absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. JS			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. FW			• LEIBMAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODDEN			• 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.

Senate Bill No. 2250. — A Bill for an Act to amend and reenact section 11-28-05 and 11-28-06 of the North Dakota Century Code, relating to the powers and duties of the board of county park commissioners, and county tax levies for park purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there ayes 44, nays 0, absent and not voting 6.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. JS			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. FW			• LEIBMAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODDEN			• 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.

Senate Bill No. 2251. — A Bill for an Act to define ridesharing arrangements; to create and enact a new subdivision to subsection 2 of section 26-41-10 and new subsections to sections 32-12.1-03 and 49-18-02 of the North Dakota Century Code, relating to priority of applicable security for basic no-fault benefits, political subdivision liability, and motor carrier regulation; and to amend and reenact sections 3-03-09, 8-07-01, 32-12.1-15, subsection 2 of section 34-06-01, subsections 3 and 6 of section 39-01-01, subsection 3 of section 39-01-08, and subsection 27 of section 40-05-01 of the North Dakota Century Code, relating to agents' negligence, common carriers, state and political subdivision liability, minimum wages and hours, motor vehicle regulation, and powers of municipalities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ page 324, the roll was called and there were ayes 46, nays 1, absent and not voting 3.

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ	●		● PETERSON			● THANE		
● CHRISTENSEN, H. JS			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. JM			● LEIBMAN			● REDLIN			● TWETEN		
● CUSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODOEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAM	●		● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT	●	
● FRITZELL			● MUTCH			● SORUM			MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2273. — A Bill for an Act to create and enact a new section to chapter 51-14 of the North Dakota Century Code to provide that the state and its departments, agencies, boards, councils, bureaus, and institutions shall be liable for credit service charges in revolving charge agreements.

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 3, nays 44, absent and not voting 3.

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		●	STREIBEL		●
ALBERS		●	HANSON		●	NETHING		●	STROMME		●
BAKEWELL		●	HOLMBERG		●	OLIN		●	TALLACKSON		●
BARTH		●	ISZLER		●	PARKER		●	TENNEFOS		●
BERUBE		●	LASHKOWITZ		●	PETERSON		●	THANE		●
CHRISTENSEN, H. JS		●	LEE		●	QUAIL		●	TIERNEY		●
CHRISTENSEN, R. JM		●	LEIBMAN		●	REDLIN		●	TWETEN		●
CUSONS		●	LIPS		●	REITEN		●	VOSPER		●
DOTZENROD		●	LODOEN		●	ROEN		●	WALSH		●
DYKSHOORN		●	MELLAM		●	SHABLOW		●	WENSTROM		●
ERICKSON		●	MOORE		●	SOLBERG		●	WRIGHT		●
FRITZELL		●	MUTCH		●	SORUM		●	MR. PRESIDENT		
GOODMAN		●	NAADEN		●	STENEHJEM		●			

Senate Bill No. 2273 was declared lost.

Senate Bill No. 2282. — A Bill for an Act to create and enact a new

subsection to section 57-39.2-04 of the North Dakota Century Code, relating to a sales tax exemption for diabetic supplies.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2283. — A Bill for an Act to provide an appropriation for the construction of a classroom-auditorium building at the state school of science.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2285. — A Bill for an Act to limit the accumulation of annual leave by state employees; to reimburse state employees having at least ten years of service for accumulated unused sick leave upon termination or retirement: and to provide an appropriation.

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 4, nays 42, 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
ADAMS		●	GROTBERG		●	NELSON		● STREIBEL
ALBERS		●	HANSON		●	NETHIN		● STROMME
BAKEWELL		●	HOLMBERG		●	OLIN		● TALLACKSON
BARTH		●	ISZLER		●	PARKER		● TENNEFOS
BERUBE		●	LASHKOWITZ		●	PETERSON		● THANE
CHRISTENSEN, H. JS		●	LEE		●	QUAIL		● TIERNEY

CHRISTENSEN, R. JW	LEIBHAN	REDLIN	TWETEN
CUSSONS	LIPS	REITEN	VOSPER
DOTZENROD	LODOEN	ROEN	WALSH
DYKSHOORN	MELLAN	SHABLOW	WENSTROM
ERICKSON	MOORE	SOLBERG	WRIGHT
FRITZELL	MUTCH	SORUM	MR. PRESIDENT
GOODMAN	NAADEN	STENEHJEM	

Senate Bill No. 2285 was declared lost.

Senate Bill No. 2298. — A Bill for an Act to create a new subsection to section 12.1-27.1-01 of the North Dakota Century Code, relating to a definition of obscene motion picture; to amend and reenact subsections 1, 4, and 6 of section 12.1-27.1-01, and section 12.1-27.1-05 of the North Dakota Century Code, relating to the showing of obscene motion pictures, and excepting such showings from the prerequisite civil procedure proceedings of the obscenity statutes; and providing a penalty.

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 10, nays 37, absent and not voting 3.

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

Senate Bill No. 2298 was declared lost.

Senator Thane moved that the Senate recess until 3:30 p.m., which motion prevailed.

The Senate reconvened, with President Sands presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 2308. — A Bill for an Act to amend and reenact sections 13-04-01 and 51-13-03 of the North Dakota Century Code, relating to charges and terms on installment bank loans and retail installment contracts.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2342. — A Bill for an Act to amend and reenact section 6-09-15.3 of the North Dakota Century Code, relating to bank stock loans made by the Bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 0, absent and not voting 4.

REGULAR SESSION									1981 LEGISLATURE								
YEAS			N-V			NAYS			YEAS			N-V			NAYS		
• ADAMS			• GROTBERG			• NELSON			• STREIBEL								
• ALBERS			• HANSON			• NETHIN			• STROMME								
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON								
• BARTH			• ISLER			• PARKER			• TENNEFOS								
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE								
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY								
• CHRISTENSEN, R. #34			• LEIBMAN			• REDLIN			• TWETEN								
• CUSSONS			• LIPS			• REITEN			• VOSPER								
• DOTZENROD			• LODDEN			• ROEN			• WALSH								
• DYKSHOORN			• MELLAM			• SHABLOW			• WENSTROM								
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT								
• FRITZELL			• MUTCH			• SORUM			MR. PRESIDENT								
• GOODMAN			• NAADEN			• STENEHJEM											

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4018. — A concurrent resolution requesting the Commissioner of Insurance to study insurance rates and rating procedures for automobile drivers under 25 years of age.

Was read the second time.

The question being on the final adoption of the resolution, as amended, SJ page 326, Senate Concurrent Resolution No. 4018 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

House Bill No. 1071. — A Bill for an Act to amend and reenact section 15-62.1-13 of the North Dakota Century Code, relating to the state scholarship revolving fund.

Which has been read.

ROLL CALL

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

REGULAR SESSION									1981 LEGISLATURE								
YEAS			N-V			NAYS			YEAS			N-V			NAYS		
• ADAMS			• GROTBERG			• NELSON			• STREIBEL								
• ALBERS			• HANSON			• NETHIN			• STROMME								
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON								
• BARTH			• ISLER			• PARKER			• TENNEFOS								
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE								
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY								
• CHRISTENSEN, R. #34			• LEIBMAN			• REDLIN			• TWETEN								
• CUSSONS			• LIPS			• REITEN			• VOSPER								
• DOTZENROD			• LODDEN			• ROEN			• WALSH								
• DYKSHOORN			• MELLAM			• SHABLOW			• WENSTROM								
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT								
• FRITZELL			• MUTCH			• SORUM			MR. PRESIDENT								
• GOODMAN			• NAADEN			• STENEHJEM											

So the bill passed and the title was agreed to.

House Bill No. 1110. — A Bill for an Act to amend and reenact subdivision d of subsection 3 and subdivision d of subsection 4 of section 54-52-17 of the North Dakota Century Code, relating to the computation of disability benefits 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 35, nays 12, 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		●	● GROTBERG			● NELSON		●	● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		●
● BERUBE			● LASKOWITZ		●	● PETERSON			● THANE		
● CHRISTENSEN, H. JS			● LEE			● QUAIL		●	● TIERNEY		
● CHRISTENSEN, R. JM			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		●
● DOTZENROD			● LODDEN			● ROEN		●	● WALSH		●
● DYKSHOORN			● MELLAN			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE		●	● SOLBERG			● WRIGHT		●
● FRITZELL			● MUTCH		●	● SORUM		●	● MR. PRESIDENT		
● GOODMAN			● NAADEN		●	● STENEHJEM					

So the bill passed and the title was agreed to.

House Bill No. 1111. — A Bill for an Act to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to the repurchase of past service by former members of 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									1981 LEGISLATURE		
REGULAR SESSION			ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. JS			● LEE		●	● QUAIL			● TIERNEY		
● CHRISTENSEN, R. JM			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAN			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		●
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

House Bill No. 1114. — A Bill for an Act to amend and reenact section 15-39.1-27 of the North Dakota Century Code, relating to the definition of year.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and the 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			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. JS			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. JM			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAN			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		●

● FRITZELL	● MUTCH	● SORUM	MR. PRESIDENT
● GOODMAN	● NAADEN	● STENEHJEM	

So the bill passed and the title was agreed to.

House Bill No. 1115. — A Bill for an Act to amend and reenact subsection 1 of section 15-39.1-04 of the North Dakota Century Code, relating to the definition of teacher.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 2, absent and not voting 3.

REGULAR SESSION			NORTH DAKOTA SENATE ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. #5			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODDEN			● ROEN		● WALSH
● DYKSHOORN			● MELLAN			● SHABLOW		● WENSTROM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		MR. PRESIDENT
● GOODMAN			● NAADEN			● STENEHJEM		

So the bill passed and the title was agreed to.

House Bill No. 1157. — A Bill for an Act to amend and reenact section 54-52-17 of the North Dakota Century Code, providing credit for years of service for those members of the public employees retirement system who retired on or after July 1, 1977.

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			NORTH DAKOTA SENATE ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. #5			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODDEN			● ROEN		● WALSH
● DYKSHOORN			● MELLAN			● SHABLOW		● WENSTROM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		MR. PRESIDENT
● GOODMAN			● NAADEN			● STENEHJEM		

So the bill passed and the title was agreed to.

**MESSAGES 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. 1004
- House Bill No. 1005
- House Bill No. 1020
- House Bill No. 1037
- House Bill No. 1070
- House Bill No. 1086
- House Bill No. 1113

House Bill No. 1132
 House Bill No. 1179
 House Bill No. 1191
 House Bill No. 1267
 House Bill No. 1274
 House Bill No. 1290
 House Bill No. 1304
 House Bill No. 1355
 House Bill No. 1356

ROY GILBREATH, Chief Clerk

House Chamber

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

House Bill No. 1063
 House Bill No. 1085
 House Bill No. 1090

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

ROY GILBREATH, Chief Clerk

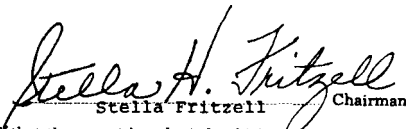
Report of Procedural Committee

MR. PRESIDENT:

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

Senate Bill No. 2045
 Senate Bill No. 2124
 Senate Concurrent Resolution No. 4015
 Senate Concurrent Resolution No. 4017

and find the same correctly { Enrolled


 Stella Fritzell, Chairman

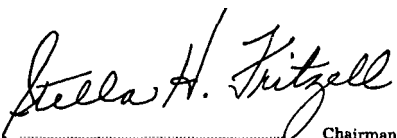
Senator Bakewell moved that the report be adopted, which motion prevailed.

MR. PRESIDENT:

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

Senate Concurrent Resolution No. 4024
 Senate Concurrent Resolution No. 4025

and find the same correctly { Enrolled


 Stella Fritzell, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

Senate Bill No. 2045
 Senate Bill No. 2124
 Senate Concurrent Resolution No. 4015
 Senate Concurrent Resolution No. 4017
 House Bill No. 1063
 House Bill No. 1085

House Bill No. 1090

LEO LEIDHOLM, Secretary

The Secretary announced that the President signed the following:

Senate Concurrent Resolution No. 4024

Senate Concurrent Resolution No. 4025

LEO LEIDHOLM, Secretary

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. 2022

Senate Bill No. 2139

Senate Bill No. 2214

Senate Bill No. 2237

Senate Bill No. 2244

Senate Bill No. 2259

Senate Bill No. 2261

Senate Bill No. 2264

Senate Bill No. 2288

Senate Bill No. 2313

Very Respectfully,

LEO LEIDHOLM, Secretary

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

Senator Thane moved that after the reading of Senate Bills Nos. 2076, 2113, 2114, 2116, 2120, 2165, 2206, 2210, 2227, 2258, 2296, 2324 and SCR's Nos. 4011 and 4020, the Senate adjourn and convene at 12:30 p.m., Friday, January 30, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary