

TWENTY-SEVENTH DAY

Bismarck, February 11, 1981

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

The prayer was offered by Rev. Hensel Hendrickson, Pastor, Trinity Lutheran Church, Bismarck.

Our Heavenly Father,

In these days of recalling the lives and times of two great American presidents, may we be reminded that we honor best when we follow their example.

Assist us dear God to examine the old-fashioned simplicity of faith, old-fashioned honesty and old-fashioned love of country that sought to give rather than to get.

Be with the members of this assembly as they strive for fair and just answers in these cloudy and delicate times. Amen.

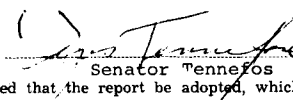
The roll was called and all members were present except Senator Parker.

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 _____ Twenty-sixth _____ day and

finds the same to be correct.

 Chairman
Senator Tenney

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

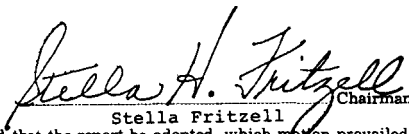
Report of Procedural Committee

MR. PRESIDENT:

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

- Senate Bill No. 2012
- Senate Bill No. 2245
- Senate Bill No. 2286
- Senate Bill No. 2415
- Senate Concurrent Resolution No. 4029

and find the same correctly } Engrossed

 Chairman
Stella Fritzell

Senator _____ Dotzenrod _____ 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:

Engrossed Senate Bill No. 2184

and find the same correctly Re-Engrossed


Stella H. Fitzell, Chairman

Senator Dykshoorn

moves that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Nelson moved that the amendments to Senate Bill No. 2200 recommended by the Committee on Education and printed on page 560 of the Senate Journal be adopted, which motion prevailed.

Senator Peterson moved that the amendments to Senate Bill No. 2307 recommended by the Committee on Social Services and Veterans Affairs and printed on page 561 of the Senate Journal be adopted, which motion prevailed. Senator Peterson moved that the rules be suspended, and that Senate Bill No. 2307 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Goodman moved that the amendments to Senate Bill No. 2347 recommended by the Committee on Finance and Taxation and printed on pages 561, 562 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that Senate Bill No. 2347 be deemed properly engrossed for the purpose of submitting further amendments, which motion prevailed.

Senator Goodman moved that Senate Bill No. 2347 be amended as follows:

On page 1, line 1, delete the word "two" and insert in lieu thereof the word "three"

On page 1, line 5, after the word "state" and before the comma, insert the words ",beginning farmer incentives"

On page 7, line 10, delete the word "and" where it first appears and insert in lieu thereof a comma; and after the word "States" delete the word "and" and insert in lieu thereof the word "or"

On page 7, line 11, after the word "provisions" insert the words ", and section 9 of this Act"

On page 7, line 22, delete the word "and" and insert in lieu thereof a comma

On page 7, line 23, after the word "States" insert the words "or state", and after the word "provisions" insert the words ", and section 9 of this Act"

On page 9, after line 21, insert the following new section:

SECTION 9. A new section to chapter 57-38 of the North Dakota Century Code is hereby created and enacted to read as follows:

INCENTIVES TO LANDLORDS AND LANDOWNERS WHO LEASE OR SELL TO BEGINNING FARMERS.

1. Interest received during the taxable year on a contract for deed on the sale of eighty or more acres [32.37 or more hectares] of agricultural land to a beginning farmer shall be excluded from the numerator as provided in section 7 of this Act. The contract for deed must extend for not less than fifteen years and have an annual interest rate equal to the minimum rate allowed by the internal revenue service.
2. Any landowner who sells land consisting of twenty acres [8.09 hectares] or more to a beginning farmer shall be entitled to exclude from the numerator as provided in section 7 of this Act, income received in the taxable year in an amount equal to the capital gains realized and reported for federal income tax purposes, after consideration of any capital gains treatment, up to a maximum of fifty thousand dollars.
3. Fifty percent of any income received and subject to taxation for federal income tax purposes resulting from the rental of any land consisting of twenty acres [8.09 hectares] or more by a landowner to a beginning farmer under any agreement providing for a lease for at least three years shall be excluded

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from the numerator as provided in section 7 of this Act, provided that no landowner may exclude more than twenty-five thousand dollars pursuant to this section in any tax year nor may any landlord claim this exclusion for agreements with more than one beginning farmer for rentals on the same tract or parcel of land.

4. As used in this section:

- a. "Agricultural purposes" means production of agricultural crops, livestock or livestock products, poultry or poultry products, and fruit or^{the} horticultural crops.
- b. "Beginning farmer" means any person who:
- (1) Is a resident of this state.
 - (2) Receives more than half his annual income from farming, unless the person initially commences farming during the tax year for which a deduction will be claimed under this section.
 - (3) Intends to use any farmland that he wishes to purchase or rent for agricultural purposes.
 - (4) Has had adequate training, by experience or education, in the type of farming operation which he wishes to begin on the purchased or rented land.
 - (5) Has, including his dependents and spouse, if any, a net worth of less than fifty thousand dollars, not including the value of their equity in their principal residence, the value of one personal or family motor vehicle, and the value of their household goods, including furniture, appliances, musical instruments, clothing, and other personal belongings.

- c. "Landowner" means any person owning land in North Dakota, except that any person who acquires such land for the purpose of obtaining the income tax deduction provided for in this section shall not be deemed to be a landowner.
5. In order for an individual, estate or trust to qualify for the above stated exclusions, the taxpayer must obtain a notarized statement from the beginning farmer who purchased or rented the land, containing a list of the assets, debts, and net worth of the beginning farmer, together with such other information as the tax commissioner may require. The value placed on any real property located in North Dakota and owned by the buyer shall be the amount listed as the current market value on the most recent real estate tax statement for that particular piece of property. In determining the net worth of any person, including dependents and spouse, if any, for purposes of this section, the value of their equity in their principal residence, the value of one personal or family motor vehicle, and the value of their household goods, including furniture, appliances, musical instruments, clothing, and other personal belongings shall not be included. This statement shall be filed with the taxpayer's income tax return. The taxpayer must also certify that any rental arrangements with any other person was not canceled in order to qualify under subsection 3 of this section."

And renumber the lines, sections and pages accordingly

Senator Goodman moved that the amendments to engrossed Senate Bill No. 2347 be adopted, which motion prevailed.

Senator Solberg moved that the amendments to Senate Bill No. 2352 recommended by the Committee on Transportation and printed on pages 562 and 563 of the Senate Journal be adopted, and recommends that Senate Bill No. 2352 do not pass, which motion prevailed.

Senator Lodoen moved that the amendments to Senate Bill No. 2426 recommended by the Committee on State and Federal Government and printed on page 564 of the Senate Journal be adopted, which motion prevailed. Senator Lodoen moved that the rules be suspended, and that Senate Bill No. 2426 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Goodman moved that the amendments to Senate Bill No. 2428 recommended by the Committee on Finance and Taxation and printed on page 565 of the Senate Journal be adopted, which motion prevailed.

Senator Lodoen moved that the amendments to Senate Concurrent Resolution No. 4033 recommended by the Committee on State and Federal Government and printed on page 565 of the Senate Journal be adopted, which motion prevailed.

Report of Standing Committee

Mr. President : Your Committee on Appropriations

to whom was referred Senate Bill No. 2028

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 17, delete the numerals "6,722,793" and insert in lieu thereof the numerals "6,933,653"
- On page 1, line 18, delete the numerals "1,957,241" and insert in lieu thereof the numerals "1,862,919"
- On page 1, line 20, delete the numerals "887,113" and insert in lieu thereof the numerals "867,723"
- On page 1, line 22, delete the numerals "9,680,289" and insert in lieu thereof the numerals "9,777,437"
- On page 1, line 24, delete the numerals "9,450,685" and insert in lieu thereof the numerals "9,547,833"
- On page 1, line 27, delete the numerals "234,741" and insert in lieu thereof the numerals "243,798"
- On page 1, line 28, delete the numerals "197,590" and insert in lieu thereof the numerals "193,265"
- On page 2, line 3, delete the numerals "478,610" and insert in lieu thereof the numerals "483,342"
- On page 2, line 5, delete the numerals "392,118" and insert in lieu thereof the numerals "396,850"
- On page 2, line 6, delete the numerals "9,842,803" and insert in lieu thereof the numerals "9,944,683"
- On page 2, line 8, delete the numerals "10,158,899" and insert in lieu thereof the numerals "10,260,779"
- On page 2, after line 34, insert the following:

"SECTION 5. NONCONTRIBUTORY RETIREMENT PLANS. For the agencies named in this Act the following amounts are included in the salaries and wages line items to fund noncontributory state employee retirement programs:

Highway patrol	\$222,553
Law enforcement training center	<u>4,863</u>
Total	\$227,416

The amounts referred to in this section shall not be used for any purpose other than to fund noncontributory retirement programs for state employees. If the forty-seventh legislative assembly does not provide by statute for noncontributory retirement programs for state employees, such amounts shall remain in each salaries and wages line item until such line item is canceled on July 30, 1983."

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Highway Patrol

Salaries and wages of the Highway Patrol are increased by \$289,916 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. Also, salaries and wages are reduced by \$79,056, operating expenses by \$17,292, and equipment by \$19,390 to delete funds for the two patrolmen requested as new positions. Deletion of the two new positions is not to preclude the Highway Patrol from continuing to cooperate with the Director of Institutions in providing security for the Capitol grounds. The salaries and wages line item amount of \$6,933,653 includes \$222,553 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are further reduced by \$77,030 to reflect legislative guidelines of nine percent per year. Of the decrease to operating expenses, \$61,819 is due to a reduction in automotive fuel. Funds are allowed to provide for an average price per gallon of gasoline of \$1.60 the first year of the biennium and \$1.99 the second year of the biennium.

Law Enforcement Training Center

Salaries and wages of the Law Enforcement Training Center are increased by \$9,057 to provide funds for 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. The salaries and wages line item amount of \$243,798 includes \$4,863 for the state to fund a conversion to a noncontributory retirement plan for employees. Operating expenses are reduced by \$4,325 to reflect legislative guidelines of nine percent per year.

And when so amended recommends the same do pass.

Wm. C. Lips Chairman
Senator Lips

Senate Bill No. 2028 was placed on the 6th

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. 2059

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

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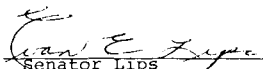
Senate Bill No. 2059 was placed on the eleventh

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

Mr. President: Your Committee on Appropriations
to whom was referred Senate Bill No. 2080

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 Lips

Senate Bill No. 2080 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 Bill No. 2205

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 two new sections
to chapter 49-09 and a new section to chapter 49-17.1 of
the North Dakota Century Code, relating to definitions,
to the purchase of railroad rolling stock, equipment and
machinery, and to payments dependent upon state funds;
and to amend and reenact section 10-15-02, 49-09-04.1, 49-09-04.2,
49-09-11.1, 49-09-11.2, 49-09-11.4, 49-09-11.5, 49-17.1-03,
49-17.1-04, and 49-17.1-05 of the North Dakota Century Code,
relating to the purposes of cooperatives, to the acquisition
and transfer of abandoned railway lines, to lessee and
landowner options to acquire abandoned right of way, to
negotiations for reopening railway lines abandoned or
intended to be abandoned, to authority in dealing with
abandoned railway lines, to interstate commerce commission
certificates, to application for financial assistance, to
the use of public and private funds, and to subsidies
for railway lines.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF

NORTH DAKOTA

SECTION 1. AMENDMENT. Section 10-15-02 of the North Dakota is hereby amended and reenacted to read as follows:

10-15-02. PURPOSES. Cooperatives may be organized under this chapter for any lawful purpose except banking, and insurance, and building or operating public railroads, but subject to statutes relating to the organization or operation of specified kinds of corporations or associations.

SECTION 2. A new section to chapter 49-09 of the North Dakota Century Code is hereby created and enacted to read as follows:

DEFINITIONS. In this chapter, unless the context or the subject matter otherwise requires:

1. "Abandoned", when used with reference to a railroad line or right of way, means a line or right of way with respect to which the interstate commerce commission has found that public convenience and necessity permit discontinuance of rail service.
2. "Commission" means the public service commission.
3. "Department" means the state highway department.

SECTION 3. AMENDMENT. Section 49-09-04.1 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

~~49-09-04.1. ABANDONMENT OF RAILWAY LINES--PUBLIC SERVICE COMMISSION AUTHORITY--TRUST AGREEMENT--TERM--REVERSION OF PROPERTY~~ ABANDONED RAILWAY LINES- HIGHWAY DEPARTMENT AUTHORITY.

1. If any railway corporation at any time abandons the use of any railway line in North Dakota, or if any railway corporation expresses an intent to abandon any railway line in North Dakota, ~~the commission, as the sole agent for the state, may enter into a trust agreement with the railway corporation~~ the department with the approval of the commission and as agent for the state, may acquire, by purchase, condemnation or a deed of trust, the railway track and ties, right of way, land, buildings, appurtenances, and other railway property necessary for the

operation of railroads for the purposes of reorganization or reopening of the railway line. A trust agreement entered into pursuant to this subsection shall be for a period not to exceed five years.

2. If a railway corporation at any time abandons the use of any railway line in North Dakota, it may, at the request of the commission, execute a deed of trust transferring the railway track and the ties, right-of-way, land, buildings, appurtenances, and other railway property necessary for the operation of railroads, to the commission, as trustee, for the purposes of reorganization or reopening of the railway line. Any deed of trust executed and delivered pursuant to this subsection shall provide for reversion of the deeded property to the railway corporation if there has been no reorganization or reopening of the railway line at the end of five years from the date of delivery of the deed. The department, with the approval of the commission, may sell, transfer, or lease all, or any part, of the rail properties and other property acquired by purchase or condemnation under this section to any person, firm, corporation, cooperative, or regional rail authority for the continued operation of a railway line, or other public purposes, provided that approval for the continued operation, or other public purpose, is granted by the interstate commerce commission of the United States, whenever approval is required. The sale, transfer, or lease shall be for a price which the department and commission deem appropriate, and shall be subject to any further terms and conditions which the department and commission deem are necessary and appropriate to effectuate the purposes of this section.

SECTION 4. AMENDMENT. Section 49-09-04.2 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-09-04.2. ABANDONED RAILROAD RIGHT OF WAY-SALE- FIRST OPTION PUBLIC USE-WILDLIFE USE.

1. Whenever any state-owned land taken, held, and used pursuant to section 49-09-01 for railroad right of way,

or any railroad spur, industrial, switching, or side track right of way located entirely within the state is abandoned and offered for sale, lease, exchange, or other disposal, any existing lessee of the right of way and then the landowner or landowners adjoining the abandoned right of way respectively shall be given next option to acquire the right of way upon reasonable terms, second only to the right of the public-service-commission department to receive in-trust acquire and transfer the right of way to any person, firm, cooperative, regional rail authority, or corporation for continued operation of a railroad.

2. In all instances where railroad abandonment or discontinuance is governed by federal law and abandoned railroad right of way is first offered for public purposes and refused, any existing lessee of the right of way and then the landowner or landowners adjoining the abandoned right of way respectively shall be given the next option to purchase, lease, exchange or otherwise acquire the right of way upon reasonable terms. ~~However, the next option of the adjoining landowner does not supersede~~ second only to the right of the public-service commission department to receive in-trust acquire and transfer the right of way to any person, firm, cooperative, regional rail authority or corporation for the continued operation of a railroad.
3. Whenever abandoned railroad right of way is offered for wildlife programs or projects, the proposed acquisitions must first be submitted to the board of county commissioners of the county or counties in which the right of way is located for the board's approval pursuant to section 20.1-02-17.1 if offered to the state game and fish department or pursuant to section 20.1-02-18.1 if offered to the United States department of the interior, its bureaus or agencies.

SECTION 5. AMENDMENT. Section 49-09-11.1 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-09-11.1 NEGOTIATIONS FOR REOPENING OF RAILWAY LINE - RAILROAD INTENDING TO ABANDON LINE. The department, in conjunction with the

commission, may enter into negotiations or aid in negotiation in cooperation with or behalf of any railway corporation intending to abandon a railway line to sell, transfer, or lease all or any part of the real property to be abandoned to any person, firm, cooperative, regional rail authority, or corporation for continued operation of a railroad. However, approval for the continued operation must be granted by the interstate commerce commission of the United States, whenever approval is required.

SECTION 6. AMENDMENT. Section 49-09-11.2 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows.

49-09-11.2. NEGOTIATIONS FOR REOPENING OF RAILWAY LINE - RAILROAD ABANDONING LINE. The department, in conjunction with the commission, may enter into negotiations or aid in negotiation in cooperation with or on behalf of any railway corporation abandoning a railway line to sell, transfer, or lease all or any part of the real property to be abandoned to any person, firm, cooperative, regional rail authority or corporation for continued operation of a railroad. However, approval for the continued operation must be granted by the interstate commerce commission of the United States, whenever approval is required.

SECTION 7. AMENDMENT. Section 49-09-11.4 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-09-11.4. COMMISSION'S AND DEPARTMENT'S AUTHORITY IN PUBLIC INTEREST - COOPERATION WITH OTHER STATES. The authority of the commission and the department in dealing with abandoned rail properties or negotiations for reopening of abandoned rail properties is for the purpose of continued and future operation of a railroad and is in the public interest. Actions taken by the commission or the department are declared to be a public purpose and to be reasonably necessary. The commission or the department may take action in concert with another state or states, as necessary to ensure continued rail service in this state.

SECTION 8. AMENDMENT. Section 49-09-11.5 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-09-11.5. INTERSTATE COMMERCE COMMISSION CERTIFICATE.

The commission may assist any person, firm, cooperative, regional rail authority, or corporation to secure, as promptly as possible, any order or certificate required by the interstate commerce commission for the performance of rail service.

SECTION 9. A new section to chapter 49-09 of North Dakota Century Code is hereby created and enacted to read as follows:

PURCHASE OF ROLLING STOCK, EQUIPMENT, AND MACHINERY.

The department with the approval of the commission is authorized to purchase any railroad rolling stock, equipment, and machinery necessary for the operation and maintenance of any rail properties, purchased by it on behalf of the state, with any funds made available for this purpose. The department with the approval of the commission may also acquire, and have available, a pool of equipment and machinery which may be utilized by the operators of the rail properties for the purpose of track maintenance, and other related railroad activities, upon terms and conditions determined by the department.

SECTION 10. AMENDMENT. Section 49-17.1-03 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-17.1-03. APPLICATION FOR ASSISTANCE. The department, with the approval of the commission, may make application on behalf of the state for federal grants made-available-by-the secretary-of-transportation-under-the-Railroad-Revitalization and-Regulatory-Reform-Act-of-1976-(Pub--L--94-210, 90-Stat-149, 49-U.S.C.-1651-et-seq-), loans, and other financial assistance in carrying out the purposes of this chapter and chapter 49-09.

SECTION 11. AMENDMENT. Section 49-17.1-04 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-17.1-04. USE OF PUBLIC AND PRIVATE FUNDS - PUBLIC

SERVICE COMMISSION PARTICIPATION. The department, with the approval of the commission, may utilize public and private funds appropriated by the legislative assembly in carrying out the purpose of this chapter and chapter 49-09 . The department shall cooperate with the commission and with other states and with any person, firm, cooperative, regional rail authority, or corporation in the reorganization, rehabilitation. or reopening of any railway line which may have been abandoned by any railway corporation providing railway services within the state. In carrying out the authority conferred by this section, the department may enter into agreements, contracts, guarantees, or other arrangements with the necessary parties to accomplish the purposes of this chapter.

SECTION 12. AMENDMENT. Section 49-17.1-05 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-17.1-05. SUBSIDY OF RAILWAY LINES. The department, with the approval of the commission, may provide financial assistance or guarantees, within the limits of funds appropriated by the legislative assembly, for the continuation of operations and maintenance of any railroad within the state, as provided for in the Railroad Revitalization and Regulatory Reform Act of 1976 (Pub. L. 94-210; 90 Stat. 149; 49 U.S.C. 1651 et seq.), or other relevant federal legislation. The department or the commission may act as the agent in cooperation with the federal government, any local or regional transportation authority, local governmental units, any group of rail users, or any person in any rail service assistance program.

SECTION 13. A new section to Chapter 49-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

PAYMENTS DEPENDENT ON STATE FUNDS. The department shall attempt to coincide all payments under this chapter which are dependent on legislative appropriations with the beginning of a biennium.

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do ~~not~~ pass

J. Solberg Chairman

SENATE Bill No. 2205 SENATOR SOLBERG Sixth was placed on the

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. 2239

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. 2239 was placed on the eleventh

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2270

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:

Juan E. Lips Chairman
Senator Lips

Senate Bill No. 2270 was placed on the 11th

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. 2332

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

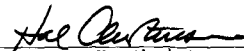
Senate Bill No. 2332 was placed on the eleventh

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2337

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 H. Christensen Chairman


Senate Bill No. 2337 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. 2353

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 Gary Nelson Chairman

Senate Bill No. 2353 was placed on the Eleventh

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


Mr. PRESIDENT: Your Committee on JUDICIARY
 to whom was referred SENATE Bill No. 2382

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 3, line 5, remove the overstrike on the words "There shall be elected in each judicial district of"
- On page 3, delete the overstrike on the words in lines 6, 7, 8, 9 and 10
- On page 3, line 10, delete the words "A judge shall be elected for each judgeship in each"
- On page 3, delete all of lines 11, 12, 13, 14, 15, and 16
- On page 3, line 5, after the word "elected", insert the words "at large"

And when so amended recommends the same do pass


 Senator Christensen Chairman

Senate Bill No. 2382 was placed on the sixth


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

Mr. President: Your Committee on Judiciary
 to whom was referred Senate Bill No. 2383

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 H. Christensen
was placed on the eleventh

Senate Bill No. 2383

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

Mr. President: Your Committee on Judiciary

to whom was referred Senate Bill No. 2384

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 H. Christensen
was placed on the eleventh

Senate Bill No. 2384

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. 2385

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 Chuck Goodman

Senate Bill No. 2385 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. 2416

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 Chuck Goodman

Senate Bill No. 2416 was placed on the eleventh

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


Mr. President: Your Committee on Judiciary

to whom was referred Senate Bill No. 2433

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

Senate Bill No. 2433 was placed on the eleventh

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

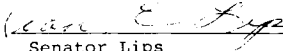
Mr. President: Your Committee on Appropriations

to whom was referred Senate Concurrent Res. No. 4009

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

Senate Concurrent
Resolution No. 4009 was placed on the 11th

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 Concurrent Res. No. 4042

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

Senate Concurrent Res. No. 4042 was placed on the Eleventh

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


Mr. PRESIDENT: Your Committee on STATE AND FEDERAL GOVERNMENT

to whom was referred Senate Concurrent Resolution No. 4045

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

Senate Concurrent
Resolution No. 4045 was placed on the 11th

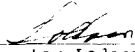
order of business on the calendar for the succeeding legislative day.

Mr. PRESIDENT : Your Committee on STATE AND FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1074

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 Lodoen

HOUSE Bill No. 1074 was placed on the 14th

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

Mr. PRESIDENT : Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred House Bill No. 1075

Has had the same under consideration and recommends that the same

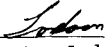
do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 2, line 1, following the word, "and" insert the word
"permanent"

And renumber the lines accordingly

And when so amended recommends the same do pass.

 Chairman
Senator Lodoen

House Bill No. 1075 was placed on the Sixth

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

Mr. PRESIDENT : Your Committee on STATE & FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1086

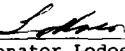
Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 2 of the engrossed bill, line 23, after the word "sold"
delete the words ", leased,"

And when so amended recommends the same do pass.

 Chairman
Senator Lodoen

House Bill No. 1086 was placed on the Sixth

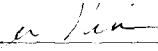
order of business on the calendar for the succeeding legislative day.

Mr. President : Your Committee on Education
to whom was referred House Bill No. 1093

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 Gary Nelson
House _____ Bill No. 1093 _____ was placed on the Fourteenth

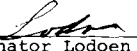
order of business on the calendar for the succeeding legislative day.

Mr. PRESIDENT : Your Committee on STATE AND FEDERAL GOVERNMENT
to whom was referred HOUSE _____ Bill No. 1094 _____

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 Lodoen
HOUSE _____ Bill No. 1094 _____ was placed on the 14th _____

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

Mr. PRESIDENT : Your Committee on INDUSTRY, BUSINESS AND LABOR
to whom was referred House _____ Bill No. 1101 _____

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 Reiten
House _____ Bill No. 1101 _____ was placed on the fourteenth _____

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

Mr. President : Your Committee on Education
to whom was referred House _____ Bill No. 1222 _____

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 Gary Nelson
House _____ Bill No. 1222 _____ was placed on the Fourteenth _____

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

Mr. PRESIDENT : Your Committee on STATE & FEDERAL GOVERNMENT

to whom was referred HOUSE Bill No. 1226

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, delete lines 17 through 28

And renumber the lines accordingly

And when so amended recommends the same do pass.

Lodoen Chairman

Senator Lodoen

House Bill No. 1226 was placed on the Sixth

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

Mr. President: Your Committee on Judiciary

to whom was referred House Bill No. 1280

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:

H. Christensen Chairman
Senator H. Christensen

House Bill No. 1280 was placed on the fourteenth

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

Mr. PRESIDENT: Your Committee on STATE AND FEDERAL GOVERNMENT

to whom was referred HOUSE Bill No. 1287

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:

Lodoen Chairman
Senator Lodoen

HOUSE Bill No. 1287 was placed on the 14th

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

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

to whom was referred House Bill No. 1390

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:

Reiten Chairman
Senator Reiten

House Bill No. 1390 was placed on the fourteenth

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

Mr. President: Your Committee on Education

to whom was referred House Bill No. 1417

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 Gary Nelson

House Bill No. 1417 was placed on the fourteenth

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

Mr. PRESIDENT: Your Committee on STATE AND FEDERAL GOVERNMENT

to whom was referred HOUSE Bill No. 1459

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 Lodoen

HOUSE Bill No. 1459 was placed on the 14th

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

MOTION

Senator Lodoen moved that Senate Bill No. 2427 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. 2427. There being no objection, it was so ordered by the President.

SECOND READING OF SENATE BILLS

Senate Bill No. 2012. -- A Bill for an Act making an appropriation for defraying the expenses of the governor's council on human resources of the state of North Dakota.

Which has been read.

Senator Peterson moved that engrossed Senate Bill No. 2012 be amended as follows:

On page 1, line 16, delete the numerals "163,310" and insert in lieu thereof the numerals "188,310"

On page 1, line 18, delete the numerals "324,020" and insert in lieu thereof the numerals "379,020"

On page 1, line 20, delete the numerals "224,020" and insert in lieu thereof the numerals "249,020"

On page 2, line 11, after handicapped, insert the words "commission on the status of women"

On page 2, line 19, delete the numeral "0" and insert the numerals "\$25,000"

On page 2, line 22, delete the numerals "\$163,310" and insert the

numerals "\$188,310"

Senator Peterson moved that the proposed amendments to Senate Bill No. 2012 be adopted.

Senator Redlin requested a recorded roll call vote on the motion to adopt the proposed amendments to engrossed Senate Bill No. 2012, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to engrossed Senate Bill No. 2012, the roll was called and there were 18 ayes, 32 nays, absent and not voting 0.

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	●		GROTEBERG	●		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	●		LEIBHAN	●		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	●				

The proposed amendments to engrossed Senate Bill No. 2012 lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 50, nays 0, absent and not voting 0.

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	●		GROTEBERG	●		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	●		LEIBHAN	●		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. 2085. — A Bill for an Act to amend and reenact sections 50-21-01, 50-21-02, 50-21-03, and 50-21-04 of the North Dakota Century Code, relating to the maintenance and administration of the Bank of North Dakota nursing home revolving loan fund, and to the amount, terms, and conditions of loans to nonprofit corporations for use in the construction or reconstruction of nursing homes and homes for the aged and infirm; to repeal section 1 of chapter 422 of the 1969 Session Laws of North Dakota and section 50-21-02.1 of the North Dakota Century Code, relating to termination of revolving loans by the Bank of North Dakota and transfer of the balance of the fund and repayments to the general fund and to the revolving fund deposited in the state treasury; to provide an appropriation; and to declare an emergency.

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, the roll was called and there were ayes 9, nays 40, absent and not voting 1.

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

Senate Bill No. 2085 was declared lost.

Senate Bill No. 2184. — A Bill for an Act to create and enact three new subsections to section 20.1-01-02 of the North Dakota Century, relating to the definition of hunting, trapping, and fishing; and to amend and reenact subsections 9 and 36 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of fur-bearers and gun dogs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 37, nays 13, absent and not voting 0.

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
● BAKWELL		●	●		● HOLMBERG			● OLIN		●	● TALLACKSON
● BARTH		●			● ISZLER			● PARKER		●	● TENNEFOS
● BERUBE		●			● LASHKOWITZ			● PETERSON		●	● THANE
● CHRISTENSEN, H. JS		●			● LEE			● QUAIL		●	● TIERNEY
● CHRISTENSEN, R. JM		●			● LEIBHAN			● REDLIN		●	● TWETEN
● CUSONS		●			● 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.

Senate Bill No. 2240. — A Bill for an Act to provide for parimutuel horse 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.

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

Senator Barth moved that Senate Bill No. 2240 be amended as follows:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu

thereof the following: "for an Act to provide for pari-mutuel horseracing conducted by fair associations; to create a racing commission; to provide for the issuance of licenses; to allocate racing revenues; to provide a penalty; and to provide an appropriation.

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

SECTION 1. FAIR ASSOCIATIONS ELIGIBLE TO CONDUCT RACING. The state fair association and agricultural fair associations as defined in chapter 4-02 shall be eligible to conduct racing pursuant to this Act. The state fair association and agricultural fair associations are hereby recognized as public-spirited organizations as the term is used in article XI, section 25 of the Constitution of North Dakota.

SECTION 2. RACING COMMISSION CREATED - MEMBERS - APPOINTMENT - TERMS - QUALIFICATIONS - COMPENSATION - RULEMAKING.

1. A North Dakota racing commission under the secretary of state is hereby created. The commission shall consist of five members appointed by the governor, with the consent of the senate for five-year terms or until a successor is appointed and qualified. Any member appointed to fill a vacancy arising from other than the natural expiration of a term shall serve only for the unexpired portion of the term. The terms of the commissioners shall be staggered so that one term shall expire each July first. A new commission member shall be appointed at the expiration of the five-year term of each incumbent member of the commission. No more than three members of the commission shall be of the same political party. Not more than three members of the commission shall be appointed from either east or west of the Missouri River.
2. No person may be eligible for appointment to the commission who shall not have been a resident of this state for at least two years prior to the date of appointment and is not of such character and reputation as to promote public confidence in the administration of racing within the state. No person who has a financial interest in racing may be a member of the commission or employed by the commission. Failure to maintain compliance with the provisions of this subsection shall be grounds for removal from the commission or from employment with the commission.
3. The commission members shall receive forty dollars per diem compensation and such allowable mileage and expense reimbursement as may be received by other state officials.
4. The commission members shall annually elect a chairman from among their number. Three members of the commission shall constitute a quorum with authority to act. The commission's hearings and rulemaking procedures shall be pursuant to chapter 28-32. Rules shall be published in the North Dakota Administrative Code.

SECTION 3. APPOINTMENT OF DIRECTOR OF RACING - QUALIFICATIONS - SALARY - DUTIES - OTHER PERSONNEL - ADMINISTRATIVE FUNCTIONS.

1. The racing commission shall appoint a director

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of racing who shall have such qualifications as the commission may determine. The commission shall establish the director's salary.

2. The director shall devote his full time to the duties of the office. The director shall be the executive officer of the commission, and shall enforce the rules, regulations, and orders of the commission. The director shall perform such other duties as the commission prescribes.
3. The commission may employ such other persons as it deems necessary.
4. Administrative functions of the commission, except personnel matters, shall be housed in the office of the secretary of state under the secretary of state's general supervision.

SECTION 4. RACING COMMISSION POWERS AND DUTIES.
The commission shall have the following powers and duties:

1. To provide for racing under the certificate system.
2. To set racing dates.
3. To promulgate rules and regulations for effectively preventing the use of any substance, compound items or combination thereof of any medicine, narcotic, stimulant, depressant, or anesthetic which could alter the normal performance of a racing animal unless specifically authorized by the commission.
4. To supervise and check the making of parimutuel pools, parimutuel machines and equipment at all races held under the certificate system.
5. To make rules governing, restricting, or regulating bids on licensees' concessions and leases on equipment.
6. To approve all proposed extensions, additions, or improvements to the buildings, stables, or tracks upon property owned or leased by a licensee.
7. To exclude from racecourses any person who violates the racing laws or any rule, regulation, or order of the commission or any law of the United States or this state.
8. To compel the production of all documents showing the receipts and disbursements of any licensee and determine the manner in which such financial records shall be kept.
9. To investigate the operations of any licensee and cause the various places where race meets are held under the certificate system to be visited and inspected at reasonable intervals for the purpose of satisfying itself that the rules and regulations are strictly complied with.
10. To request appropriate state officials to perform inspections necessary for the health and safety of spectators, employees, participants, and animals that are lawfully on the racetrack.

11. To license all participants in the racing industry and to require and obtain such information as the commission deems necessary from licensed applicants.
12. To prescribe and enforce additional rules, regulations, and conditions under which all horseraces shall be conducted.

SECTION 5. ISSUANCE OF LICENSES - APPLICATIONS.

1. The commission may permit and authorize the racing of horses under the certificate system. Upon compliance by an applicant with this Act, the commission may issue a license to conduct races.
2. An application for a license to conduct a racing meet shall be signed under oath and filed with the commission as prescribed by rule and this Act. The application shall contain the following:
 - a. The name and post-office address of the applicant.
 - b. The location of the racetrack and whether it is owned or leased. If leased, a copy of the rental agreement shall be included.
 - c. A statement of the applicant's previous history and association sufficient to establish that the applicant is an eligible organization.
 - d. The time, place, and number of days such racing meet is proposed to be conducted.
 - e. The type of racing to be conducted.
 - f. Such other information as the commission may require.

SECTION 6. LICENSE AUTHORIZATION AND FEES - REVOCATION AUTHORITY.

1. Each license issued under the certificate system shall describe the fair association premises at which the licensee may hold such races. The authority conferred in any one license shall be limited to the calendar year for which it is issued. Every license shall specify the number of days the licensed races shall continue, the hours during which racing is to be conducted, and the number of races to be held per day. Races authorized under this Act may be held only between the hours of nine a.m. and twelve midnight.
2. The commission may charge a license fee for horseracing commensurate with the size and attendance of the race meet, but no charge less than ten dollars nor in excess of one hundred dollars per day shall be made. The license fees shall be remitted to the state treasurer and placed in a special racing fund to be used to pay for the operation and salaries of the commission and its employees.
3. The commission may grant, refuse, suspend, or withdraw licenses to horse owners, jockeys, riders, agents, trainers, grooms, stable foremen, exercise boys, veterinarians, valets, and concessionaires. No license issued

pursuant to this Act is valid for more than one calendar year, but a license issued pursuant to this Act shall be valid at all race meetings conducted by the licensee during the one-year period. License fees shall be as established by the commission.

4. The commission, upon proof of violation of any provision of this Act or any rule adopted by the commission, may suspend or revoke any license granted pursuant to this Act.

SECTION 7. ALLOTMENT OF RACING DAYS TO APPLICANTS. The commission shall fix the racing days that shall be allotted to an applicant and issue a license for the holding of such racing meets. Any fair association which has adopted and used regular or approximate regular dates for their events for the past two years shall be allotted those dates if requested.

SECTION 8. LICENSE REQUIRED - PENALTY FOR VIOLATION. No person shall hold any racing meet under the certificate system without having first obtained and having in full force and effect a license issued by the commission. Any person who violates the provisions of this section shall be guilty of a class A misdemeanor.

SECTION 9. BETS AND CERTIFICATES - RULEMAKING. The certificate system shall allow a licensee to receive money from any person present at a race who desires to bet on any horse entered. A person betting on a horse to win shall acquire an interest in the total money bet on all horses in the race in proportion to the amount of money bet by the person under rules and regulations established by the commission. The licensee shall receive such bets and issue certificates to the bettors on which shall be shown the number of the race, the amount bet, the number or name of the horse selected by a person as the winner, and such other information required by the commission. The commission may also adopt rules for place, show, quinella, exacta, combination, or other type betting usually connected with horseracing.

SECTION 10. ALLOCATION OF REVENUES. At each racing meet, eighty percent of the gross receipts from bets shall be retained in the parimutuel pool to be paid to bettors holding winning tickets, as provided by racing commission rule. Of the remaining twenty percent, sixteen percent may be retained by the fair association for its expenses and general operating costs, and the other four percent shall be paid to a special fund to be used, subject to legislative appropriations, for the operation of public educational television stations and programming within this state.

SECTION 11. AUDITS AND INVESTIGATIONS BY STATE AUDITOR. The state auditor when requested by the commission, the governor, or the attorney general, shall conduct audits and investigate the operations of any licensee. The commission shall reimburse the state auditor for all services rendered.

SECTION 12. REFUSAL, SUSPENSION, AND REVOCATION OF LICENSES - REASONS. The commission may refuse, suspend, or revoke licenses under the certificate system and privileges granted by it or terminate racing privileges for just cause. Reasons constituting just cause include:

1. Any action or attempted action by a person contrary to the provisions of this Act or other statute.
2. Corrupt practices which include, but are not limited to:

- a. Prearranging or attempting to prearrange the order of finish of a race.
- b. Failing to pay properly the winnings to a bettor or to properly return change to a bettor upon purchasing a ticket.
- c. Falsifying or manipulating the odds on any entrant in a race.
3. Any violation of the rules of racing adopted by the commission.
4. Willful falsification or misstatement of fact in an application for racing privileges.
5. Material false statement to a racing official or to the commission.
6. Willful disobedience of a commission order or of a lawful order of a racing official other than a commissioner.
7. Continued failure or inability to meet financial obligations connected with racing meets.
8. Failure or inability to maintain properly a racetrack.

SECTION 13. ATTORNEY GENERAL TO REPRESENT COMMISSION IN HEARINGS - RULE PROMULGATION. The attorney general shall represent the state in all hearings before the commission and shall prosecute all criminal proceedings arising from violations of this Act. The commission shall reimburse the attorney general for the cost of all services rendered. The commission may employ private counsel for rule promulgation and to ensure that all its hearings are conducted fairly.

SECTION 14. REVOCATION OR SUSPENSION - PROCEDURE. The commission, upon proof of violation by a licensee, its agents or employees of any provision of this Act or any rule adopted by the commission may, on reasonable notice to the licensee and after giving such licensee an opportunity to be heard, revoke or suspend the licensee's license. In the event of revocation, the licensee shall not be eligible to receive another license within twelve months from the date of revocation. Every decision or order of the commission shall be made in writing and filed with the director for preservation as a permanent record of the commission. Such decision shall be signed by the chairman, attested by the director, and dated. All hearings and appeals shall be conducted in accordance with chapter 28-32.

SECTION 15. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$30,000, or so much thereof as may be necessary, to the North Dakota racing commission for defraying the initial costs of administering this Act for the biennium beginning July 1, 1981, and ending June 30, 1983."

And renumber the lines and pages accordingly

Senator Barth moved that the amendments be adopted.

Senator Barth requested a recorded roll call vote on the motion to adopt the proposed amendments to engrossed Senate Bill No. 2240, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to engrossed Senate Bill No. 2240, the roll was called and there were 13 ayes, 37 nays, absent and not voting 0.

NORTH DAKOTA SENATE										
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
ADAMS		•	•	GROTBORG		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			•	LEIBMAN		REDLIN		•	TWETEN	•
CUSSONS				LIPS		REITEN		•	VOSPER	•
DOTZENROD				LODGEN		ROEN		•	WALSH	•
DYKSHOORN				MELLAND		• SHALOW		•	WENSTROM	•
ERICKSON				MOORE		SOLBERG		•	WRIGHT	•
FRITZELL				MUTCH		SORUM		•	MR. PRESIDENT	
GOODMAN				NAADEN		STENEHJEM		•		

The proposed amendments lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 11, nays 39, absent and not voting 0.

NORTH DAKOTA SENATE										
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
ADAMS		•	•	GROTBORG		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			•	LEIBMAN		REDLIN		•	TWETEN	•
CUSSONS				LIPS		REITEN		•	VOSPER	•
DOTZENROD				LODGEN		ROEN		•	WALSH	•
DYKSHOORN				MELLAND		• SHALOW		•	WENSTROM	•
ERICKSON				MOORE		SOLBERG		•	WRIGHT	•
FRITZELL				MUTCH		SORUM		•	MR. PRESIDENT	
GOODMAN				NAADEN		STENEHJEM		•		

Senate Bill No. 2240 was declared lost.

RECOGNITION

Senator Nothing moved that the Sergeant-at-Arms escort an outstanding group of boy scouts to the rostrum for recognition at this time, which motion prevailed.

President Sands introduced the following boy scouts.

Eagle Scout Chuck Breen - Hillsboro, North Dakota
17 years old

Very articulate - communicates well

Has leadership ability as demonstrated by leading the troop while a new scoutmaster was being recruited.

Explorer Craig Fitterer - Bismarck, North Dakota

President of Explorer Post No. 512

Sponsored by Burleigh County Bar Association

Craig is interested in becoming an attorney

Eagle Scout Brian Iverson - Hazen, North Dakota

Eagle Scout with 3 palms (42 merit badges)

Order of the Arrow Chapter Chief

Member of the Heart Butte camp staff for 2 years

2nd Class Scout Bradley Kunz - Turtle Lake, North Dakota

Troop sponsored by the Turtle Lake Lions Club

Cub Scout Brent Helm - Goodrich, North Dakota

Representing Sheridan County

Pack sponsored by Goodrich 1st Baptist Church

Cub Scout Scott Bauer - Beulah, North Dakota

Pack sponsored by Beulah Lions Club

Scott is the recipient of the National Medal of Merit for saving

another boy's life

Parents, scoutmasters and cubmasters along with scout executives from the Northern Lights Council are also in attendance in the Senate today.

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.

Which has been read.

ROLL CALL

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

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

So the bill passed and the title was agreed to.

Senate Bill No. 2286. — A Bill for an Act to amend and reenact sections 40-04-08 and 40-04-10 of the North Dakota Century Code, relating to procedures for changing from a commission system of city government.

Which has been read.

Senator Lips moved that Senate Bill No. 2286 be amended as follows:

On page 1, line 19 of the engrossed bill, delete fifteen and insert in lieu thereof thirty.

Senator Lips moved that the amendment be adopted, which motion lost on a division vote.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 40, nays 10, absent and not voting 0.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2289. — A Bill for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to motor vehicle license plates for former prisoners of war; and to provide an appropriation.

Which has been read.

ROLL CALL

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

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

Senate Bill No. 2303. — A Bill for an Act to create and enact two new sections to chapter 40-57.1 of the North Dakota Century Code, relating to local development corporations and property tax exemptions on speculative industrial buildings and properties owned by these corporations under the new industry tax exemption provisions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 50, nays 0, absent and not voting 0.

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

Senate Bill No. 2364. — A Bill for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to the status of the state board of equalization when performing its duties.

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 7, absent and not voting 0.

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

Senate Bill No. 2401. — A Bill for an Act to allow a defendant or party to a civil action or an administrative proceeding to be represented by a counsel other than an attorney; and to amend and reenact section 29-01-06 of the North Dakota Century Code, relating to the rights of a criminal defendant, and allowing a defendant to choose counsel other than an attorney to aid in the defense.

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 20, nays 26, absent and not voting 4.

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			● GROETBERG			● 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. JS			● LEIBHAN			● 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											

Senate Bill No. 2401 was declared lost.

Senate Bill No. 2402. — A Bill for an Act to amend and reenact sections 27-08-08.1 and 27-11-01 of the North Dakota Century Code, relating to qualifications for judges of the district courts and county courts of increased jurisdiction and for justices of the supreme court.

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 8, nays 38, absent and not voting 4.

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			● GROETBERG			● 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. JS			● LEIBHAN			● 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											

Senate Bill No. 2402 was declared lost.

**SECOND READING OF
SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4029. — A concurrent resolution urging Congress to direct and adequately fund the Department of Agriculture to establish a task force to eradicate leafy spurge on all federal lands and a cost-sharing program to eradicate leafy spurge on all nonfederal land.

Was read the second time.

The question being on the final adoption of the resolution, as amended, Senate Concurrent Resolution No. 4029 was declared adopted on a voice vote.

MOTION

Senator Erickson moved that the Senate reconsider the action whereby Senate Bill No. 2390 passed, which motion prevailed.

Senator Erickson moved that Senate Bill No. 2390 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2390. — A Bill for an Act to direct the state superintendent to determine the average basic cost of education and to use that figure in determining the level of state support.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 2, nays 44, 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	•		GROTBORG	•		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	•		MELLAN	•		SHALLOW	•		WENSTROM	•	
ERICKSON	•		MOORE	•		SOLBERG	•		WRIGHT	•	
FRITZELL	•		MUTCH	•		SORUM	•		MR. PRESIDENT		
GOODMAN	•		NAADEN	•		STENHEJEM	•				

Senate Bill No. 2390 was declared lost.

MOTION

Senator Lodoen moved that the Senate reconsider the action whereby House Bill No. 1430 lost, which motion prevailed.

Senator Lodoen moved that House Bill No. 1430 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1430. — A Bill for an Act to amend and reenact section 13-03.1-03 and subsection 1 of section 13-03.1-15 of the North Dakota Century Code, relating to the maximum loan ceiling.

Which has been read.

Senator Lodoen moved that House Bill No. 1430 be amended as follows:

On page 1, line 12, delete the words "thirty-five" and insert in lieu thereof the word "fifteen"

On page 1, line 27, delete the words "thirty-five" and insert in lieu thereof the word "fifteen"

Senator Lodoen moved that the amendments be adopted, which motion prevailed.

Senator Lodoen moved that the rules be suspended, that House Bill No. 1430 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

House Bill No. 1430. — A Bill for an Act to amend and reenact section 13-03.1-03 and subsection 1 of section 13-03.1-15 of the North Dakota Century Code, relating to the maximum loan ceiling.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 35, nays 10, 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			
● 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. #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.

House Bill No. 1042. — A Bill for an Act to amend and reenact subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to the definition of administrative agency as used in the law governing the procedure and practice of administrative agencies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 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			
● 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. #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.

House Bill No. 1126. — A Bill for an Act to repeal section 48-05-03 of the North Dakota Century Code, relating to publishing of proposals for state purchase of fuel products.

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 1, 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			● 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. #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.

House Bill No. 1137. — A Bill for an Act to amend and reenact sections 12-48.1-03, 12-53-12, 12-59-05, 12-59-08, and 12-59-15 of the North Dakota Century Code, relating to parole and probation.

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						1981 LEGISLATURE		
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. #M			• 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.

House Bill No. 1142. — A Bill for an Act to amend and reenact section 12.1-07-05 of the North Dakota Century Code, relating to penalty for display of certain flags; and to repeal section 12.1-07-04 of the North Dakota Century Code, relating to display or exhibit of red or black flags.

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 4, 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		• 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. #M			• 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.

House Bill No. 1183. — A Bill for an Act to amend and reenact subsections 5 and 7 of section 65-01-02 and section 65-07-01 of the North Dakota Century Code, relating to definitions of employee and employer and providing for elective coverage.

Which has been read.

ROLL CALL

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

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			● GROTBORG			● NELSON			● STREIBEL		
● ALBERS			● MANSON			● NETHING	●		● STROMME		
● BAKWELL			● 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.

House Bill No. 1202. — A Bill for an Act to amend and reenact subsection 15 of section 19-02.1-02 of the North Dakota Century Code, relating to prohibited acts of manufacture and sale of drugs at wholesale or retail without license and payment of license fee.

Which has been read.

ROLL CALL

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

REGULAR SESSION			NORTH DAKOTA SENATE ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBORG			● NELSON			● STREIBEL		
● ALBERS			● MANSON			● NETHING	●		● STROMME		
● BAKWELL			● 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.

House Bill No. 1206. — A Bill for an Act to cede to the United States concurrent criminal jurisdiction on lands within the Theodore Roosevelt national park, Fort Union trading post national historic site, and Knife River Indian villages national historic site, and to provide for retrocession of that jurisdiction.

Which has been read.

ROLL CALL

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

REGULAR SESSION			NORTH DAKOTA SENATE ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBORG			● NELSON			● STREIBEL		
● ALBERS			● MANSON			● NETHING	●		● STROMME		
● BAKWELL			● 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.

House Bill No. 1210. — A Bill for an Act to create and enact two new sections to the North Dakota Century Code, relating to late payment

charges of one and one-half percent on overdue accounts and the furnishing of periodic statements.

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 2, absent and not voting 1.

NORTH DAKOTA SENATE									1981 LEGISLATURE		
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTEBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NOTHING			● 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.

House Bill No. 1240. — A Bill for an Act to amend and reenact section 21-03-38.1 of the North Dakota Century Code, relating to disposal of bond proceeds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 49, nays 0, absent and not voting 1.

NORTH DAKOTA SENATE									1981 LEGISLATURE		
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTEBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NOTHING			● 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.

SECOND READING OF

HOUSE CONCURRENT RESOLUTION

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

Was read the second time.

The question being on the final adoption of the resolution, as amended, House Concurrent Resolution No. 3013 was declared adopted on a voice vote.

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:
House Bill No. 1043

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

ROY GILBREATH, Chief Clerk

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. 1025
House Bill No. 1295
House Bill No. 1363
House Bill No. 1486
House Bill No. 1505
House Bill No. 1519
House Bill No. 1548
House Bill No. 1584
House Bill No. 1587
House Bill No. 1611
House Bill No. 1612
House Bill No. 1645

ROY GILBREATH, Chief Clerk
SIGNING OF BILLS
AND RESOLUTIONS

The Secretary announced that the President signed the following:
House Bill No. 1043

LEO LEIDHOLM, Secretary
MESSAGES TO THE HOUSE
Senate Chamber

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

House Bill No. 1123
House Bill No. 1144

LEO LEIDHOLM, Secretary
Senate Chamber

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

House Bill No. 1017
House Bill No. 1087
House Bill No. 1116

Which the President has signed.

LEO LEIDHOLM, Secretary
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. 2004
Senate Bill No. 2141
Senate Bill No. 2162
Senate Bill No. 2195
Senate Bill No. 2222
Senate Bill No. 2262
Senate Bill No. 2263
Senate Bill No. 2265
Senate Bill No. 2354
Senate Bill No. 2355
Senate Bill No. 2367
Senate Bill No. 2419
Very Respectfully,

LEO LEIDHOLM, Secretary

FIRST READING OF HOUSE BILLS

House Bill No. 1059. — A Bill for an Act to create and enact a new section to chapter 26-03 and a new subdivision to subsection 9 of section 26-30-04 of the North Dakota Century Code, relating to nursing home policies, requiring such policies to be guaranteed renewable for life, limiting preexisting conditions, and unfair claims settlement practices.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1060. — A Bill for an Act to provide for a county court in each county, the sharing of the services of a county judge by two or more counties, magistrates, clerks of court, court reporting services, jurisdiction, and practice and procedure in the county court; to create and enact sections 27-01-01.1 and 30.1-02-06.1 of the North Dakota Century Code, providing for the assumption of the expenses of the district courts by the state and appeals under the Uniform Probate Code; to amend and reenact sections 11-11-12, 27-01-05, 27-05.1-05, 27-06-02, 27-06-06, 27-06-09, 27-09.1-14, 27-20-05, subsection 1 of section 27-20-07, sections 27-20-49, 29-07-01.1, and 29-32-05 of the North Dakota Century Code, relating to supplies and attendants for local courts, expenses of actions following a change of venue, family court budgets, salaries and expenses of district court reporters, transcripts in criminal actions, bailiffs of district courts, compensation of jurors, salaries of juvenile court personnel, costs involved in treatment and adjudication of juveniles, and payment of indigent defense expenses; to repeal chapters 27-07, 27-08, 27-18, 30-26, 33-01, 33-02, 33-03, 33-04, 33-05, 33-07, 33-08, 33-09, 33-10, 33-11, and 33-12 of the North Dakota Century Code, relating to the county courts, the county courts of increased jurisdiction, and the county justice courts; and to provide an effective date.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1068. — A Bill for an Act to amend and reenact section 11-10-02 and subsection 2 of section 11-17-01 of the North Dakota Century Code, relating to the number and election of county officers and the duties of the clerk of district court.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1117. — A Bill for an Act to amend and reenact section 44-06-04 of the North Dakota Century Code, relating to filing of notary oath in the secretary of state's office and clerk of the district court offices.

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

House Bill No. 1161. — A Bill for an Act to amend and reenact sections 39-03.1-01, 39-03.1-09, 39-03.1-10, 39-03.1-12, 39-03.1-14, 39-03.1-21, and 39-03.1-26 of the North Dakota Century Code, relating to definitions of "total disability" and "surviving spouse", contributions to and benefits under the North Dakota highway patrolmen's retirement system, and payments made under other laws; and to repeal sections 39-03.1-15, 39-03.1-16, and 39-03.1-21.1 of the North Dakota Century Code, relating to disability benefits and children's benefits under the North Dakota highway patrolmen's retirement system.

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

House Bill No. 1253. — A Bill for an Act to amend and reenact section 3 of chapter 276 of the 1979 Session Laws of North Dakota, relating to the obligations of delegates to the party national convention.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1270. — A Bill for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to

the appointment of a guardian ad litem to represent minor children in court proceedings relating to their custody, support, and visitation.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1307. — A Bill for an Act to amend and reenact subsection 1 and 2 of section 57-38-01.7 of the North Dakota Century Code, increasing the amounts allowable as an income tax credit for charitable contributions.

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

House Bill No. 1315. — A Bill for an Act to amend and reenact sections 6-06-18 and 6-06-26 of the North Dakota Century Code, relating to interest rates for and payment of dividends by credit unions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1372. -- A Bill for an Act to place responsibility for administration of weather modification activities under the direction and supervision of the state water commission; to repeal chapter 2-07 of the North Dakota Century Code, relating to the weather modification board, a division of the aeronautics commission; and to provide a penalty.

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

House Bill No. 1411. — A Bill for an Act to create a judicial nominating committee to make nominations in the event of a vacancy in the position of supreme court justice or district judge.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1412. -- A Bill for an Act to repeal chapter 32-29.1 of the North Dakota Century Code, relating to the arbitration of medical malpractice claims; and to declare an emergency.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1415. -- A Bill for an Act to create and enact a new chapter to title 26 of the North Dakota Century Code, relating to the creation of the North Dakota Prepaid Legal Services Act, and to provide a penalty.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1416. -- A Bill for an Act to amend and reenact section 47-14-05 of the North Dakota Century Code, relating to a late payment penalty charge or real estate note or mortgage.

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

House Bill No. 1425. -- A Bill for an Act to create and enact a new subsection to section 27-09.1-06 of the North Dakota Century Code, relating to the master jury wheel; and to amend and reenact section 27-09.1-13 of the North Dakota Century Code, relating to the preservation of jury records.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1453. -- A Bill for an Act to create and enact a new section to chapter 26-02 of the North Dakota Century Code, relating to the definition of legal expense insurance, and to create and enact new

subsections to sections 26-08-02, 26-14-07, and 26-17.1-07 of the North Dakota Century Code, relating to the establishment of legal expense insurance as an authorized line of insurance.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1575. — A Bill for an Act to amend and reenact subsection 5 of section 57-39.2-01 of the North Dakota Century Code, relating to definition of retailer.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 1631. — A Bill for an Act to amend and reenact subsections 7 and 8 of section 54-52-17 of the North Dakota Century Code, relating to interest payable on employee account funds under the public employees retirement system.

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

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

Senator Nething moved that at the conclusion of the 13th Order of Business and after the reading of Senate Bills Nos. 2059, 2080, 2200, 2239, 2270, 2332, 2337, 2347, 2352, 2353, 2383, 2384, 2385, 2416, 2428, 2433, SCR's Nos. 4009, 4033, 4042, 4045, and House Bills Nos. 1074, 1093, 1094, 1101, 1222, 1280, 1287, 1390, 1417, and 1459, the Senate adjourn and convene at 1:00 p.m., Thursday, February 12, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary