

THIRTY-THIRD DAY

Bismarck, February 19, 1981

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

The prayer was offered by Rev. Jerry Miller, Pastor, First Lutheran Church, Rugby, N. D.

Gracious Father,

Thank You for the gift of managing our own affairs.

Thank You for the freedom and responsibility to care for our land, our water, our air, our people.

Bless us now with Your love and care.

Bless our beloved United States of America and this great state North Dakota, which we treasure and enjoy.

Bless President Reagan, Governor Olson and all others who serve in positions of power.

Keep them safe from the intoxicating danger of power by humbling them with the awesome responsibility they have.

Forgive us when we misuse Your gifts.

Forgive us when we make wrong decisions.

Help us to be rid of the weight of past mistakes by leaving them with You so we can start each day with a clean desk.

Keep us sensitive to those who are weak, in need, in the minority.

Give these law makers gathered here from all over our state a sensitive ear to listen, a keen eye to see beyond the surface and the present, a clear head for good thinking and common sense, a strong heart for courageous action.

Be especially with their families and loved ones.

Keep the bonds of husband and wife, parent and child, friend and neighbor alive and warm.

Grant that the people who work in this building for others have a desire to rely on Thee, O Lord, our wisdom and our salvation.

Keep them faithful representatives of Thee and the people they serve.

We pray in the name of Him who gave His life for all people to be free and to live life in all its fulness. Amen.

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

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 ... Thirty-second day and

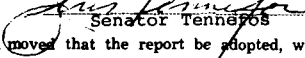
recommends that the same be corrected as follows:

On page 819, after line 38, insert So the bill passed and the title was agreed to.

In the Journal of the Thirty-first day, correct as follows:
On page 732, line 15, delete Centry and insert in lieu thereof Century.

And when so corrected recommends that the same be approved.

.....
Senator Sorum
.....
prevalled.


Senator Tennessee Chairman
.....
moved that the report be adopted, which motion

Report of Procedural Committee

MR. PRESIDENT:

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

Senate Bill No. 2203
Senate Bill No. 2217
Senate Bill No. 2404
Senate Bill No. 2415
Senate Bill No. 2432

and find the same correctly Re } Engrossed

.....
Senator Dotzenrod
.....


Stella Fritzell Chairman
.....
moved that the report be adopted, which motion prevailed.

MR. PRESIDENT:

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

Senate Bill No. 2001
Senate Bill No. 2005
Senate Bill No. 2006
Senate Bill No. 2007
Senate Bill No. 2010
Senate Bill No. 2011
Senate Bill No. 2068
Senate Bill No. 2135
Senate Bill No. 2216
Senate Bill No. 2260
Senate Bill No. 2314
Senate Bill No. 2322
Senate Bill No. 2338
Senate Bill No. 2344
Senate Bill No. 2358
Senate Bill No. 2372
Senate Bill No. 2378
Senate Bill No. 2386
Senate Bill No. 2389
Senate Bill No. 2392
Senate Bill No. 2407
Senate Bill No. 2471

and find the same correctly } Engrossed

.....
Senator Dykshoorn
.....


Stella Fritzell Chairman
.....
moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Goodman moved that the amendments to Senate Bill No.

EXPLANATION OF VOTE

Senator Shablow: Mr. President, I rise to explain my vote. I voted "no" on the amendment because I like Senate Bill No. 2323. I think it was a good bill. It treated everyone fairly and I am afraid if we amend this bill in this manner, more amendments will be applied to it. I think when the people from these areas of large residential districts realize that the shift is going to go to them only, then we'll very possibly lose Senate Bill 2323, and I would like to save the bill. Thank you ladies and gentlemen.

SECOND READING OF SENATE BILLS

Senate Bill No. 2323. — A Bill for an Act relating to the taxation of property at true and full value, the assessment of agricultural land, limitations on increases or forced reductions in property taxes levied by taxing districts for certain years, and statements of full consideration; to amend and reenact sections 57-02-11, 57-02-27, and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the annual assessment of property at true and full value, the basis for the computation of property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; to provide a penalty; to provide an effective date; and to declare an emergency.

Which has been read.

Senator Goodman moved that Senate Bill No. 2323 be amended as follows:

On page 1 of the reengrossed bill, line 4, after the semicolon insert the words "to create and enact a new section to chapter 57-02 of the North Dakota Century Code to provide a property protection clause;"

On page 1 of the reengrossed bill, after line 26, insert the following new section:

"SECTION 2. PROPERTY PROTECTION CLAUSE. Twelve percent of the assessed valuation of taxable fixtures, buildings, and improvements, and twelve percent of the assessed valuation of mobile homes taxed under chapter 57-55, shall be exempt from taxation; provided that to receive this exemption for any year, the taxes levied on the property for that year must be paid in full on or before February fifteenth prior to the date of delinquency. The exemption provided by this section shall not apply to any farm improvements which are exempt under subsection 15 of section 57-02-08."

And renumber the lines, sections, and pages accordingly.

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

Senator Nething moved that the rules be suspended, that Senate Bill No. 2323 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2323. — A Bill for an Act relating to the taxation of property at true and full value, the assessment of agricultural land, protection of taxpayers and taxing districts for certain years, and statements of full consideration; to create and enact a new section to chapter 57-02 of the North Dakota Century Code to provide a property protection clause; to amend and reenact sections 57-02-11, 57-02-27, and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the annual assessment of property at true and full value, the basis for the computation of

property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; to provide a penalty; to provide an effective date; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 36, nays 13, absent and not voting 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON		• STREIBEL
• ALBERS			• HANSON			• NETHING		• STROMME
• BAKWELL			• HOLMBERG			• OLIN		• TALLACKSON
• BARTH		•	• ISZLER			• PARKER		• TENNEFOS
• BERUBE			• LASHKOWITZ			• PETERSON		• THANE
• CHRISTENSEN, H. 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		

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

Senator Nething moved that the Senate recess for 10 minutes, which motion prevailed.

The Senate reconvened, with President Sands presiding.

MOTION

Senator Nething moved that Senate Bills Nos. 2058, 2215 and 2373 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2058. — A Bill for an Act relating to the taxation of property and providing legislative intent concerning property taxation, limitations on increases or forced reductions in property taxes levied by taxing districts for certain years, and statements of full consideration; to amend and reenact section 57-02-27, 57-02-28, 57-02-34, 57-05-01, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the assessment of property, the basis for the computation of property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; to provide a penalty; to provide an effective date; 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, the roll was called and there were ayes 2, nays 46, 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		• 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. 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. 2058 was declared lost.

Senate Bill No. 2215. — A Bill for an Act to provide for the valuation of property at true and full value, providing for the assessment of property at a percentage of true and full value with special classifications for residential property, agricultural land, and property assessed by the state board of equalization, providing for a property tax discount and for the reimbursement of taxing districts for the amount of the discount, and providing for statements of full consideration; to create and enact a new subsection to section 57-13-04 of the North Dakota Century Code, relating to the powers and duties of the state board of equalization; to amend and reenact sections 57-02-27 and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the determination of true and full value, the basis for the computation of property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; providing a penalty; providing an appropriation; providing an effective date; and declaring 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, the roll was called and there were ayes 0, nays 48, 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		●	GROTEBERG		●	NELSON		●			STREIBEL
ALBERS		●	HANSON		●	NETHING		●			STROMME
BAKEWELL		●	HOLMBERG		●	OLIN		●			TALLACKSON
BARTH		●	ISLER		●	PARKER		●			TENNEFOS
BERUBE		●	LASHKOWITZ		●	PETERSON		●			THANE
CHRISTENSEN, H. #5		●			●	QUAIL		●			TIERNEY
CHRISTENSEN, R. #36		●	LEIBMAN		●	REDLIN		●			TWETEN
CUSSONS		●	LIPS		●	REITEN		●			VOSPER
DOTZENROD		●	LODOEN		●	ROEN		●			WALSH
DYKSHOORN		●	MELLAND		●	SHABLOW		●			WENSTROM
ERICKSON		●	MOORE		●	SOLBERG		●			WRIGHT
FRITZELL		●	MUTCH		●	SORUM		●			MR. PRESIDENT
GOODMAN		●	NAADEN		●	STENEHJEM		●			

Senate Bill No. 2215 was declared lost.

Senate Bill No. 2373. — A Bill for an Act to amend subsection 4 of section 57-02-01 of the North Dakota Century Code to determine the true and full value of agricultural land.

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 6, nays 42, 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		●	GROTEBERG		●	NELSON		●			STREIBEL
ALBERS		●	HANSON		●	NETHING		●			STROMME
BAKEWELL		●	HOLMBERG		●	OLIN		●			TALLACKSON
BARTH		●	ISLER		●	PARKER		●			TENNEFOS
BERUBE		●	LASHKOWITZ		●	PETERSON		●			THANE
CHRISTENSEN, H. #5		●	LEE		●	QUAIL		●			TIERNEY
CHRISTENSEN, R. #36		●	LEIBMAN		●	REDLIN		●			TWETEN
CUSSONS		●	LIPS		●	REITEN		●			VOSPER
DOTZENROD		●	LODOEN		●	ROEN		●			WALSH
DYKSHOORN		●	MELLAND		●	SHABLOW		●			WENSTROM
ERICKSON		●	MOORE		●	SOLBERG		●			WRIGHT
FRITZELL		●	MUTCH		●	SORUM		●			MR. PRESIDENT
GOODMAN		●	NAADEN		●	STENEHJEM		●			

Senate Bill No. 2373 was declared lost.

Senate Bill No. 2371. — A Bill for an Act to amend and reenact section 4-34-01, 4-34-07, and 4-34-08 of the North Dakota Century Code, relating to purposes of the North Dakota Beef Promotion Act, compensation of North Dakota beef commission members, and assessment for the sale of cattle.

Which has been read.

Senator Barth moved that Senate Bill No. 2371 be amended as follows:

On page 1 of the engrossed bill, line 19, overstrike the word "less" and after the word "less" insert the word "more"

On page 2 of the engrossed bill, delete lines 1 through 4

On page 2 of the engrossed bill, line 21, delete the word "twenty-five" and insert in lieu thereof the word "twenty"

And renumber the lines 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 Senate Bill No. 2371, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Senate Bill No. 2371, the roll was called and there were 11 ayes, 38 nays, absent and not voting 1.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		•	•	GROTEBERG				•	STREIBEL
		•		HANSON	•			•	STROMME
		•		HOLMBERG				•	TALLACKSON
•				ISZLER	•				TENNEFOS
		•		LASHKOWITZ				•	THANE
		•		LEE	•	•			TIERNIEY
		•		LEIBHAN	•			•	TWETEN
		•		LIPS	•				VOSPER
•				LODOEN	•			•	WALSH
		•		MELLAND		•			WENSTROM
		•		MOORE					WRIGHT
		•		MITCH					MR. PRESIDENT
		•		NAADEN	•				
									STENEHJEM

The proposed amendments to Senate Bill No. 2371 lost.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43 nays, 6; absent and not voting 1.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•				GROTEBERG		•		•	STREIBEL
•				HANSON		•			STROMME
•				HOLMBERG		•		•	TALLACKSON
•				ISZLER		•			TENNEFOS
•				LASHKOWITZ		•			THANE
•		•		LEE				•	TIERNIEY
•		•		LEIBHAN				•	TWETEN
•		•		LIPS		•			VOSPER
•		•		LODOEN				•	WALSH
•		•		MELLAND		•			WENSTROM
•		•		MOORE		•			WRIGHT
•		•		MITCH					MR. PRESIDENT
•		•		NAADEN					
						•			STENEHJEM

So the bill passed and the title was agreed to.

Senate Bill No. 2374. — A Bill for an Act to authorize the Bank of North Dakota to guarantee loans used for the construction of community-sized ethanol agriculturally derived fuel production facilities.

● ADAMS	● GROTBORG	NELSON	● STREIBEL
● ALBERS	HANSON	● NETHING	● STROMME
● BAKERWELL	● 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	● LODDEN	● ROEN	● WALSH
● DYKSHOORN	● MELLAND	● SHABLOW	● WENSTROM
● ERICKSON	● MOORE	● SOLBERG	● WRIGHT
● FRITZELL	● MUTCH	● SORUM	● MR. PRESIDENT
● GOODMAN	● NAADEN	● STENEJEM	

Senate Bill No. 2395 was declared lost.

Senate Bill No. 2399. — A Bill for an Act to provide for the creation of a state waterbank program and to empower the commissioner of agriculture to administer the Act.

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

Senator Erickson moved that Senate Bill No. 2399 be amended as follows:

On page 1, line 3, delete the following: “; and to provide an”

On page 1, line 4, delete the word “appropriation”

On page 6, delete lines 33 through 35

On page 7, delete lines 1 through 4

And renumber the lines and pages accordingly

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

Senator Erickson moved that the rules be suspended, that Senate Bill No. 2399 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

Senate Bill No. 2399. — A Bill for an Act to provide for the creation of a state waterbank program and to empower the commissioner of agriculture to administer the Act; and to provide an appropriation.

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 38, nays 10, 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
●		●	●			●			●		
●			●		●	●			●		
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●			●			●			●		

So the bill passed and the title was agreed to.

Senate Bill No. 2400. — A Bill for an Act to amend and reenact section 57-15-10.1 of the North Dakota Century Code, relating to county and city mill levies for advertising purposes.

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 4, absent and not voting 1.

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		•	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. JW		•	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. 2405. — A Bill for an Act to amend and reenact sections 23-12-09, 23-12-10, and 23-12-11 of the North Dakota Century Code, relating to smoking in places of public assembly, to designating nonsmoking areas, and to the enforcement agency.

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 17, nays 32, absent and not voting 1.

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	•	•	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. JW	•		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. 2405 was declared lost.

Senate Bill No. 2414. — A Bill for an Act to repeal sections 16-20-08 and 16-20-09 of the North Dakota Century Code, relating to election campaign contributions by corporations, cooperative corporations, or officers thereof.

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

ROLL CALL

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

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	•		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. JW	•		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. 2414 was declared lost.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

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

Was read the second time.

Senator Mutch requested a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes 22, nays 27, absent and not voting 1.

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

Senate Concurrent Resolution No. 4036 was declared lost.

Senate Concurrent Resolution No. 4051. — A concurrent resolution directing the Legislative Council to conduct a study of the Sunday closing law.

Was read the second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4051 was declared adopted on a voice vote.

SECOND READING OF SENATE BILLS

Senate Bill No. 2001. — A Bill for an Act to appropriate money for the expenses of the legislative branch of government; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 48, nays 1, absent and not voting 1.

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

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

Senate Bill No. 2005. — A Bill for an Act making an appropriation for defraying the expenses of the various institutions under the supervision of the board of higher education of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 44, nays 5, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKERWELL			• 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, the title was agreed to, and the emergency clause carried.

Senate Bill No. 2006. — A Bill for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

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 49, nays 0, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKERWELL			• 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.

Senate Bill No. 2010. — A Bill for an Act making an appropriation for defraying the expenses of the department of health of the state of North Dakota.

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	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKERWELL			• 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.

Senate Bill No. 2011. — A Bill for an Act making an appropriation for defraying the expenses of the social service board of the state of North Dakota.

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 44, nays 5, absent and not voting 1.

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

So the bill passed and the title was agreed to.

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

Which has been read.

ROLL CALL

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

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

So the bill passed and the title was agreed to.

Senate Bill No. 2135. — A Bill for an Act to amend and reenact subsection 1 of section 23-14-11 of the North Dakota Century Code, increasing the maximum permitted mill levy for health districts from one and one-half mills to three mills, and providing for voter approval of the mill levy.

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 42, nays 7, absent and not voting 1.

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

EXPLANATION OF VOTE

Senator Tennefos: Mr. President, I rise on a point of personal privilege to explain why I voted "no" on Senate Bill No. 2135. There was a mill levy increase, a simple majority, and I have a policy and I thought the Senate had a policy that we have two-thirds or a sixty percent majority.

Senate Bill No. 2217. — A Bill for an Act to amend and reenact section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for persons sixty-five years of age or older with limited income; providing an appropriation; and providing for an effective date.

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 49, nays 0, absent and not voting 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROTEBERG			• NELSON		• STREIBEL
• ALBERS			• HANSON			• NETHING		• STROMME
• BAKWELL			• HOLMBERG			• OLIN		• TALLACKSON
• BARTH			• ISZLER			• PARKER		• TENNEFOS
• BERUBE	•		• LASHKOWITZ			• PETERSON		• THANE
• CHRISTENSEN, H. #5			• LEE			• QUAIL		• TIERNEY
• CHRISTENSEN, R. #36			• 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. 2280. — A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code to provide an adjustment to taxable income for individuals for certain boarding home rent costs; and providing an effective date.

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 9, nays 40, absent and not voting 1.

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

Senate Bill No. 2280 was declared lost.

Senate Bill No. 2314. — A Bill for an Act to allow a city tax on rental accommodations of up to two percent to promote tourism, providing for administration and collection of the tax by the state tax commissioner, and providing penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 29, nays 17, absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			GROETBERG			NELSON			STREIBEL		
			HANSON			NETHING			STROMME		
			HOLMBERG			OLIN			TALLACKSON		
			ISZLER			PARKER			TENNEFOS		
			LASHKOWITZ			PETERSON			THANE		
			LEE			QUAIL			TIERNEY		
			LEIBHAN			REDLIN			TWETEN		
			LIPS			REITEN			VOSPER		
			LODOEN			ROEN			WALSH		
			MELLAND			SHABLOW			WENSTROM		
			MOORE			SOLBERG			WRIGHT		
			MUTCH			SORUM			MR. PRESIDENT		
			NAADEN			STENEJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2322. — A Bill for an Act to amend and reenact sections 16-04-20 and 16-11-06 of the North Dakota Century Code, relating to requirements a political party must meet to receive a separate column on the primary election ballot and to the arrangement of names on the general election ballot; and to repeal section 16.1-06-07 of the North Dakota Century Code, as created by section 16, chapter 271 of the 1979 Session Laws, relating to the arrangement of names on the general election ballot.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			GROETBERG			NELSON			STREIBEL		
			HANSON			NETHING			STROMME		

So the bill passed and the title was agreed to.

Senate Bill No. 2358. — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code to provide for a credit against income taxes if the general fund balance reaches a certain level.

Which has been read.

Senator Barth moved that Senate Bill No. 2358 be amended as follows:

On page 1 of the engrossed bill, line 3, after the word "taxes" insert the words "and a transfer to the state revenue sharing fund"

On page 1 of the engrossed bill, line 4, after the word "level" and before the period insert the following: "; and to provide and appropriation"

On page 1 of the engrossed bill, line 16, after the comma insert the following: "ten million dollars shall be transferred to the state revenue sharing fund and, in addition,"

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

"SECTION 2. APPROPRIATION. Any funds transferred to the state revenue sharing fund pursuant to section 1 of this Act are hereby appropriated to the state treasurer of the state of North Dakota for the purposes of distributing such funds to local political subdivisions pursuant to the provisions of section 54-27-20.2, for the biennium beginning July 1, 1981, and ending June 30, 1983, as follows:

Grant, benefits, and claims \$ 10,000,000
 Total general fund transfer and appropriation \$ 10,000,000"

And renumber lines and pages accordingly

Senator Barth moved that the proposed amendments be adopted, which motion lost.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROME		
• BAKWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. 15			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. 136			• LEIBHART			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODDOEN			• 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. 2386. — A Bill for an Act to create a general revenue bond authority in the Bank of North Dakota, with authority to issue revenue bonds to finance the construction, remodeling, and renovation of revenue-producing state buildings; and to declare an emergency.

Which has been read.

ROLL CALL

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

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

● ADAMS	● GROTEBERG	● 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	● LODDEN	● ROEN	● WALSH
● DYKSHOORN	● MELLAND	● SHABLOW	● WENSTROM
● ERICKSON	● MOORE	● SOLBERG	● WRIGHT
● FRITZELL	● MUTCH	● SORUM	● MR. PRESIDENT
● GOODMAN	● NAADEN	● STENEHJEM	

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

Senate Bill No. 2372. — A Bill for an Act to establish a northern crops institute and northern crops council, to specify the purpose, powers, and duties of the council, and to permit gifts and grants to the institute; to authorize the issuance of revenue bonds; and to provide an appropriation.

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 46, nays 0, absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTEBERG			● 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			● 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. 2378. — A Bill for an Act to require a statement of intent to accompany proposed constitutional amendments; to amend and reenact sections 16-01-07 and 16-11-07 of the North Dakota Century Code, relating to the advertisement of constitutional amendments and other questions and the ballot placement of constitutional amendments and initiated and referred measures, or in the alternative, to amend and reenact sections 16.1-01-07 and 16.1-06-09 of the North Dakota Century Code, as created by House Bill No. 1225, as approved by the forty-seventh legislative assembly, relating to the advertisement of constitutional amendments and other questions and the ballot placement of constitutional amendment; and to declare an emergency.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTEBERG			● 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	• LODDEN	• ROEN	• WALSH
• DYKSHOORN	• MELLAND	• SHABLOW	• WENSTROM
• ERICKSON	• MOORE	• SOLBERG	• WRIGHT
• FRITZELL	• MUTCH	• SORUM	MR. PRESIDENT
• GOODMAN	• NAADEN	• STENEHJEM	

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

Senate Bill No. 2389. — A Bill for an Act to amend and reenact sections 12-46-13, 12.1-04-01, 12.1-32-13, 27-20-33, and 27-20-34 of the North Dakota Century Code, relating to transfer of juvenile jurisdiction to adult court.

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 46, nays 2, absent and not voting 2.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2392. — A Bill for an Act to provide an additional one cent a gallon tax on certain motor vehicle fuels with the proceeds distributed to townships for construction or maintenance of township roads.

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 28, nays 20, absent and not voting 2.

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

So the bill passed and the title was agreed to.

Senate Bill No. 2334. — A Bill for an Act to provide a state matching grant program for county road construction; to provide a mill levy to qualify for the grant program; to provide for a one cent per gallon gas tax increase for grant funds; and to provide an appropriation.

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

Senator Tweten moved that Senate Bill No. 2334 be amended as follows:

On page 1, line 2, after the word "county" insert the following: " , city, and township"

On page 1, line 3, after the word "tax" insert the words "and special fuels tax"

On page 1, line 11, after the word "purposes" and before the period insert the words "and city and township highway construction and maintenance projects"

On page 1, line 18, after the period insert the following new sentence: "Twenty percent of any funds received by any county pursuant to a grant made under this section shall be distributed to the cities within the county based on population as determined by the last official regular or special census, and an additional twenty percent of the funds received by any county pursuant to such a grant shall be distributed to the townships, or to the county on behalf of any unorganized townships, within the county based upon the proportionate number of miles of township roads within each organized or unorganized township as compared with the total number of miles of township roads within the county. Moneys received by any city or townships, or by the county on behalf of an unorganized township, shall be used solely for construction and maintenance of public roads and highways, and any funds distributed to any unorganized township shall be expended by the board of county commissioners solely for the construction and maintenance of public roads within that unorganized township."

On page 2, line 4, delete the following: " - CERTIFICATION BY HIGHWAY COMMISSIONER TO TAX" and insert in lieu thereof the words "AND SPECIAL FUELS"

On page 2, line 5, delete the word "COMMISSIONER"

On page 2, line 6, after the word "fuels" insert the words "and special fuels", and after the word "in" insert the words "motor vehicles in"

On page 2, line 7, delete the word "and" and insert in lieu thereof a comma

On page 2, line 10, after the word "alcohol" and before the period insert a comma and the words " , and on special fuels used in motor vehicles", and delete the words "This tax shall be imposed when the highway"

On page 2, delete lines 11 through 14

On page 2, line 15, delete the words and period "calendar quarter immediately following the certification."

On page 2, line 17, delete the word "section" and insert in lieu thereof the words and numerals "sections 57-52-04 and"

On page 2, line 24, after the word "FUEL" insert the words "AND SPECIAL FUELS"

On page 2, line 25, after the word "fuel" insert the words "and special fuel"

On page 2, line 28, after the word "fuel" insert the words "and special fuel"

On page 2, line 35, delete the word "general" and insert in lieu thereof the words "motor vehicle fuel and special fuel tax state matching grant"

On page 3, line 1, delete the numerals "1,000,000" and insert in lieu thereof the numerals "7,500,000"

On page 3, line 4, after the word "construction" insert the words "and city and township road and highway projects"

On page 3, line 5, after the period insert the following new sentence:

farmer loan program to be administered by the industrial commission, and to provide for definitions, revenue bonds, loan program conditions and restrictions, seller-sponsored loan guarantees, default, the sale of loan program lands, and tax penalties.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 35, nays 13, absent and not voting 2.

NORTH DAKOTA SENATE ROLL-CALL											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●		●	●	●		●		●	●		●
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So the bill passed and the title was agreed to.

MOTIONS

Senator Nething moved that Senate Bills Nos. 2068, 2217, 2314, 2323, 2344, 2374, 2378, 2386, and 2415 be reprinted in the minimum amount, which motion prevailed.

Senator Nething moved that the Senate amend Joint Rule 203, changing the crossover day from the 33rd legislative day to the 34th legislative day, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

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

- House Bill No. 1033
- House Bill No. 1092
- House Bill No. 1127
- House Bill No. 1153
- House Bill No. 1165
- House Bill No. 1180
- House Bill No. 1196
- House Bill No. 1217
- House Bill No. 1251
- House Bill No. 1420
- House Bill No. 1422
- House Bill No. 1467
- House Bill No. 1525
- House Bill No. 1551
- House Bill No. 1590
- House Concurrent Resolution No. 3041

ROY GILBREATH, Chief Clerk

House Chamber

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

- House Bill No. 1126
- House Bill No. 1137

House Bill No. 1142
House Bill No. 1183
House Bill No. 1202
House Bill No. 1206
House Bill No. 1210
House Bill No. 1240

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

ROY GILBREATH, Chief Clerk
MESSAGE TO THE HOUSE
Senate Chamber

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

Senate Bill No. 2025
Senate Bill No. 2060
Senate Bill No. 2092
Senate Bill No. 2114
Senate Bill No. 2161
Senate Bill No. 2202
Senate Bill No. 2228
Senate Bill No. 2233
Senate Bill No. 2257
Senate Bill No. 2301
Senate Bill No. 2307
Senate bill No. 2363
Senate bill No. 2369
Senate Bill No. 2377
Senate Bill No. 2385
Senate Bill No. 2406
Senate Bill No. 2417
Senate Bill No. 2424
Senate Concurrent Resolution No. 4031
Senate Concurrent Resolution No. 4033
Senate Concurrent Resolution No. 4035
Senate Concurrent Resolution No. 4037
Senate Concurrent Resolution No. 4038
Senate Concurrent Resolution No. 4048
Senate Concurrent Resolution No. 4054

Very Respectfully,
LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

House Bill No. 1126
House Bill No. 1137
House Bill No. 1142
House Bill No. 1183
House Bill No. 1202
House Bill No. 1206
House Bill No. 1210
House Bill No. 1240

LEO LEIDHOLM, Secretary
MESSAGES TO THE HOUSE
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:
House Bill No. 1126

House Bill No. 1137
 House Bill No. 1142
 House Bill No. 1183
 House Bill No. 1202
 House Bill No. 1206
 House Bill No. 1210
 House Bill No. 1240
 Which the President has signed.

Very Respectfully,
 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. 2007
 Senate Bill No. 2203
 Senate Bill No. 2404
 Senate Bill No. 2407

Very Respectfully,
 LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

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

House Bill No. 1018
 House Bill No. 1074
 House Bill No. 1094
 House Bill No. 1101
 House Bill No. 1222
 House Bill No. 1280
 House Bill No. 1287

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. 1001
 House Bill No. 1003
 House Bill No. 1006
 House Bill No. 1007
 House Bill No. 1010
 House Bill No. 1012
 House Bill No. 1013
 House Bill No. 1035
 House Bill No. 1038
 House Bill No. 1047
 House Bill No. 1049
 House Bill No. 1050
 House Bill No. 1051
 House Bill No. 1061
 House Bill No. 1069
 House Bill No. 1084
 House Bill No. 1121
 House Bill No. 1177

House Bill No. 1178
House Bill No. 1190
House Bill No. 1199
House Bill No. 1204
House Bill No. 1218
House Bill No. 1231
House Bill No. 1252
House Bill No. 1265
House Bill No. 1266
House Bill No. 1284
House Bill No. 1332
House Bill No. 1365
House Bill No. 1371
House Bill No. 1384
House Bill No. 1395
House Bill No. 1400
House Bill No. 1404
House Bill No. 1410
House Bill No. 1418
House Bill No. 1438
House Bill No. 1440
House Bill No. 1450
House Bill No. 1458
House Bill No. 1461
House Bill No. 1464
House Bill No. 1502
House Bill No. 1504
House Bill No. 1512
House Bill No. 1514
House Bill No. 1516
House Bill No. 1520
House Bill No. 1528
House Bill No. 1529
House Bill No. 1536
House Bill No. 1540
House Bill No. 1543
House Bill No. 1554
House Bill No. 1563
House Bill No. 1571
House Bill No. 1572
House Bill No. 1574
House Bill No. 1592

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. 1594
House Bill No. 1595
House Bill No. 1604
House Bill No. 1609
House Bill No. 1630
House Bill No. 1632
House Bill No. 1638
House Concurrent Resolution No. 3001
House Concurrent Resolution No. 3008

his account or record in any name other than that of the person by whom it actually was furnished."

On page 5, following line 28, insert the following:

"SECTION 4. EXPENDITURES FOR OTHER PURPOSES. Nothing in this Act shall be construed to prohibit the exercise by corporations, cooperative corporations, and associations of the right to make expenditures and contributions for the purpose of promoting passage or defeat of initiated or referred measures, or for promoting any general political philosophy or belief deemed in the best interest of the employees, stockholders, patrons, or members of the corporation, cooperative corporation, or association other than a "political purpose" as defined by this Act.

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

And when so amended, recommends the same do pass.



Chairman

HOUSE Bill No. 1127 Rep. Conmy was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. Speaker: Your Committee on STATE AND FEDERAL GOVERNMENT to whom was referred HOUSE

Bill No. 1196 has had the same under consideration and recommends, by a vote of Ayes, 7; Nays, 5; Absent, 3, that the same

do pass. do not pass. be placed on calendar without recommendation. [X] be amended as follows:

On page 1, line 1, delete everything following "A BILL" and insert in lieu thereof the following:

"for an Act to create and enact sections 54-17-07.3, 54-17-07.4, 54-17-07.5, 54-17-07.6, and 54-17-07.7 of the North Dakota Century Code relating to the industrial commission acting as a state housing finance agency; a home mortgage finance program; a mobile home and manufactured housing finance program; a multifamily housing finance program; housing revenue bonds; allocation of housing revenue bonds; grants, contributions loans, or other aid; and terms of loans; to amend and reenact sections 54-17-01, 54-17-07.1, and 54-17-07.2 of the North Dakota Century Code, relating to the industrial commission acting as a state housing finance agency; an advisory board; and to housing revenue bonds; and to declare an emergency.

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

SECTION 1. AMENDMENT. SECTION 54-17-01 as amended and reenacted by Measure No. 7 at the 1980 General Election is hereby amended and

reenacted to read as follows:

54-17-01. INDUSTRIAL COMMISSION TO MANAGE INDUSTRIES OF STATE AND TO ACT AS A STATE HOUSING FINANCE AGENCY IN PROVIDING RESIDENTIAL MORTGAGE LOANS FOR PERSONS OR FAMILIES OF LOW AND MODERATE INCOME. The commission created to conduct and manage, on behalf of the state of North Dakota, certain utilities, industries, enterprises, including a home mortgage housing finance program programs, and business projects established by law shall be known as the industrial commission of North Dakota, but may be designated as the industrial commission. In the creation of the industrial commission, it is the intention of the legislative assembly that all acts of the industrial commission shall be the acts of the state of North Dakota functioning in its sovereign capacity.

SECTION 2. AMENDMENT. Section 54-17-07.1 as created and enacted by Measure No. 7 at the 1980 General Election is hereby amended and reenacted to read as follows:

54-17-07.1. HOME MORTGAGE FINANCE PROGRAM OF COMMISSION ADVISORY BOARD - RULES. Acting in its capacity as a state housing finance agency, ~~the industrial commission is authorized to purchase or contract to purchase from lenders mortgage loans made to persons or families of low and moderate income to finance the purchase or substantial rehabilitation of owner-occupied, single-family residential dwelling units which shall include mobile homes and manufactured housing. The term lenders shall mean any bank or trust company chartered by the state of North Dakota or any national banking association located in North Dakota, state or federal savings and loan association located in North Dakota, and FHA approved mortgagee or other mortgage banking institutions currently actively engaged in home mortgage lending in North Dakota approved by the commission. The term persons or families of low and moderate income shall mean persons or families whose financial means are insufficient, taking into account such factors as the commission shall deem relevant, to secure decent, safe, and sanitary housing provided by private industry without the financial assistance afforded by the home mortgage finance program of the commission.~~ The commission shall appoint a five member Advisory Board six member advisory board consisting of representatives of lenders, ~~and others engaged in~~ the residential real estate industry, the mobile home and manufactured housing industry, and home owners and buyers, and in consultation with such board may adopt rules and regulations

for the conduct of its home-mortgage housing finance program which may, among other matters, establish requirements for the type and purchase price of dwelling units and multifamily facilities eligible to be financed, the income limits for eligible low or moderate income persons or families, the interest rates and other terms of mortgage loans ~~by lenders eligible for purchase by the commission to be financed,~~ requirements relating to federal or private mortgage insurance or guaranties, and the general terms and conditions for the issuance and security of housing revenue bonds to be issued.

SECTION 3. AMENDMENT. Section 54-17-07.2 as created and enacted by Measure No. 7 at the 1980 General Election is hereby amended and reenacted to read as follows:

~~54-17-07.2. HOUSING-REVENUE-BONDS-OF-COMMISSION--In order to fund its home-mortgage-finance-program, the commission is authorized to issue revenue bonds which shall be sold at not less than ninety-five percent of par plus any accrued interest.--The principal of and interest on such bonds shall be payable only from revenues generated under the home-mortgage-finance-program, and the bonds shall not constitute a debt of the state of North Dakota and shall contain a statement to that effect on their face.--The bonds may be sold at public or private sale or by negotiation as the commission may direct, shall mature not more than forty years from their date or dates and shall contain such terms and provisions as the commission shall determine.--The commission may capitalize from bond proceeds all expenses incidental to the issuance or the bonds or to its housing-mortgage-finance-program, including, without limitation, any reserves for the payment of the bonds-~~ DEFINITIONS

As used in sections 54-17-07.1 through 54-17-07.7:

1. "Lenders" means any bank or trust company chartered by the state of North Dakota or any national banking association located in North Dakota, state or federal savings and loan association located in North Dakota, and federal housing administration approved mortgagee or other mortgage banking institutions actively engaged in home mortgage lending in North Dakota approved by the commission.
2. "Multifamily housing facility" means any facility containing five or more residential dwelling units, provided that at least twenty percent of the units in each

facility shall be held for occupancy by persons or families of low and moderate income for such period of time as the commission may determine, and may include such related public or private facilities intended for commercial, cultural, recreational, community, or other civic purpose as the commission may approve.

3. "Persons and families of low or moderate income" means persons or families whose financial means are insufficient, taking into account such factors as the commission shall deem relevant, to secure decent, safe, and sanitary housing provided by private industry without the financial assistance afforded by the housing finance programs of the commission.

SECTION 4. Section 54-17-07.3 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-17-07.3. HOUSING FINANCE PROGRAMS. Acting in its capacity as a state housing finance agency, the industrial commission is authorized to establish the following housing finance programs:

1. Home Mortgage Finance Program. A program to purchase or contract to purchase from lenders mortgage loans made to persons or families of low and moderate income to finance the purchase or substantial rehabilitation of owner occupied, single family residential dwelling units, which shall include mobile homes and manufactured housing.
2. Mobile Home and Manufactured Housing Finance Program. A program to purchase or contract to purchase from lenders loans made to persons or families of low and moderate income to finance the purchase of mobile homes and manufactured housing other than on a real property mortgage basis.
3. Multifamily Housing Finance Program. A program to make, purchase, and commit to make and purchase construction, permanent, and combined construction and permanent mortgage loans (including participations in mortgage loans) for the acquisition, construction, refurbishing, reconstruction, rehabilitation, or improvement of multifamily housing facilities.

SECTION 5. Section 54-17-07.4 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-17-07.4. HOUSING REVENUE BONDS. In order to fund its housing finance programs, the commission is authorized to issue revenue bonds or evidences of debt and indebtedness of the state which shall be sold at not less than ninety-five percent of par plus any accrued interest. The principal of and interest on such bonds shall be payable only from revenues generated under the applicable housing finance programs. The bonds shall not constitute a debt of the state of North Dakota and shall contain a statement to that effect on their face. The bonds may be sold at public or private sale, shall mature not more than fifty years from their date or dates, and shall contain such terms and provisions as the commission shall determine. The commission may capitalize from bond proceeds all expenses incidental to the issuance of the bonds or to the applicable housing finance program, including, without limitation, any reserves for the payment of the bonds. All revenue bonds issued by the commission to fund a housing finance program shall be secured separately from revenue bonds issued to fund its other housing finance programs.

SECTION 6. Section 54-17-07.5 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-17-05.5. STATE REALLOCATION UNDER THE MORTGAGE SUBSIDY BOND TAX ACT OF 1980. Pursuant to sections 103A(g), 103A(g)(4) and 103A(g)(6)A of the internal Revenue Code of 1954, hereafter referred to as the "code", the limit for housing revenue bonds to be issued shall be allocated as follows:

1. To the industrial commission to fund its housing home mortgage and mobile home and manufactured housing finance programs. seventy-five percent of the "state ceiling", as defined in section 103A(g)(4) of the code.
2. To home rule cities now or hereafter authorized to issue bonds subject to section 103A(g) of the Code. twenty-five percent of the state ceiling".

The applicable limit for bonds of any home rule city shall be determined by multiplying twenty-five percent of the state ceiling by a fraction, the numerator of which is the population of the home rule city as shown in the 1980 federal decennial census and the denominator of which is the aggregate population of all home rule cities now or hereafter authorized to issue bonds as shown in the 1980 federal decennial census. The governing board of any home rule city referred to in this section may by appropriate resolution or legislative action transfer to any

other such home rule city or cities or to the industrial commission its local portion of the state ceiling for any calendar year, such transfer to be irrevocable upon enactment in accordance with law.

SECTION 7. Section 54-17-07.6 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-17-07.6. ACCEPTANCE OF GRANTS, CONTRIBUTIONS, LOANS, OR OTHER AID. Acting in its capacity as a state housing finance agency, the industrial commission is authorized to contract for, accept and administer any grant, contribution or loan of funds, property, or other aid in any form from the federal government or from any other source, and to do all things necessary to qualify for any grant, contribution, or loan under any federal program, including those things necessary to qualify for assistance under the federal housing programs in effect from time to time.

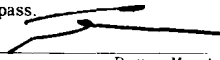
SECTION 8. Section 54-17-07.7 of the North Dakota Century Code is hereby created and enacted to read as follows:

54-17-07.7. TERMS OF LOANS. Notwithstanding any other provision of law, the industrial commission is authorized to require, as a condition to the origination and purchase of loans and mortgage loans to be purchased by it, prepayment penalties, restrictions upon assumability, default provisions, rights to accelerate, rights to increase the interest rate, and any other terms the commission may determine to be necessary or desirable to assure the repayment of its housing revenue bonds and the exemption from federal income taxes of the interest payable on its housing revenue bonds under the Internal Revenue Code of 1954. All such terms shall be enforceable by the originator, the commission, or any successor holder of the loans or mortgage loans unless expressly waived in writing by or on behalf of the commission.

SECTION 9. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in effect from and after its passage and approval.

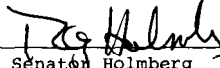
And renumber the lines, sections, and pages accordingly

And when so amended, recommends the same do pass.

 Chairman
Rep. Martinson

HOUSE Bill No. 1196 was placed on the 6th order of business on the calendar for the succeeding legislative day.

JOURNAL OF THE SENATE



Senator Holmberg Chairman

HOUSE Bill No. 1480 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. 1631

Has had the same under consideration and recommends that the same

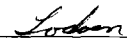
do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 2, line 1, overstrike the words, "or if the surviving"

On page 2, line 2, overstrike the words, "spouse remarries"

And when so amended recommends the same do pass.



Senator Lodoen Chairman

House Bill No. 1631 was placed on the Sixth

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

Mr. President: Your Committee on Social Services & Veterans Affairs
to whom was referred House Concurrent Resolution No. 3002

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 Petersoh Chairman

House Concurrent Resolution No. 3002 was placed on the fourteenth

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

Mr. President: Your Committee on Social Services & Veterans Affairs
to whom was referred House Concurrent Resolution No. 3003

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 Petersoh Chairman

House Concurrent Resolution No. 3003 was placed on the fourteenth

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

FIRST READING OF
SENATE CONCURRENT RESOLUTIONS

Senator Goodman introduced:

Senate Concurrent Resolution No. 4057. — A concurrent resolution directing the Legislative Council to conduct a study of the organization of statutes relating to taxation.

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

Committee on Natural Resources introduced:

Senate Concurrent Resolution No. 4058. — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating the natural resource regulatory functions of various state agencies.

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

Senator Hanson introduced:

Senate Concurrent Resolution No. 4059. — A concurrent resolution directing the Legislative Council, with assistance from the State Board of Higher Education, to study the financing of research activities at institutions of higher education under the jurisdiction of the State Board of Higher Education.

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

Senator Solberg introduced:

Senate Concurrent Resolution No. 4060. — A concurrent resolution directing the Legislative Council to study the fiscal note process.

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

Senator Nelson introduced:

Senate Concurrent Resolution No. 4061. — A concurrent resolution directing the Legislative Council to study the feasibility and desirability of making both substantive and nonsubstantive revision of North Dakota Century Code Title 11, relating to counties, and Title 58, relating to townships, and related statutes.

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

Senators Moore, Tierney, Nelson, Reps. Metz, Knudson, Swiontek introduced:

Senate Concurrent Resolution No. 4062. A concurrent resolution directing the Legislative Council to study the financing of elementary and secondary education, with emphasis upon state-mandated costs of education.

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

Senator Thane introduced:

Senate Concurrent Resolution No. 4063. — A concurrent resolution directing the Legislative Council to study future legislative use of data processing services and resources and to develop a plan for use of data processing resources and services for the future.

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

Senator Tennefos, Rep. Kloubec introduced:

Senate Concurrent Resolution No. 4064. — A concurrent resolution directing a Legislative Council study of the workmen's compensation program and the feasibility of alternatives to the state workmen's compensation fund.

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

Senator Stenehjem introduced:

Senate Concurrent Resolution No. 4065. — A concurrent resolution directing the Legislative Council, with assistance from the Superintendent of Public Instruction, the State Board for Vocational Education, and other appropriate state agencies, to study the needs and financing of locally based adult and community education programs.

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

Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4066. — A concurrent resolution directing the Legislative Council to conduct a study of the method of appropriating funds for equipment purchases at the institutions of higher education.

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

Senator Stenehjem, Rep. Kuchera introduced:

Senate Concurrent Resolution No. 4067. — A concurrent resolution directing the Legislative Council to study exceptions to open records and open meetings laws for certain governmental purposes.

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

Senators Nething, Lodoen, Reiten, Peterson introduced:

Senate Concurrent Resolution No. 4068. — A concurrent resolution directing a Legislative Council study of the statutory protections afforded public employees who are members of the National Guard.

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

Senator Lips introduced:

Senate Concurrent Resolution No. 4069. — A concurrent resolution directing a Legislative Council study and revision of the insurance laws contained in Title 26 of the North Dakota Code.

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

Senator Redlin introduced:

Senate Concurrent Resolution No. 4070. — A concurrent resolution directing the Legislative Council to study the use of aircraft by North Dakota state government to find the most efficient method of using aircraft to conduct the state's business.

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

Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4071. — A concurrent resolution directing the Legislative Council to study the use of special funds and cash accounts maintained in the state treasury.

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

Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4072. — A concurrent resolution asking the Legislative Council to study state budget practices for the purpose of developing recommendations to improve the budget process.

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

Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4073. — A concurrent resolution directing the Legislative Council to monitor changes to the state

accounting system and to indirect cost reimbursement procedures.

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

Senators Holmberg, Wright introduced:

Senate Concurrent Resolution No. 4074. — A concurrent resolution directing a Legislative Council study of the feasibility and desirability of revising all statutes which relate to more than one political subdivision.

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

Senators Roen, Sorum introduced:

Senate Concurrent Resolution No. 4075. — A concurrent resolution to create a new section to article XI of the Constitution of the State of North Dakota, relating to the state's responsibility to ensure maintenance and availability of records of interests in real property.

Was read the first time and referred to the committee on Constitutional Revision.

Senators Tennesfos, Reiten, Reps. Kloubec, Rued introduced:

Senate Concurrent Resolution No. 4076. — A concurrent resolution directing the Legislative Council to conduct a study of the extent of and means for reducing governmental paperwork in North Dakota.

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

Committee on Appropriations introduced:

Senate Concurrent Resolution No. 4077. — A concurrent resolution directing the Legislative Council to study the methodology and entire system of compensating state employees and of providing fringe benefits for state employees.

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

Senator Melland introduced:

Senate Concurrent Resolution No. 4078. — A concurrent resolution directing a Legislative Council study of the statutory interest rate maximums applicable to commercial transactions.

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

Senator Melland introduced:

Senate Concurrent Resolution No. 4079. — A concurrent resolution directing the Legislative Council to study state agency and institution planning methods for maintenance of facilities and facility construction.

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

Senator Melland introduced:

Senate Concurrent Resolution No. 4080. — A concurrent resolution directing a Legislative Council study and revision of the sections of law contained in Title 54 of the North Dakota Century Code.

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

Senator Melland introduced:

Senate Concurrent Resolution No. 4081. — A concurrent resolution directing the Legislative Council to review the growth anticipated in state government during the next ten years.

Was read the first time and referred to the committee on

Appropriations.

Senator Wright introduced:

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

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

Senators Moore, Nething introduced:

Senate Concurrent Resolution No. 4083. — A concurrent resolution directing the Legislative Council to conduct a study of the productivity method of valuing property.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1008. — A Bill for an Act making an appropriation for defraying the expenses of the school for the deaf and the school for the blind of the state of North Dakota; and declaring an emergency.

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

House Bill No. 1023. — A Bill for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota.

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

House Bill No. 1033. — A Bill for an Act making an appropriation for defraying the expenses of the parks and recreation department of the state of North Dakota.

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

House Bill No. 1092. — A Bill for an Act to amend and reenact subsection 2 of section 15-40.1-06 and section 15-40.1-16 of the North Dakota Century Code, relating to state support for elementary and secondary education to approximately seventy percent; and to repeal section 15-08-01.1 and subdivision c of subsection 3 of section 15-40.1-06 of the North Dakota Century Code, relating to oil and gas bonus payments distributed among schools.

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

House Bill No. 1127. — A Bill for an Act to prohibit campaign contributions by corporations, cooperative corporations, and associations; to repeal sections 16-20-05, 16-20-08, 16-20-09, 16-20-10, and 16-20-12 of the North Dakota Century Code, relating to campaign contributions by corporations and cooperative corporations; and to provide a penalty.

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

House Bill No. 1153. — A Bill for an Act to amend and reenact subsection 1 of section 15-59-01 of the North Dakota Century Code, relating to the definition of an exceptional child.

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

House Bill No. 1165. — A Bill for an Act to amend and reenact 16.1-03-07 of the North Dakota Century Code, relating to organization of party district committees.

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

House Bill No. 1180. — A Bill for an Act to amend and reenact sections 39-06-30 and 39-07-11 of the North Dakota Century Code,

relating to the finality of convictions for drivers license purposes and to reports of commission of traffic violations to the licensing authority.

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

House Bill No. 1196. — A Bill for an Act to create and enact sections 54-17-07.3, 54-17-07.4, 54-17-07.5, 54-17-07.6, and 54-17-07.7 of the North Dakota Century Code, relating to the industrial commission acting as a state housing finance agency; a home mortgage finance program; a mobile home and manufactured housing finance program; a multifamily housing finance program; housing revenue bonds; allocation of housing revenue bonds; grants, contributions, loans, or other aid; and terms of loans; to amend and reenact sections 54-17-01, 54-17-07.1, and 54-17-07.2 of the North Dakota Century Code, relating to the industrial commission acting as a state housing finance agency; an advisory board; and to housing revenue bonds; and to declare an emergency.

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

House Bill No. 1217. — A Bill for an Act to amend and reenact sections 53-04-03, 53-04-04, and 53-04-06 of the North Dakota Century Code, relating to the license requirements for amusement games or devices.

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

House Bill No. 1251. — A Bill for an Act to amend and reenact section 5-01-06 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication.

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

House Bill No. 1420. — A Bill for an Act to create a limited special trust fund for the North Dakota national guard tuition waiver and grant programs; and providing an appropriation - transfer.

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

House Bill No. 1422. — A Bill for an Act to amend and reenact section 6-03-13.1, and subsection 1 of section 6-03-13.2 of the North Dakota Century Code, relating to bank drive-in facilities and limitations on bank drive-in facilities.

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

House Bill No. 1443. — A Bill for an Act to create and enact section 54-34-05.1 of the North Dakota Century Code, relating to the appointment of special committees by the governor for research and economic development; to amend and reenact section 4-14.1-04, subsection 6 of section 10-30-04, sections 21-11-02, 21-11-03, 21-11-04, 21-11-05, 21-11-06, 24-03-21, 24-17-06, subsection 1 of section 54-07-01.2, and sections 54-34-01, 54-34-02, 54-34-03, 54-34-03.1, 54-34-04, 54-34-06, 54-34-08, 54-36-01, 55-06-01, and 55-08-02.1 of the North Dakota Century Code, relating to the name change of the business and industrial development commission to the economic development commission and the membership, purpose, and authority of the commission; to repeal section 54-34-10 of the North Dakota Century Code, relating to legislative intent on international marketing efforts of state agencies; and to declare an emergency.

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

House Bill No. 1467. — A Bill for an Act to create and enact a new section to chapter 54-35 of the North Dakota Century Code, relating to a legislative council science and technology program.

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

House Bill No. 1484. — A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to the penalty for driving while under the influence of intoxicating liquor or controlled substances.

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

House Bill No. 1496. — A Bill for an Act to provide for reimbursement from the foundation aid fund for family system transportation granted by school districts.

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

House Bill No. 1499. — A Bill for an Act to amend and reenact sections 53-02-01, 53-02-02, 53-02-03, 53-02-05, 53-02-06, and 53-02-08 of the North Dakota Century Code, relating to definitions; permits required for a public dance or music festival; issuance of permits; application for permits; inquiry by the governing body as to granting a permit; and an officer of the law to be in attendance at a public dance or music festival; and adding public concerts to the provisions of the chapter.

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

House Bill No. 1521. — A Bill for an Act to amend and reenact section 39-05-17 of the North Dakota Century Code, relating to the transfer of title of vehicles and mobile homes.

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

House Bill No. 1525. — A Bill for an Act to amend and reenact section 47-16-39.1 of the North Dakota Century Code, relating to obligations of oil and gas producers to pay interest on unpaid royalties.

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

House Bill No. 1532. — A Bill for an Act to create and enact a new section to chapter 11-28.2 of the North Dakota Century Code, relating to the authority of county recreation service districts to levy a tax for general purposes.

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

House Bill No. 1551. — A Bill for an Act to create and enact a new section to chapter 54-24.2 of the North Dakota Century Code, relating to the definition of "other public funds" for purposes of state aid to public libraries; and to amend and reenact sections 40-38-02, 40-38-06, 40-38-08, 40-38-11, 54-24.2-04, and 54-24.2-05 of the North Dakota Century Code, relating to a library fund, vouchers, and donations for public library services; joint public library services by cities and counties; and maintenance of local effort and limitations for state aid to public libraries; and to declare an emergency.

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

House Bill No. 1558. — A Bill for an Act to amend and reenact sections 4-01-21, 15-21-02, 26-01-03, 34-05-01.2, subsection 1 of section 49-01-05, and sections 54-07-04, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to the salaries of elected state officials; and providing an effective date.

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

House Bill No. 1589. — A Bill for an Act to permit garbage collection by more than one contractor in cities with a population of five thousand or more persons.

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

House Bill No. 1590. — A Bill for an Act to amend and reenact section 15-38-17 of the North Dakota Century Code, relating to the teachers' professional practices commission.

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

House Bill No. 1651. — A Bill for an Act to amend and reenact subsections 2 and 3 of section 4 of initiated measure No. 6 as approved at the general election held on November 4, 1980, relating to the definition of "stripper property" and "qualified maximum total production" of oil as used in the definition of "average daily production"; and declaring an emergency.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3027. — A concurrent resolution directing the legislative council to study the child support and paternity laws and to determine the feasibility and desirability of combining and streamlining all functions relating to the establishment and enforcement of child support, including paternity, within a single child support enforcement agency.

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

House Concurrent Resolution No. 3034. — A concurrent resolution expressing support for the efforts of the Sagebrush Rebellion to transfer control of public lands from the Bureau of Land Management to the individual states.

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

House Concurrent Resolution No. 3036. — A concurrent resolution expressing support for the efforts of the Sagebrush Rebellion to transfer control of public lands from the federal government to the individual states.

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

House Concurrent Resolution No. 3041. — A concurrent resolution urging continued discussion and cooperation among state agencies, federal agencies, and the interested public to resolve expeditiously the conflict over mitigation acreage for federally assisted development projects and develop an acceptable wildlife habitat preservation and management plan for the state.

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

House Concurrent Resolution No. 3043. — A concurrent resolution urging the President of the United States and the United States Congress to take all steps necessary to secure the return of all Americans still held as prisoners of war in southeast Asia.

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

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

Senator Nething moved that at the conclusion of the 5th Order of Business, the 9th Order of Business and the 13th Order of Business, the Senate adjourn and convene at 12:30 p.m., Friday, February 20, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary