

Journal of the Senate

Forty-seventh Legislative Assembly

THIRTY-EIGHTH DAY

Bismarck, February 27, 1981

The Senate convened at 12:30 p.m., with President Sands presiding.

The prayer was offered by Rev. Paul Long, Pastor, Church of the Nazarene, Bismarck.

O God, we thank You for this day and for the many ways in which Your interest in us is visible. We ask that You would grant to each member here the wisdom and understanding necessary to determine the welfare of those they represent. Give to each, clarity of mind, strength for deliberation, and integrity of purpose. May that which is true be preserved and serve to illuminate that which is false. Grant to each the ability to discern what is good and what is best, and to choose the best. May each person sense your presence beside him, may Your voice find listening ears, and may Your approval in all things be that for which we all strive to obtain. In Jesus' name, Amen.

The roll was called and all members were present except Senators R. Christensen, Goodman, Iszler, Lips, Melland, Reiten and Thane.

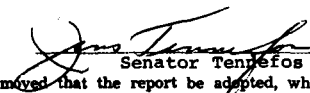
A quorum was declared by the President.

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-seventh day and

finds the same to be correct.

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

 Chairman
Senator Tenepfos

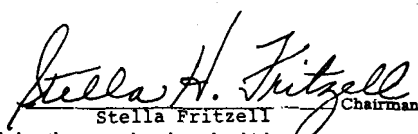
Report of Procedural Committee

MR. PRESIDENT:

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

- Senate Bill No. 2137
- Senate Bill No. 2177

and find the same correctly } Enrolled

 Chairman
Stella Fritzell

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

CONSIDERATION OF AMENDMENTS

Senator H. Christensen moved that the amendments to Senate Concurrent Resolution No. 4067 recommended by the Committee on Judiciary and printed on page 1008 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Concurrent Resolution No. 4072 recommended by the Committee on Appropriations and printed on page 1009 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Concurrent Resolution No. 4073 recommended by the Committee on Appropriations and printed on page 1009 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Concurrent Resolution No. 4081 recommended by the Committee on Appropriations and printed on page 1011 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Nething moved that the rules be suspended, that Senate Concurrent Resolutions Nos. 4067, 4072, 4073 and 4081 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage at this time, which motion prevailed.

SECOND READING OF

SENATE CONCURRENT RESOLUTIONS

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 second time.

The question being on the final adoption of the resolution, as amended, Senate Concurrent Resolution No. 4067 was declared adopted on a voice vote.

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

Was read the second time.

The question being on the final adoption of the resolution, as amended, Senate Concurrent Resolution No. 4072 was declared adopted on a voice vote.

Senate Concurrent Resolution No. 4073. — A concurrent resolution directing the Legislative Council to review changes to the state accounting system and to indirect cost reimbursement procedures.

Was read the second time.

The question being on the final adoption of the resolution, as amended, Senate Concurrent Resolution No. 4073 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, as amended, Senate Resolution No. 4081 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4058 was declared adopted on a voice vote.

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

Was read the second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4060 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4061 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4070 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4074 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4076 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4077 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4079 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4080 was declared adopted on a voice vote.

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

Was read the second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4082 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4083 was declared adopted on a voice vote.

MOTIONS

Senator Melland moved that the Senate reconsider the action whereby Senate Concurrent Resolution No. 4014 lost, which motion prevailed.

Senator Holmberg moved that Senate Concurrent Resolution No. 4014 be re-referred to the Joint Committee on Constitutional Revision, which motion prevailed.

Senator Sorum moved that House Bill No. 1607 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Lee moved that House Bill No. 1159 be re-referred to the Committee on Appropriations, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Nelson moved that the amendments to House Bill No. 1093 recommended by the Committee on Education and printed on pages 1012, 1013 of the Senate Journal be adopted, which motion prevailed.

Senator Solberg moved that the amendments to House Bill No. 1154 recommended by the Committee on Transportation and printed on page 1013 of the Senate Journal be adopted, which motion prevailed.

Senator Reiten moved that the amendments to House Bill No. 1179 recommended by the Committee on Industry, Business and Labor and printed on page 1014 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that the amendments to House Bill No. 1198 recommended by the Committee on Finance and Taxation and printed on page 1015 of the Senate Journal be adopted, which motion prevailed.

Senator H. Christensen moved that the amendments to House Bill No. 1241 recommended by the Committee on Judiciary and printed on page 1016 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that the amendments to House Bill No. 1254 recommended by the Committee on Finance and Taxation and printed on page 1016 of the Senate Journal be adopted, which motion prevailed.

Senator Lodoen moved that the amendments to House Bill No. 1328 recommended by the Committee on State and Federal Government and printed on pages 1017, 1018 of the Senate Journal be adopted, and that House Bill No. 1328 be re-referred to the Committee of Appropriations, which motion prevailed.

Senator Reiten moved that the amendments to House Bill No. 1362 recommended by the Committee on Industry, Business and Labor and printed on page 1018 of the Senate Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Delayed Bills

has reviewed a resolution directing the Superintendent of Public Instruction to distribute approved materials on American Indian history, and has approved its introduction by a unanimous vote.

James M. Cussons
 Senator Cussons, Chairman

Senator Cussons moved that the report be adopted, which motion prevailed and the report was adopted.

**FIRST READING OF
 SENATE CONCURRENT RESOLUTIONS**

Committee on Education introduced:

Senate Concurrent Resolution No. 4084. — A concurrent resolution directing the Superintendent of Public Instruction to distribute approved materials on American Indian history.

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

SECOND READING OF HOUSE BILLS

House Bill No. 1035. — A Bill for an Act making an appropriation for defraying the administrative expenses of the unsatisfied judgment fund of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and the were ayes 39, nays 8, absent and not voting 3.

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

So the bill passed and the title was agreed to.

MOTION

Senator Shablow moved that House Bill No. 1175 be placed immediately below House Bill No. 1118 on the calendar, which motion prevailed.

House Bill No. 1118. — A Bill for an Act to amend and reenact section 57-38-01.8 of the North Dakota Century Code, relating to income tax credits for installation of alternate energy devices.

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.

REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● 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			● NAAEDEN			● STENEHJEM					

So the bill passed and the title was agreed to.

House Bill No. 1175. — A Bill for an Act to amend and reenact section 57-38-01.8 of the North Dakota Century Code, relating to an increased income tax credit for installation of solar or wind energy devices; and to provide an effective date.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 4, nays 42, and not voting 4.

REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● 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			● NAAEDEN			● STENEHJEM					

House Bill No. 1175 was declared lost.

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

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.

REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● 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			● NAAEDEN			● STENEHJEM					

So the bill passed and the title was agreed to.

House Bill No. 1174. — A Bill for an Act to create and enact five new

sections to chapter 23-20.1 of the North Dakota Century Code, relating to the regulation and control of ionizing radiation resulting from uranium mining, processing, and related waste disposal; and to amend and reenact section 23-20.1-01, subsection 1 of section 23-20.1-04, and section 23-20.1-10 of the North Dakota Century Code, relating to the definition of terms and the collection and appropriation of fees for the issuance of licenses and registration certificates for sources of ionizing radiation; and to provide a penalty.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● 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		● WENSTRÖM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		● MR. PRESIDENT
● GOODMAN			● NAADEN			● STENEHJEM		

So the bill passed and the title was agreed to.

House Bill No. 1224. — A Bill for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to advertising requirements for purchases or rentals by counties of road machinery or improvements of highways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays 3, absent and not voting 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● 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		● WENSTRÖM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		● MR. PRESIDENT
● GOODMAN			● NAADEN			● STENEHJEM		

So the bill passed and the title was agreed to.

House Bill No. 1263. — A Bill for an Act to provide for the discretionary establishment of a municipal arts council and for the levying of up to five mills to fund such council to promote the arts in local communities; and to create and enact a new subsection to section 57-15-10 of the North Dakota Century Code to exempt the mill levy for municipal arts councils from city mill levy limitations.

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

So the bill passed and the title was agreed to.

House Bill No. 1291. — A Bill for an Act to amend and reenact section 40-08-04 of the North Dakota Century Code, relating to the election of city governing bodies, and allowing certain aldermen, or candidates for those offices, to reside outside the city limits.

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			● GROETBERG			● NELSON			● STREIBEL		●
● ALBERS			● HANSON			● NETHING			● STROMME		●
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		●
● BARTH			● ISZLER			● PARKER			● TENNEFOS		●
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		●
● CHRISTENSEN, H. JS			● LEE			● QUAIL			● TIERNEY		●
● CHRISTENSEN, R. JM			● 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					

House Bill No. 1291 was declared lost.

House Bill No. 1295. — A Bill for an Act to authorize and encourage joint agreements to furnish or receive heat from a central heating source.

Which has been read.

ROLL CALL

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

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

So the bill passed and the title was agreed to.

House Bill No. 1494. — A Bill for an Act to amend and reenact section 54-03-20 and subsection 1 of section 54-35-10 of the North Dakota

Century Code, relating to the living allowance received by legislators during the legislative session and the compensation of members of the legislative council and its committees for attending sessions of the legislative council or its committees; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 9, absent and not voting 2.

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

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

House Bill No. 1510. — A Bill for an Act to provide for the definition of drug paraphernalia, the prohibition of the manufacture, sale, or delivery of drug paraphernalia, the possession and the advertisement of drug paraphernalia, and to provide a penalty; to amend and reenact section 19-03.1-36 of the North Dakota Century Code, relating to the forfeiture of drug paraphernalia; and to repeal section 12.1-31-04 of the North Dakota Century Code, relating to the manufacture, sale, or delivery of paraphernalia.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 2, absent and not voting 2.

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

So the bill passed and the title was agreed to.

House Bill No. 1616. — A Bill for an Act to amend and reenact section 57-15-06.4 of the North Dakota Century Code, relating to the levy authorized for county veterans' service officers' salary, traveling, and office expenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 36, nays 10, absent and not voting 4.

REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		●
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH	●		● ISLER			● PARKER			● TENNEFOS		●
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. JS			● LEE			● QUAIL		●	● TIERNEY		
● CHRISTENSEN, R. JM			● 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.

MOTION

Senator Nething moved that House Bill No. 1193 be laid over one legislative day, which motion prevailed.

SECOND READING OF

HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3012 — A concurrent resolution directing the Legislative Council to conduct a study of the Highway Patrolmen's Retirement System.

Was read the second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3012 was declared adopted on a voice vote.

House Concurrent Resolution No. 3023. — A concurrent resolution directing the Legislative Council to conduct a study of the extent and costs of substance abuse in this state.

Was read the second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3023 was declared adopted on a voice vote.

House Concurrent Resolution No. 3030. — A concurrent resolution urging Congress to control grasshopper infestation on federal lands.

Was read the second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3030 was declared adopted on a voice vote.

House Concurrent Resolution No. 3047. — A concurrent resolution directing the Legislative Council to monitor deinstitutionalization and community service programs for developmentally disabled persons.

Was read the second time

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3047 was declared adopted on a voice vote.

SIGNING OF BILLS

AND RESOLUTIONS

The Secretary announced that the President signed the following:

Senate Bill No. 2137

Senate Bill No. 2177

LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE

Senate Chamber

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

Senate Bill No. 2137

Senate Bill No. 2177

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

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 Concurrent Resolution No. 4055
Senate Concurrent Resolution No. 4056
Senate Concurrent Resolution No. 4066
Senate Concurrent Resolution No. 4071
Very Respectfully,

LEO LEIDHOLM, Secretary
Senate Chamber

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

House Bill No. 1391
House Bill No. 1587
Very Respectfully,

LEO LEIDHOLM, Secretary
Senate Chamber

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

House Bill No. 1041
House Bill No. 1059
House Bill No. 1124
House Bill No. 1337
House Bill No. 1352
House Bill No. 1369
House Bill No. 1375
House Bill No. 1406
House Bill No. 1459
House Bill No. 1468
House Bill No. 1475
House Bill No. 1486
House Bill No. 1495
House Bill No. 1513
House Bill No. 1524
House Bill No. 1530
House Bill No. 1552
House Bill No. 1575
House Bill No. 1637
House Concurrent Resolution No. 3019
House Concurrent Resolution No. 3044
House Concurrent Resolution No. 3075
Very Respectfully.

LEO LEIDHOLM, Secretary
Senate Chamber

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

House Bill No. 1138
House Bill No. 1333
House Bill No. 1372
House Bill No. 1390
House Bill No. 1402
House Bill No. 1631
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. 1044

House Bill No. 1078
 House Bill No. 1082
 House Bill No. 1096
 House Bill No. 1099
 House Bill No. 1107
 House Bill No. 1117
 House Bill No. 1119
 House Bill No. 1133
 House Bill No. 1139
 House Bill No. 1140
 House Bill No. 1161
 House Bill No. 1162
 House Bill No. 1185
 House Bill No. 1188
 House Bill No. 1191
 House Bill No. 1194
 House Bill No. 1195
 House Bill No. 1201
 House Bill No. 1207
 House Bill No. 1216
 House Bill No. 1234
 House Bill No. 1245
 House Bill No. 1299
 House Bill No. 1309
 House Bill No. 1316
 House Bill No. 1336
 House Bill No. 1367
 House Bill No. 1423

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. 1654
 House Concurrent Resolution No. 3020
 House Concurrent Resolution No. 3052
 House Concurrent Resolution No. 3053
 House Concurrent Resolution No. 3057
 House Concurrent Resolution No. 3059
 House Concurrent Resolution No. 3061

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2064
 Senate Bill No. 2084
 Senate Bill No. 2111
 Senate Bill No. 2144
 Senate Bill No. 2151
 Senate Bill No. 2154
 Senate Bill No. 2156
 Senate Bill No. 2165
 Senate Bill No. 2172
 Senate Bill No. 2180

Senate Bill No. 2182
Senate Bill No. 2190
Senate Bill No. 2197

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 Concurrent Resolution No. 3029
- House Concurrent Resolution No. 3032
- House Concurrent Resolution No. 3038
- House Concurrent Resolution No. 3045
- House Concurrent Resolution No. 3046
- House Concurrent Resolution No. 3048
- House Concurrent Resolution No. 3050
- House Concurrent Resolution No. 3056
- House Concurrent Resolution No. 3058
- House Concurrent Resolution No. 3062
- House Concurrent Resolution No. 3063
- House Concurrent Resolution No. 3064
- House Concurrent Resolution No. 3065
- House Concurrent Resolution No. 3070

ROY GILBREATH, Chief Clerk

Report of Procedural Committee


MR. PRESIDENT:

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

- Senate Concurrent Resolution No. 4067
- Senate Concurrent Resolution No. 4072
- Senate Concurrent Resolution No. 4073
- Senate Concurrent Resolution No. 4081

and find the same correctly

Engrossed


Stella Fritzell
Chairman

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

MESSAGES 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 Concurrent Resolution No. 4067
- Senate Concurrent Resolution No. 4072
- Senate Concurrent Resolution No. 4073
- Senate Concurrent Resolution No. 4081

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 Concurrent Resolution No. 4057
- Senate Concurrent Resolution No. 4059

Senate Concurrent Resolution No. 4062
 Senate Concurrent Resolution No. 4063
 Senate Concurrent Resolution No. 4064
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4068
 Senate Concurrent Resolution No. 4069
 Senate Concurrent Resolution No. 4078
 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 Concurrent Resolution No. 4058
 Senate Concurrent Resolution No. 4060
 Senate Concurrent Resolution No. 4061
 Senate Concurrent Resolution No. 4070
 Senate Concurrent Resolution No. 4074
 Senate Concurrent Resolution No. 4076
 Senate Concurrent Resolution No. 4077
 Senate Concurrent Resolution No. 4079
 Senate Concurrent Resolution No. 4080
 Senate Concurrent Resolution No. 4082
 Senate Concurrent Resolution No. 4083
 Very Respectfully,

LEO LEIDHOLM, Secretary

Report of Standing Committee

Mr. President: Your Committee on Social Services & Veterans Affairs
 to whom was referred House Bill No. 1121

Has had the same under consideration and recommends that the same

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


 Senator Peterson Chairman

House Bill No. 1121 was placed on the 14th

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 Bill No. 1125

Has had the same under consideration and recommends that the same

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

On page 3, of the engrossed bill, line 17, delete the word "shall" and insert in lieu thereof the word "may"

On page 6, of the engrossed bill, line 29, following the word "to", insert the following new language "health related"

And renumber the lines and pages accordingly

And when so amended recommends the same do not pass.

Earl N. Peterson Chairman
Senator Peterson

House Bill No. 1125 was placed on the sixth

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

Mr. President: Your Committee on Natural Resources
to whom was referred House Bill No. 1130

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:

Shirley W. Lee Chairman
Senator Lee

House Bill No. 1130 was placed on the tenth

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

Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS
to whom was referred HOUSE Bill No. 1172

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:

(To be placed on Consent Calendar)

Isaac Halberg Chairman
Senator Halberg

HOUSE Bill No. 1172 was placed on the Tenth

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

Mr. PRESIDENT: Your Committee on AGRICULTURE
to whom was referred House Bill No. 1203

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

Sen Iszler Chairman
Senator Iszler

House Bill No. 1203 was placed on the Fourteenth

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

Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred HOUSE Bill No. 1267

Has had the same under consideration and recommends that the same

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

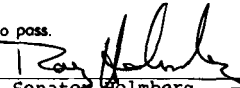
be amended as follows:

On page 1, line 21, delete the words "not less than twenty percent" and insert "a majority"

On page 1, line 23, after the period, insert the following:
"No signature on the petition shall be considered valid if made more than ninety days prior to receipt of the petition."

On page 2, line 27, delete the words "not less than twenty percent" and insert "a majority"

And when so amended recommends the same do pass.


Senator Holmberg Chairman

HOUSE Bill No. 1267 was placed on the Sixth

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

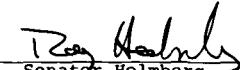
Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred HOUSE Bill No. 1274

Has had the same under consideration and recommends that the same

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

be amended as follows:


Senator Holmberg Chairman

HOUSE Bill No. 1274 was placed on the Fourteenth

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

Mr. President: Your Committee on Education

to whom was referred House Bill No. 1303

Has had the same under consideration and recommends that the same

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

be amended as follows:


Senator Gary Nelson Chairman

House Bill No. 1303 was placed on the Fourteenth

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

Mr. PRESIDENT: Your Committee on AGRICULTURE

to whom was referred House Bill No. 1392

Has had the same under consideration and recommends that the same

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

be amended as follows:

On page 1 of the engrossed bill, line 22, after the period, delete the word "The"

On page 1 of the engrossed bill, delete lines 23 through 28

On page 2 of the engrossed bill, line 8, after the word "union" delete the comma and the word "the"

On page 2 of the engrossed bill, delete line 9

On page 2 of the engrossed bill, line 10, delete the words "the United States durum growers"

And when so amended recommends the same do pass


 _____ Chairman
 Senator Iszler

House Bill No. 1392 was placed on the Sixth

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

Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred HOUSE Bill No. 1403

Has had the same under consideration and recommends that the same

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

be amended as follows:


 _____ Chairman
 Senator Holmberg

HOUSE Bill No. 1403 was placed on the Fourteenth

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

Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS

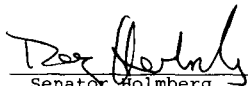
to whom was referred HOUSE Bill No. 1479

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:

(TO BE PLACED ON CONSENT CALENDAR)


 _____ Chairman
 Senator Holmberg

JOURNAL OF THE SENATE

HOUSE Bill No. 1479 was placed on the Tenth

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

Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS


to whom was referred HOUSE Bill No. 1505

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:

(TO BE PLACED ON CONSENT CALENDAR)


 Senator Holmberg Chairman

HOUSE Bill No. 1505 was placed on the Tenth

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 Bill No. 1547

Has had the same under consideration and recommends that the same

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

be amended as follows:


 Senator Peterson Chairman

House Bill No. 1547 was placed on the 14th

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

Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS

to whom was referred HOUSE Bill No. 1550

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:

(TO BE PLACED ON CONSENT CALENDAR)


 Senator Holmberg Chairman

HOUSE Bill No. 1550 was placed on the Tenth

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

Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT

to whom was referred HOUSE Bill No. 1580

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 4 of the engrossed bill, line 1, after the period,
overstrike the word "Three" and insert the word "Four"

On page 4 of the engrossed bill, line 15, after the word
"hundred" insert the word "fifty"

On page 4 of the engrossed bill, line 23, overstrike the words,
"Is a citizen of the United States or has filed a"

On page 4 of the engrossed bill, overstrike lines 24 through 27

On page 4 of the engrossed bill, line 28, overstrike "3."

On page 6 of the engrossed bill, line 4, after the word, "hundred"
insert the word "fifty"

On page 7 of the engrossed bill, overstrike line 7


On page 7 of the engrossed bill, line 8, overstrike the word
"States" and delete the period

On page 8 of the engrossed bill, overstrike lines 6 and 7

On page 8 of the engrossed bill, line 8, overstrike the words
"approved by the board" and delete the period

And renumber the lines, sections, subsections and pages accordingly

And when so amended recommends the same do pass.

 Chairman
Senator Lodoen

House Bill No. 1580 was placed on the Sixth

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

Mr. President Your Committee on Natural Resources

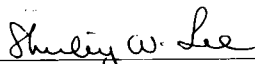
to whom was referred House Bill No. 1612

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

And be placed on the consent calendar

 Chairman
Senator Lee

House Bill No. 1612 was placed on the tenth

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

Mr. PRESIDENT: Your Committee on AGRICULTURE
to whom was referred House Concurrent Resolution No. 3017

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

 Chairman
Senator Iszler

House Concurrent Resolution No. 3017 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. 3027

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

 Chairman
Senator Peterson

House Concurrent Resolution No. 3027 was placed on the 14th

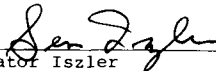
order of business on the calendar for the succeeding legislative day.

Mr. PRESIDENT: Your Committee on AGRICULTURE
to whom was referred House Concurrent Resolution No. 3028

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

 Chairman
Senator Iszler

House Concurrent Resolution No. 3028 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. 3043

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

 Chairman
Senator Peterson

House Concurrent Resolution #3043 was placed on the 14th

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

Senator Thane moved that the absent Senators be excused, which

motion prevailed.

Senator Nething moved that at the conclusion of the 5th Order of Business and after the reading of House Bills Nos. 1093, 1121, 1130, 1154, 1172, 1179, 1184, 1198, 1203, 1241, 1254, 1274, 1303, 1362, 1403, 1420, 1479, 1505, 1547, 1550, 1612, HCR's Nos. 3017, 3027, 3028, and 3043, the Senate adjourn and convene at 1:30 p.m., Monday, March 2, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary