

THIRTY-NINTH DAY

Bismarck, March 2, 1981

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

The prayer was offered by Rev. Robert Lynne, Pastor, Good Shepherd Lutheran Church, Bismarck.

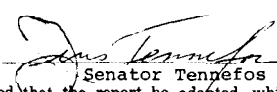
Almighty God, Your glory shines throughout the world. We commend ourselves and our loved ones to Your merciful care, that we may be secure in peace and be guided by Your providence. Give each member of this Senate the wisdom to know Your will and the strength to do it. Help each one of us to remember we have been called to serve the people and not be their masters. Amen.

The roll was called and all Senators were present.

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-eighth _____ day and finds the same to be correct.

 Chairman
Senator Tenzefos

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

CONSIDERATION OF AMENDMENTS

Senator Peterson moved that the amendments to House Bill No. 1125 recommended by the Committee on Social Services and Veterans Affairs and printed on pages 1044, 1045 of the Senate Journal be adopted, which motion prevailed, House Bill No. 1125 has committee recommendation of do not pass.

Senator Holmberg moved that the amendments to House Bill No. 1267 recommended by the Committee on Political Subdivisions and printed on page 1046 of the Senate Journal be adopted, which motion prevailed.

Senator Iszler moved that the amendments to House Bill No. 1392 recommended by the Committee on Agriculture and printed on page 1047 of the Senate Journal be adopted, which motion prevailed.

Senator Lodoen moved that the amendments to House Bill No. 1580 recommended by the Committee on State and Federal Government and printed on page 1049 of the Senate Journal be adopted, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

Senator Hanson: Mr. President, I rise on a point of personal privilege and request my remarks be printed in the Journal.

Mr. President, ladies and gentlemen of the Senate, the Senators from Legislative Districts 13, 21, 22, 44, 45 and 46 wish to express our congratulations to the coaches and student-athletes of the Fargo North and Fargo South hockey teams for their exhibition of athletic ability and sportsmanship while entertaining all of North Dakota during the state high school championship hockey game last Saturday evening.

Senators Hanson, Peterson, Lashkowitz and Lodoen especially congratulate coach Dave Morinville and the Fargo North High Spartans for winning the state high school hockey championship, and, for bringing the championship trophy to the city of Fargo for the first, and not the last, time.

SECOND READING OF HOUSE BILLS ON CONSENT CALENDAR

House Bill No. 1172. — A Bill for an Act to amend and reenact subsection 2 of section 23-02.1-29 of the North Dakota Century Code, relating to fees collected for the preparation of certified copies of vital records.

House Bill No. 1193. — A Bill for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to tampering with and disturbing state wildlife traps; and to provide a penalty.

House Bill No. 1479. — A Bill for an Act to amend and reenact section 40-49-08 of the North Dakota Century Code, relating to the alternate appointment of a park district clerk.

House Bill No. 1505. — A Bill for an Act to amend and reenact subsection 2 of section 32-12.1-08 of the North Dakota Century Code, relating to the political subdivision insurance reserve fund, and allowing the fund to be used for paying costs incurred in the defense of claims.

House Bill No. 1550. — A Bill for an Act to amend and reenact section 11-09-03 of the North Dakota Century Code, relating to the adoption of the county manager form of government.

House Bill No. 1612. — A Bill for an Act to amend and reenact subsection 4 of section 49-22-13 of the North Dakota Century Code, relating to notice of public hearings on construction of energy conversion facilities and transmission facilities.

Which had been read the second time.

ROLL CALL

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

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			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #34			• LEIGHAN			• REITEN			• TWETEN		
• CUSSONS			• LIPS			• ROEN			• VOSPER		
• DOTZENROD			• LODOEN			• SHABLOW			• WALSH		
• DYKSHOORN			• MELLAND			• SOLBERG			• WENSTROM		
• ERICKSON			• MOORE			• SORUM			• WRIGHT		
• FRITZELL			• MUTCH			• STENEHJEM			MR. PRESIDENT		
• GOODMAN			• NAADEN								

So the bills passed and the titles were agreed to.

MOTIONS

Senator Iszler moved that House Bill No. 1203 be laid over one legislative day, which motion prevailed.

Senator Cussons moved that House Bill No. 1184 be laid over two legislative days, which motion prevailed.

Senator Hanson moved that House Bill No. 1420 be laid over two legislative days, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

Senator Lodoen: Mr. President, I rise on a point of personal privilege and request my remarks be printed in the Journal.

Last Tuesday night, I received a call about 10:30 wanting to know what my response was to the recall that was out for Senator Lodoen in District 13 and it came as quite a shock to me because I had heard nothing of this and I had really no response. I asked who was behind it and what the charges were and I could get no information regarding this.

I spent most of last week with people in my district trying to find out who was behind this and the reasons, and the only thing I could come up with was that I did have some problems, being the mayor of the city of West Fargo, with some people regarding an ordinance that was initiated in West Fargo regarding go-go girls and some of these things and that's the only reason I could come up with that there was any problem and as I was able to get information it seemed that the petition that was going around was asking if they felt Senator Lodeon should be back in West Fargo representing the city, and if they would like him back in West Fargo; and along with that representing him as the 13th district and if they felt I should be back in West Fargo, they asked these people to sign the petition to help them get me back home and to recall me to West Fargo.

To date that's the only reason I can see behind the petition, nobody has come forward to claim the authorship of the petition; I know who some of the people are that are circulating the petition and I guess it has been very embarrassing to me and I know that there have been a lot of rumors going around to the Senate and I haven't really wanted to say anything until after I got home last Saturday to find out what it was about. We had a meeting Saturday noon and had quite a few in attendance at it and I guess I was quite surprised, and glad maybe, at the support that I had back home for this in trying to correct it and one of the problems that they have run across with the petitions is that people have been signing this not knowing what they were going to sign, and they are trying to find out where they can get the petitions so that they can have their name removed and nobody is able to tell them where the petitions are so that they can do this. As far as I know, they are still circulating the petitions and, as I say, I've got the support of the people.

I'm happy to report that this morning just before lunch I received a call from our district chairman, Republican chairman of the 13th district, and he and the Democratic chairman of the 13th district, both had an interview with all of the television and news media in Fargo to declare that they were both supporting me here and that if there was an election called they would not endorse any candidate for the office if I had to run for reelection because of a recall, and that's the status as of now, Mr. President.

Report of Standing Committee

Mr. PRESIDENT Your Committee on JOINT CONSTITUTIONAL REVISION
SENATE CONCURRENT

to whom was referred RESOLUTION No. 4022

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:

Wenstrom Co-Chairman Swiontek Co-Chairman
Sen. Wenstrom Rep. Swiontek
SENATE CONCURRENT RESOLUTION No. 4022 was placed on the 11th

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

Mr. President: Your Committee on Judiciary

to whom was referred House Bill No. 1271

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. H. Christensen Chairman
House Bill No. 1271 was placed on the fourteenth

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

Mr. President: Your Committee on Judiciary

to whom was referred House Bill No. 1415

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. H. Christensen Chairman
House Bill No. 1415 was placed on the fourteenth

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

Mr. President: Your Committee on Judiciary

to whom was referred House Bill No. 1453

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. H. Christensen Chairman
House Bill No. 1453 was placed on the fourteenth

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

MONDAY, MARCH 2, 1981

1057

Mr. President : Your Committee on Finance and Taxation
to whom was referred House Bill No. 1457

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:


Chairman
Senator Chuck Goodman

House Bill No. 1457 was placed on the fourteenth

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

Mr. President : Your Committee on Finance and Taxation
to whom was referred House Bill No. 1506

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:


Chairman
Senator Chuck Goodman

House Bill No. 1506 was placed on the fourteenth

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

Mr. President : Your Committee on Finance and Taxation
to whom was referred House Bill No. 1512

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 4, following the word "counties", insert "; and to declare an emergency"
- On page 1 of the engrossed bill, line 13, overstrike the word "in" and insert thereafter the word "at", and on the same line overstrike the word "county" and insert thereafter the words "mining operation"
- On page 1 of the engrossed bill, line 17, following the word "of", overstrike the word "a" and insert thereafter the word "the"
- On page 1 of the engrossed bill, line 21, overstrike the word "subsection" and insert thereafter the word "subdivision"
- On page 2 of the engrossed bill, line 26, overstrike the word "a" and insert thereafter the word "the"
- On page 3 of the engrossed bill, line 6, overstrike the word "a" and insert thereafter the word "the"
- On page 3 of the engrossed bill, line 13, overstrike the word "a" and insert thereafter the word "the"
- On page 3 of the engrossed bill, line 26, overstrike the word "a" and insert thereafter the word "the"

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On page 4 of the engrossed bill, line 22, overstrike the word "a" and insert thereafter the word "the"

On page 5 of the engrossed bill, following line 28, insert the following new section:

"SECTION 2. 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, pages and sections accordingly

And when so amended recommends the same do pass

Chuck Goodman
Senator Chuck Goodman Chairman

HOUSE Bill No. 1512 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. 1519

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:

Ry Holmberg
Senator Holmberg Chairman

HOUSE Bill No. 1519 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. 1521

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

Lodoen
Senator Lodoen Chairman

HOUSE Bill No. 1521 was placed on the 14th

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. 1551

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

Lodoen
Senator Lodoen Chairman

HOUSE Bill No. 1551 was placed on the 14th

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

Mr. President Your Committee on Judiciary

to whom was referred House Bill No. 1559

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.

Handwritten signature of Senator H. Christensen, Chairman

House Bill No. 1559 was placed on the tenth

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

SECOND READING OF HOUSE BILLS

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

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.

Table with 12 columns: REGULAR SESSION (YEAS, N-V, NAYS), NORTH DAKOTA SENATE ROLL-CALL (YEAS, N-V, NAYS), 1981 LEGISLATURE (YEAS, N-V, NAYS). Lists names of senators and their voting status.

So the bill passed and the title was agreed to.

House Bill No. 1121. - A Bill for an Act to amend and reenact subsection 1 of section 14-08-07 of the North Dakota Century Code, relating to support payments and procedures upon failure to make payments for child support or alimony combined with child support.

Which has been read.

ROLL CALL

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

Table with 12 columns: REGULAR SESSION (YEAS, N-V, NAYS), NORTH DAKOTA SENATE ROLL-CALL (YEAS, N-V, NAYS), 1981 LEGISLATURE (YEAS, N-V, NAYS). Lists names of senators and their voting status.

• CHRISTENSEN, R. #36	• LEIBHAN	• REDLIN	• TWETEN
• CUSSONS	• LIPS	• REITEN	• VOSPER
• DOTZENROD	• LODOEN	• ROEN	• WALSH
• DYKSHOORN	• MELLAND	• SHABLOW	• WENSTROM
• ERICKSON	• MOORE	• SOLBERG	• WRIGHT
• FRITZELL	• MUTCH	• SORUM	• MR. PRESIDENT
• GOODMAN	• NAADEN	• STENEHJEM	

So the bill passed and the title was agreed to.

House Bill No. 1130. — A Bill for an Act to amend and reenact section 38-14.1-07, subsection 4 of section 38-14.1-30, and section 38-14.1-38 of the North Dakota Century Code, relating to areas where mining is prohibited, temporary relief, and conflict of interest provisions for surface coal mining and reclamation operations.

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. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

House Bill No. 1154. — A Bill for an Act to amend and reenact section 49-18-19 and 49-18-25 of the North Dakota Century Code, relating to regulation of contract motor carriers.

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 34, nays 15, 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		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

House Bill No. 1179. — A Bill for an Act to amend and reenact section 38-08-16 of the North Dakota Century Code, relating to penalties imposed upon violators of rules, regulations, or orders of the industrial commission; 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 42, nays 6, 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			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. #5			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. #36			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS	●		● REITEN		● VOSPER
● DOTZENROD			● LODGEN			● 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, and the emergency clause carried.

House Bill No. 1198. — A Bill for an Act to amend and reenact subsection 3 of section 57-36-26, subsection 5 of section 57-38-34, and sections 57-38-35.1, 57-38-36, 57-51-10, 57-52-12, 57-54-11, 57-60-09, 57-61-05 of the North Dakota Century Code, relating to interest imposed on unpaid income taxes, interest paid on income tax refunds, and penalties and interest imposed for failure to file returns or pay taxes in connection with tobacco products, oil and gas production, special fuels, motor vehicle fuels, coal conversion facilities, and the severance of coal; and to provide for an effective date.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 41, nays 7, 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			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. #5			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. #36			● LEIBHAN	●		● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODGEN			● 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. 1241. — A Bill for an Act to create and enact a new subsection to section 40-05-02 of the North Dakota Century Code to allow cities to prohibit by ordinance the possession of less than one-half ounce of marijuana.

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			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. #5			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. #36			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER

• DOTZENROD	• LODOEN	• ROEM	• WALSH
• DYKSHOORN	• MELLAND	• SHARLOW	• 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. 1254. — A Bill for an Act to amend and reenact sections 40-24-02, 40-29-11, 40-33-05, and 40-54-08 of the North Dakota Century Code, relating to interest allowable on special assessments levied by cities and also special assessments for sidewalks, municipal utilities, and gravel surfacing of city streets.

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 41, nays 9, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON		•	• NETHING			• STROMME		
• BAKWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISLER			• PARKER		•	• TENNEFOS		•
• BERUBE			• LASHKOWITZ			• PETERSON		•	• THANE		
• CHRISTENSEN, H. JS			• LEE			• QUAIL		•	• TIERNEY		
• CHRISTENSEN, R. JW			• LEIBMAN			• REDLIN			• TWETEN		•
• CUSSONS			• LIPS			• REITEN			• VOSPER		•
• DOTZENROD			• LODOEN			• ROEN		•	• WALSH		
• DYKSHOORN			• MELLAND			• SHARLOW			• 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. 1274. — A Bill for an Act to amend and reenact section 40-08-07 of the North Dakota Century Code, relating to compensation of city aldermen.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 4, 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		
• BAKWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISLER			• PARKER		•	• TENNEFOS		•
• BERUBE			• LASHKOWITZ			• PETERSON		•	• THANE		
• CHRISTENSEN, H. JS			• LEE			• QUAIL		•	• TIERNEY		
• CHRISTENSEN, R. JW			• LEIBMAN			• REDLIN			• TWETEN		•
• CUSSONS			• LIPS			• REITEN			• VOSPER		•
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHARLOW			• 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. 1303. — A Bill for an Act to authorize a period of silent meditation in public schools, and to give public school boards the discretion to direct that all schools in a school district provide such a period of meditation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 43, nays 5, absent and not voting 2.

REGULAR SESSION									1981 LEGISLATURE		
NORTH DAKOTA SENATE											
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ	•		• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL		•	• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• THWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN		•	• WALSH		•
• DYKSHOORN			• MELLAND			• SHARLOW			• 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. 1362. — A Bill for an Act providing for regulation of the exploration, development, and utilization of geothermal resources by the industrial commission; 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 45, nays 2, absent and not voting 3.

REGULAR SESSION									1981 LEGISLATURE		
NORTH DAKOTA SENATE											
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• THWETEN		•
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD		•	• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHARLOW			• 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. 1403. — A Bill for an Act to create and enact a new subsection to section 40-35-02 of the North Dakota Century Code, relating to revenue bond financing; to create and enact two new subsections to section 40-49-12 of the North Dakota Century Code, relating to the powers of a board of park commissioners; to amend and reenact sections 40-35-03, 40-48-03, 40-49-02, and 40-49-14 of the North Dakota Century Code, relating to the powers of a municipality under the revenue bond law, the composition of a city planning commission, the establishment of a park district, and the making of contracts and payment of vouchers of a park district.

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.

REGULAR SESSION									1981 LEGISLATURE		
NORTH DAKOTA SENATE											
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• THWETEN		
• 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. 1403 was declared lost.

House Bill No. 1547. — A Bill for an Act to amend and reenact section 27-20-04, subsection 1 of section 27-20-16, and sections 27-20-28 and 27-20-35 of the North Dakota Century Code, relating to juvenile court concurrent jurisdiction of proceedings to treat or commit a mentally retarded or mentally ill child, place of detention, child investigation and report, and disposition of a mentally ill or retarded child; and providing for juvenile court concurrent jurisdiction of proceedings to treat or commit an alcohol or drug abusing child.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
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	
•	ALBERS		•	HANSON		•	NETTING		•	STROWIE	
•	BAKEWELL		•	HOLMBERG		•	OLIN		•	TALLACKSON	
•	BARTH		•	ISZLER		•	PARKER		•	TENNEFOS	
•	BERUBE		•	LASHKOWITZ		•	PETERSON		•	THANE	
•	CHRISTENSEN, H. JS		•	LEE		•	QUAIL		•	TIERNEY	
•	CHRISTENSEN, R. JM		•	LEIBHAN		•	REDLIN		•	TWETEN	
•	CUSSONS		•	LIPS		•	REITEN		•	VOSPER	
•	DOTZENROD		•	LODDEN		•	ROEN		•	WALSH	
•	DYKSHOORN		•	MELLAND		•	SHABLOW		•	WENSTROM	
•	ERICKSON		•	MOORE		•	SOLBERG		•	WRIGHT	
•	FRITZELL		•	MUTCH		•	SORUM				
•	GOODMAN		•	NAADEN		•	STENEHJEM				

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3017. — A concurrent resolution directing a Legislative Council study of the methods in which lands owned by the state of North Dakota, any of its agencies, or any of its political subdivisions are sold or leased for agricultural purposes during the 1981-83 biennium.

Was read the second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3017 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3027 was declared adopted on a voice vote.

House Concurrent Resolution No. 3028. — A concurrent resolution recognizing March 19, 1981, as National Agriculture Day.

Was read the second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3028 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3043 was declared adopted on a voice vote.

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed 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

LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return 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 President has signed.

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. 1151
 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. 1065
 House Bill No. 1067
 House Bill No. 1120
 House Bill No. 1181
 House Bill No. 1187
 House Bill No. 1281
 House Bill No. 1300
 House Bill No. 1315
 House Bill No. 1330
 House Bill No. 1364
 House Bill No. 1412
 House Bill No. 1467
 House Bill No. 1511
 House Bill No. 1548
 House Bill No. 1561
 House Bill No. 1618
 House Concurrent Resolution No. 3007
 House Concurrent Resolution No. 3040
 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. 1129
 House Bill No. 1186
 House Bill No. 1253
 House Bill No. 1338
 House Bill No. 1476
 House Bill No. 1478
 Very Respectfully,

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:
Senate Bill No. 2048

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. 2040
Senate Bill No. 2042
Senate Bill No. 2043
Senate Bill No. 2044
Senate Bill No. 2104
Senate Bill No. 2108
Senate Bill No. 2109
Senate Bill No. 2110
Senate Bill No. 2121
Senate Bill No. 2129
Senate Bill No. 2133
Senate Bill No. 2170
Senate Bill No. 2186
Senate Bill No. 2191
Senate Bill No. 2208
Senate Bill No. 2223
Senate Bill No. 2236
Senate Bill No. 2244
Senate Bill No. 2250
Senate Bill No. 2310
Senate Bill No. 2311
Senate Bill No. 2425

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:
Senate Bill No. 2178

ROY GILBREATH, Chief Clerk

House Amendments to Senate Bill No. 2178

On page 3, line 9 of the engrossed bill, overstrike "RETURNS" and insert in lieu thereof "REPORTS".
And renumber the lines accordingly.

House Chamber

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

Senate Bill No. 2137
Senate Bill No. 2177

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk
House Chamber

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

House Bill No. 1015
House Bill No. 1026
House Bill No. 1034
House Bill No. 1048
House Bill No. 1075
House Bill No. 1079
House Bill No. 1086

House Bill No. 1089
 House Bill No. 1106
 House Bill No. 1147
 House Bill No. 1171
 House Bill No. 1220
 House Bill No. 1226
 House Bill No. 1298
 House Bill No. 1355
 House Bill No. 1356
 House Bill No. 1376
 House Bill No. 1377
 House Bill No. 1379
 House Bill No. 1383
 House Bill No. 1416
 House Bill No. 1452
 House Bill No. 1456
 House Bill No. 1462
 House Bill No. 1477
 House Bill No. 1480
 House Bill No. 1507
 House Bill No. 1522
 House Bill No. 1557
 House Concurrent Resolution No. 3002
 House Concurrent Resolution No. 3003
 House Concurrent Resolution No. 3006
 House Concurrent Resolution No. 3015
 House Concurrent Resoluiotn No. 3042

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 Concurrent Resolution No. 3072
 House Concurrent Resolution No. 3073

ROY GILBREATH, Chief Clerk
 House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to:

House Bill No. 1230

And the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

House Bill No. 1230
 House Bill No. 1230

Reps.

Wentz

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Gerl

Very respectfully,

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2137

Senate Bill No. 2177

were delivered to the } Governor for his approval

on March 2, 1981

Stella H. Fritzell
 Stella Fritzell
 Chairman
"NOT NORTH DAKOTA'S PROGRESS"

FIRST READING OF HOUSE BILLS

House Bill No. 1654. — A Bill for an Act to establish a North Dakota centennial commission, to set forth its powers and duties, to provide for payment of commissioners' expenses, and to provide for termination of the commission.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3020. — A concurrent resolution directing the Legislative Council to study the granting of sabbatical leave for judges.

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

House Concurrent Resolution No. 3029. — A concurrent resolution directing the Legislative Council to conduct a study of the financing of elementary and secondary schools in the continuing effort toward the goal of providing the best possible education for the students of North Dakota.

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

House Concurrent Resolution No. 3032. — A concurrent resolution directing the Legislative Council to study the effect on underground water supplies of seismographic testing activities related to energy development.

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

House Concurrent Resolution No. 3038. — A concurrent resolution requesting the Superintendent of Public Instruction to gather and provide information on the cost and income sources of extracurricular activities of elementary and secondary schools.

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

House Concurrent Resolution No. 3045. — A concurrent resolution directing the Legislative Council to conduct a study of state laws governing the possession, sale, and use of weapons.

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

House Concurrent Resolution No. 3046. — A concurrent resolution directing the Legislative Council to study future higher education needs in North Dakota, including the feasibility and desirability of reorganizing the institutions of higher education in the state and alternative methods of financing community colleges.

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

House Concurrent Resolution No. 3048. — A concurrent resolution directing the Legislative Council to conduct a study of the effects of oil and gas development on primary and secondary roads in North Dakota.

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

House Concurrent Resolution No. 3050. — A concurrent resolution directing a Legislative Council study of the effects of oil and gas exploration and development on animal life, plant life, and the quality of life in North Dakota.

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

House Concurrent Resolution No. 3052. — A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of consolidating city, school district, and primary elections.

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

House Concurrent Resolution No. 3053. — A concurrent resolution directing a Legislative Council study of the sentencing needs of the juvenile court, alternative placement needs of the State Youth Authority, and facility needs of the State Industrial School for the youthful offender who commits serious offenses or who commits repeated delinquent acts and the age and considerations for waiver from juvenile court to adult court.

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

House Concurrent Resolution No. 3056. — A concurrent resolution urging the National Park Service to include Fort Totten as a national historic site.

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

House Concurrent Resolution No. 3057. — A concurrent resolution directing a Legislative Council study of the exemption of government property from taxation.

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

House Concurrent Resolution No. 3058. — A concurrent resolution directing a Legislative Council study of guardianship and conservatorship laws and commitment procedures affecting developmentally disabled persons.

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

House Concurrent Resolution No. 3059. A concurrent resolution directing the Legislative Council to conduct a study of the formula used for distributing the oil and gas gross production tax.

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

House Concurrent Resolution No. 3061. — A concurrent resolution directing the Legislative Council to study and develop a legislative reapportionment plan, or alternative legislative reapportionment plans, for use during the 1983 Legislative Session, or at such other time prior to that session as may be appropriate.

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

House Concurrent Resolution No. 3062. — A concurrent resolution directing the Legislative Council to conduct a study of transportation problems in North Dakota.

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

House Concurrent Resolution No. 3063. — A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of creating a state department of transportation.

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

House Concurrent Resolution No. 3064. — A concurrent resolution directing the Legislative Council to study services to the blind and the visually impaired and the feasibility and desirability of establishing a rehabilitation teacher for the blind program.

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

House Concurrent Resolution No. 3065. — A concurrent resolution directing the Legislative Council to study and review the jurisdictional boundaries of water management districts and the selection of the management of such districts.

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

House Concurrent Resolution No. 3070. — A concurrent resolution directing the Legislative Council to study the Central Personnel Division.

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

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

House Bill No. 1015
 House Bill No. 1026
 House Bill No. 1034
 House Bill No. 1048
 House Bill No. 1075
 House Bill No. 1079
 House Bill No. 1086
 House Bill No. 1089
 House Bill No. 1106
 House Bill No. 1147
 House Bill No. 1171
 House Bill No. 1220
 House Bill No. 1226
 House Bill No. 1298
 House Bill No. 1355
 House Bill No. 1356
 House Bill No. 1376
 House Bill No. 1377
 House Bill No. 1379
 House Bill No. 1383
 House Bill No. 1416
 House Bill No. 1452
 House Bill No. 1456
 House Bill No. 1462
 House Bill No. 1477
 House Bill No. 1480
 House Bill No. 1507
 House Bill No. 1522
 House Bill No. 1557
 House Concurrent Resolution No. 3002
 House Concurrent Resolution No. 3003
 House Concurrent Resolution No. 3006
 House Concurrent Resolution No. 3015
 House Concurrent Resolution No. 3042

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

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

House Bill No. 1015
House Bill No. 1026
House Bill No. 1034
House Bill No. 1048
House Bill No. 1075
House Bill No. 1079
House Bill No. 1086
House Bill No. 1089
House Bill No. 1106
House Bill No. 1147
House Bill No. 1171
House Bill No. 1220
House Bill No. 1226
House Bill No. 1298
House Bill No. 1355
House Bill No. 1356
House Bill No. 1376
House Bill No. 1377
House Bill No. 1379
House Bill No. 1383
House Bill No. 1416
House Bill No. 1452
House Bill No. 1456
House Bill No. 1462
House Bill No. 1477
House Bill No. 1480
House Bill No. 1507
House Bill No. 1522
House Bill No. 1557
House Concurrent Resolution No. 3002
House Concurrent Resolution No. 3003
House Concurrent Resolution No. 3006
House Concurrent Resolution No. 3015
House Concurrent Resolution No. 3042
Which the President has signed.

LEO LEIDHOLM, Secretary

Senator Nothing moved that at the conclusion of the 13th Order of Business and after the reading of SCR No. 4022 and House Bills 1125, 1267, 1271, 1392, 1415, 1453, 1457, 1506, 1519, 1521, 1551, 1559 and 1580, the Senate adjourn and convene at 1:30 p.m., Tuesday, March 2, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary