

FORTIETH DAY

Bismarck, March 3, 1981

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

The prayer was offered by Rev. Stanley Malmgren, Pastor, First Baptist Church, Bismarck.

Almighty God and Heavenly Father, as we come into Thy presence this hour we are mindful of Thy bountiful mercies towards us and we give Thee thanks. Make us aware of Thy presence and Thy power. Grant that we may be humble enough to recognize our need of help from Thee and wise enough to accept the Divine Guidance Thou art offering us day by day. Keep us mindful that we have been elected to a high and noble office by the people of the State of North Dakota, but keep us keenly aware that we have a higher and nobler calling as servants of the Almighty. Forgive us our faults and weaknesses and may our deliberations and actions this day be acceptable in Thy sight. In the name of Jesus Christ our Lord, we pray. Amen.

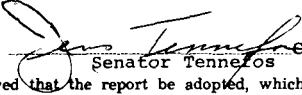
The roll was called and all Senators were present.

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

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

 Chairman
Senator Tennessee

Report of Procedural Committee

MR. PRESIDENT:

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

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

and find the same correctly } Enrolled

Stella H. Fritzell
Stella Fritzell Chairman

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

CONSIDERATION OF AMENDMENTS

Senator Goodman moved that the amendments to House Bill No. 1512 recommended by the Committee on Finance and Taxation and printed on pages 1057, 1058 of the Senate Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President : Your Procedural Committee on Delayed Bills

has reviewed a concurrent resolution relating to cardiopulmonary resuscitation training throughout North Dakota, 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 A
SENATE CONCURRENT RESOLUTION**

Senator Nothing introduced:

Senate Concurrent Resolution No. 4085. — A concurrent resolution expressing the Legislative Assembly's support for cardiopulmonary resuscitation training; urging statewide support for cardiopulmonary resuscitation training throughout North Dakota; requesting the State Department of Health and the Superintendent of Public Instruction to support such training; and urging certain communications with the American Heart Association Dakota Affiliate.

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

REPORT OF PROCEDURAL COMMITTEE

Mr. President : Your Procedural Committee on Delayed Bills

has reviewed a concurrent resolution offering an effervescent encomium on the press; declaring Thursday, March 5, 1981, as North Dakota Editors Day at the Forty-seventh Legislative Assembly; and welcoming Mr. Reid Miller, a distinguished journalist and Assistant

Chief of the Washington, D.C., Bureau of the Associated Press, to North Dakota, and has approved its introduction by a unanimous vote.



 Senator Cussons, Chairman

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

**FIRST READING OF
 SENATE CONCURRENT RESOLUTION**

Senators Nething, Redlin, Reiten, Reps. Strinden, Backes introduced:

Senate Concurrent Resolution No. 4086. — A concurrent resolution offering an effervescent encomium on the press; declaring Thursday, March 5, 1981, as North Dakota Editors Day at the Forty-seventh Legislative Assembly; and welcoming Mr. Reid Miller, a distinguished journalist and Assistant Chief of the Washington, D.C., Bureau of the Associated Press, to North Dakota.

Senator Nething moved that the rules be suspended, that Senate Concurrent Resolution No. 4086 not be printed, not be referred to a committee, but be read in its entirety, printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. 4086

Introduced by

Senators Nething, Redlin, Reiten

Representatives Backes, Strinden

(Approved by the Committee on Delayed Bills)

A concurrent resolution offering an effervescent encomium on the press; declaring Thursday, March 5, 1981, as North Dakota Editors Day at the Forty-seventh Legislative Assembly; and welcoming Mr. Reid Miller, a distinguished journalist and Assistant Chief of the Washington, D.C., Bureau of the Associated Press, to North Dakota.

WHEREAS, March is not only the month of the Biennial Editors Day at the Legislative Assembly, but also, on March 16, the birthday of James Madison, our fourth president and one of the drafters of the Bill of Rights, who stated, "To the press alone, checkered as it is with abuses, the world is indebted

for all the triumphs which have been obtained by reason and humanity over error and oppression"; and

WHEREAS, such paeans of praise are appropriate for members of North Dakota's distinguished Fourth Estate, the editors and reporters of the state's 101 daily, semiweekly and weekly newspapers, who are dedicated to informing North Dakotans and thus serve a vital function in the democratic processes; and

WHEREAS, the North Dakota Legislative Assembly receives thorough and complete coverage by the news media which enables it to better fulfill its governmental duties for the citizens of North Dakota, and for which it is much appreciative; and

WHEREAS, the North Dakota Newspaper Association and the North Dakota chapter of the Society of Professional Journalists, Sigma Delta Chi, are cosponsoring the biennial Editors Day at the Legislature March 5, 1981; and

WHEREAS, the Editors Day banquet, to which all members of the Forty-seventh Legislative Assembly will be invited by the press from their respective districts, will feature as a speaker Mr. Reid Miller, a veteran Washington journalist and the Assistant Chief of Washington, D.C., Bureau of the Associated Press;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Forty-seventh Legislative Assembly commends and congratulates North Dakota's unflaggingly vigilant press through this encomium for its continuing service to all North Dakotans, and declares Thursday, March 5, 1981, as Editors Day at the Forty-seventh Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Forty-seventh Legislative Assembly extends a sincere and hearty North Dakota

welcome to Mr. Reid Miller, and hopes that his stay in the Peace Garden state is pleasant and enjoyable; and

BE IT FURTHER RESOLVED, that legislators make every effort to attend the Editors Day banquet at the invitation of the press or be prepared to put up with two years of being misquoted or having their names misspelled; and

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to Mr. Reid Miller, to Dr. Vernon Keel and Professor Al Austin at the University of North Dakota Journalism Department, and to Mr. Gene Carr of the North Dakota Newspaper Association.

**SECOND READING OF
SENATE CONCURRENT RESOLUTIONS**

Senate Concurrent Resolution No. 4086. — A concurrent resolution offering an effervescent encomium on the press; declaring Thursday, March 5, 1981, as North Dakota Editors Day at the Forty-seventh Legislative Assembly; and welcoming Mr. Reid Miller, a distinguished journalist and Assistant Chief of the Washington, D.C., Bureau of the Associated Press, to North Dakota.


Was read the second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4086 was declared adopted on a voice vote.

REPORT OF PROCEDURAL COMMITTEE

Mr. President : Your Procedural Committee on Delayed Bills

has reviewed a resolution creating a select Senate committee to investigate unusual operations in the Insurance Department, particularly during the month of December 1980, and has approved its introduction by a unanimous vote.


Senator Cussons, Chairman

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

**FIRST READING OF
A SENATE RESOLUTION**

Senator Nething introduced:

Senate Resolution No. 1. — A resolution creating a select Senate committee to investigate unusual operations in the Insurance Department, particularly during the month of December 1980.

Senator Nething moved that the rules be suspended, that Senate Resolution No. 1 not be printed, not be referred to a committee, but be read in its entirety, printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Senator Nething introduced:

SENATE RESOLUTION NO. 1

Introduced by

Senator Nething

(Approved by the Committee on Delayed Bills)

A resolution creating a select Senate committee to investigate unusual operations in the Insurance Department, particularly during the month of December 1980.

WHEREAS, recent events have led to questions concerning the operations of the Insurance Department during the term of office of the previous commissioner; and

WHEREAS, a recent investigation by the Attorney General's office indicates that there were no actionable violations of the criminal laws; and

WHEREAS, the potential problems alleged in the department may, in any case, give rise to the necessity for ameliorative legislation;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

That the creation of a select Senate investigating committee is hereby authorized. The committee shall be composed of seven senators, five from the majority party to be appointed by the Majority Leader, and two from the minority party to be appointed by the Minority Leader. The appointments are to be made within two days after passage of this resolution, and the Majority Leader shall appoint the chairman of the committee. The committee shall investigate the administration and operations of the Insurance Department, and especially such operations during the month of December 1980.

The committee is to report its findings and recommendations to the Senate within 16 legislative days after passage of this resolution; and

BE IT FURTHER RESOLVED, that the select committee created by this resolution may call on such persons in the employ of the Insurance Department as it may deem appropriate; and may call on the Legislative Council staff, the Attorney General, the Department of Accounts and Purchases, and any other executive department, agency, office, officer, board, bureau, commission, or institution, or any organization or individuals outside state government, for any reasonable assistance in the conduct of its study and review as the select committee deems necessary; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded immediately by the Secretary of State to the Commissioner of Insurance.

SECOND READING OF
A SENATE RESOLUTION

Senate Resolution No. 1. — A resolution creating a select Senate committee to investigate unusual operations in the Insurance Department, particularly during the month of December 1980.

Was read the second time.

The question being on the final adoption of the resolution, Senate Resolution No. 1 was declared adopted on a voice vote.

APPOINTMENT OF SELECT SENATE
COMMITTEE TO INVESTIGATE OPERATIONS
IN THE INSURANCE DEPARTMENT

The President announced the select committee to investigate the operations in the Insurance Department as follows:

Selected by the Majority Leader
Senator Streibel, Chairman
Senator Hanson
Senator Lodoen
Senator Mutch
Senator Parker
Selected by the Minority Leader
Senator Berube
Senator Grotberg

SECOND READING OF
SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4022. — A concurrent resolution for the amendment of subsection 2 of section 6 of article VIII of the Constitution of the State of North Dakota, previously designated as section 2 of article 54 of the amendments to the Constitution prior to

publication of the renumbered Constitution, relating to the method of appointing members to the board of higher education.

Was read the second time and has committee recommendation of do not pass.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes 6, nays 44, 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
		•		GROTEBERG	•		NELSON	•		STREIBEL	•
		•	•	HANSON	•		NETHING	•		STROMME	•
		•		HOLMBERG	•	•	OLIN	•		TALLACKSON	•
		•		ISZLER	•		PARKER	•		TENNEFOS	•
		•		LASHKOWITZ	•		PETERSON	•		THANE	•
		•		LEE	•		QUAIL	•		TIERNEY	•
		•		LEIBHAN	•		REDLIN	•	•	TWETEN	•
		•		LIPS	•		REITEN	•	•	VOSPER	•
		•		LODOEN	•		ROEN	•		WALSH	•
		•		MELLAND	•		SHABLOW	•		WENSTROM	•
		•	•	MOORE	•		SOLBERG	•		WRIGHT	•
		•		MUTCH	•		SORUM	•		MR PRESIDENT	•
		•	•	NAADEN	•		STENEHJEM	•			

Senate Concurrent Resolution No. 4022 was declared lost.

SECOND READING OF HOUSE BILLS

House Bill No. 1125. — A Bill for an Act to provide for the regulation and control, permitting, registration, inspection, and impounding of sources of nonionizing radiation by the state department of health; and to provide penalties.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 8, nays 41, 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
		•		GROTEBERG	•		NELSON	•		STREIBEL	•
		•		HANSON	•		NETHING	•		STROMME	•
		•		HOLMBERG	•		OLIN	•		TALLACKSON	•
		•		ISZLER	•		PARKER	•		TENNEFOS	•
		•		LASHKOWITZ	•		PETERSON	•		THANE	•
		•		LEE	•		QUAIL	•		TIERNEY	•
		•		LEIBHAN	•		REDLIN	•		TWETEN	•
		•		LIPS	•		REITEN	•	•	VOSPER	•
		•		LODOEN	•		ROEN	•		WALSH	•
		•		MELLAND	•		SHABLOW	•		WENSTROM	•
		•		MOORE	•		SOLBERG	•		WRIGHT	•
		•		MUTCH	•		SORUM	•		MR PRESIDENT	•
		•		NAADEN	•		STENEHJEM	•			

House Bill No. 1125 was declared lost.

House Bill No. 1203. — A Bill for an Act to create and enact two new sections to chapter 4-10 of the North Dakota Century Code, relating to the responsibilities of state seed department and liability of the state seed commission, state seed department, seed commissioner and his employees, and certified seed potato producers; to amend and reenact sections 4-10-01, 4-10-02, 4-10-03, 4-10-04, 4-10-05, 4-10-07, 4-10-09, 4-10-10, 4-10-11, 4-10-15, 4-10-17, 4-10-18, 4-10-19, 4-10-20, and 4-10-22 of the North Dakota Century Code, relating to definitions, duties of seed commissioner, rules and regulations, grades for potatoes, labeling of potatoes in closed containers, designation of official inspection points, shipment of potatoes from undesignated points, labeling of potatoes shipped into state, issuance of certificate after inspection, seizure of potatoes, cooperation with departments and bureaus by commissioner, collection and disposition of fees, hearings to be held by commissioner,

prosecution for violations, and penalty for violation; to repeal sections 4-10-08, 4-10-13, and 4-10-16 of the North Dakota Century Code, relating to the shipment of potatoes from undesignated inspection points, fees for making grade inspections, and refusal to accept shipment of potatoes; 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 48, nays 0, absent and not voting 2.

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

So the bill passed and the title was agreed to.

House Bill No. 1267. — A Bill for an Act to amend and reenact sections 18-10-07 and 18-10-14 of the North Dakota Century Code, relating to rural fire district mill levies.

Which has been read.

ROLL CALL

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

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

So the bill passed and the title was agreed to.

House Bill No. 1271. — A Bill for an Act to amend and reenact section 14-05-24 of the North Dakota Century Code, relating to factors to be considered in granting a property division or support in a divorce action.

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 the were ayes 0, nays 48, absent and not voting 2.

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
	ADAMS	●		GROETBERG	●		NELSON	●		STREIBEL	●		STREIBEL	●			
	ALBERS	●		HANSON	●		NETHIN	●		STROMME	●		STROMME	●			
	BAKEWELL	●		HOLMBERG	●		OLIN	●		TALLACKSON	●		TALLACKSON	●			

BARTH	●	ISZLER	●	PARKER	●	TENNEFOS	●
BERUBE	●	LASHKOWITZ	●	PETERSON	●	THANE	●
CHRISTENSEN, H. #5	●	LEE	●	QUAIL	●	TIERNEY	●
CHRISTENSEN, H. #36	●	LEIBHAN	●	REDLIN	●	TWETEN	●
CUSONS	●	LIPS	●	REITEN	●	VOSPER	●
DOTZENROD	●	LODDEN	●	ROEN	●	WALSH	●
DYKSHOORN	●	MELLAND	●	SHABLOW	●	WESTROM	●
ERICKSON	●	MOORE	●	SOLBERG	●	WRIGHT	●
FRITZELL	●	MUTCH	●	SORUM	●	MR. PRESIDENT	●
GOODMAN	●	NAADEN	●	STENEHJEM	●		

House Bill No. 1271 was declared lost.

House Bill No. 1392. — A Bill for an Act to amend and reenact section 4-28-03 of the North Dakota Century Code, relating to the election, appointment, term, and meetings of wheat commission members.

Which has been read.

Senator Iszler moved that House Bill No. 1392 be amended as follows:

On page 2 of the engrossed bill, line 20, overstrike the words “originally appointed” and insert thereafter the words “elected and serving”

On page 2 of the engrossed bill, line 21, after the word June, overstrike the numerals “1961” and insert thereafter the numerals “1984”

On page 2 of the engrossed bill, line 22, after the word “commissioners”, overstrike the words “originally appointed” and insert thereafter the words “elected and serving”

On page 2 of the engrossed bill, line 24, after the comma overstrike the numerals “1963” and insert thereafter the numerals “1985” and after the word “commissioners” overstrike the word “originally” and insert thereafter the words “elected and serving”

On page 2 of the engrossed bill, line 25, overstrike the word “appointed” and after the word “districts” overstrike the words “and from the state”

On page 2 of the engrossed bill, line 26, overstrike the words “at large”

On page 2 of the engrossed bill, line 27, after the comma, overstrike the numerals “1965” and insert thereafter the following: “1982; and the commissioner appointed and serving as the state at large member shall hold office for a term ending on the thirtieth of June, 1983”

And renumber the lines and pages accordingly.

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

Senator Iszler moved that the rules be suspended, that House Bill No. 1392 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

House Bill No. 1392. — A Bill for an Act to amend and reenact section 4-28-03 of the North Dakota Century Code, relating to the election, appointment, term, and meetings of wheat commission members.

Which has been read.

ROLL CALL

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

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

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

So the bill passed and the title was agreed to.

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

Which 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 3, absent and not voting 1.

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

So the bill passed and the title was agreed to.

MOTION

Senator Goodman moved that House Bill No. 1276 be returned to the Senate floor from the Committee on Finance and Taxation, which motion prevailed.

Senator Goodman moved that House Bill No. 1276 be re-referred to the Committee on Education, which motion prevailed.

House Bill No. 1453. — A Bill for an Act to create and enact a new section to chapter 26-02 of the North Dakota Century Code, relating to the definition of legal expense insurance, and to create and enact new subsections to sections 26-08-02, 26-14-07, and 26-17.1-07 of the North Dakota Century Code, relating to the establishment of legal expense insurance as an authorized line of insurance.

Which 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 5, absent and not voting 3.

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

So the bill passed and the title was agreed to.

House Bill No. 1457. — A Bill for an Act to amend and reenact section 57-61-10 and subsection 3 of section 57-62-02 of the North Dakota Century Code, relating to payments of coal severance tax revenues to the coal development fund and to the distribution of revenues within counties on a timely basis.

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									1981 LEGISLATURE		
ROLL-CALL											
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
•	ADAMS		•	GROTBERG		•	NELSON		•	STREIBEL	
•	ALBERS		•	HANSON		•	NETHING		•	STROMME	
•	BAKEWELL		•	HOLMBERG		•	OLIN		•	TALLACKSON	
•	BARTH		•	ISLER		•	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		•	NAADEN		•	STENEHJEM				

So the bill passed and the title was agreed to.

House Bill No. 1506. — A Bill for an Act to amend and reenact section 57-15-22 of the North Dakota Century Code to increase the mill levy allowed for roads and bridges in unorganized townships.

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 6, absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
ROLL-CALL											
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
•	ADAMS		•	GROTBERG		•	NELSON		•	STREIBEL	
•	ALBERS		•	HANSON		•	NETHING		•	STROMME	
•	BAKEWELL		•	HOLMBERG		•	OLIN		•	TALLACKSON	
•	BARTH		•	ISLER		•	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		•	NAADEN		•	STENEHJEM				

So the bill passed and the title was agreed to.

House Bill No. 1519. — A Bill for an Act to amend and reenact subdivision c of subsection 7 of section 21-03-06, section 40-27-13, and subsection 3 of section 40-36-13 of the North Dakota Century Code, relating to the refunding of bonds by counties, cities, townships, school districts, park districts, recreation service districts, and rural fire protection districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays 1, absent and not voting 2.

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

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

So the bill passed and the title was agreed to.

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

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 7, nays 41, absent and not voting 2.

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
		●			●			●			●			●			
● ADAMS					● GROTBERG			● NELSON			● STREIBEL			●			
● ALBERS					● HANSON			● NOTHING			● STROMME			●			
● BAKEWELL		●			● HOLMBERG			● OLIN			● TALLACKSON			●			
● BARTH		●			● ISLER			● PARKER			● TENNEFOS			●			
● BERUBE		●			● LASHKOWITZ			● PETERSON			● THANE			●			
● CHRISTENSEN, H. #5		●			● LEE			● QUAIL			● TIERNEY			●			
● CHRISTENSEN, R. #36		●			● LEIBHAN			● REDLIN			● TWETEN			●			
● CUSSONS		●			● LIPS			● REITEN			● VOSPER			●			
● DOTZENROD		●			● LODDEN			● ROEN			● WALSH			●			
● DYKSHOORN		●			● MELLAND			● SHABLOW			● WENSTROM			●			
● ERICKSON		●			● MOORE			● SOLBERG			● WRIGHT			●			
● FRITZELL		●			● MUTCH			● SORUM			● MR. PRESIDENT						
● GOODMAN		●			● NAADEN			● STENEHJEM									

House Bill No. 1521 was declared lost.

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

Which has been read.

ROLL CALL

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

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● ADAMS					● GROTBERG			● NELSON			● STREIBEL			●			
● ALBERS					● HANSON			● NOTHING			● STROMME			●			
● BAKEWELL		●			● HOLMBERG			● OLIN			● TALLACKSON			●			
● BARTH		●			● ISLER			● PARKER			● TENNEFOS			●			
● BERUBE		●			● LASHKOWITZ			● PETERSON			● THANE			●			
● CHRISTENSEN, H. #5		●			● LEE			● QUAIL			● TIERNEY			●			
● CHRISTENSEN, R. #36		●			● LEIBHAN			● REDLIN			● TWETEN			●			
● CUSSONS		●			● LIPS			● REITEN			● VOSPER			●			
● DOTZENROD		●			● LODDEN			● ROEN			● WALSH			●			
● DYKSHOORN		●			● MELLAND			● SHABLOW			● WENSTROM			●			
● ERICKSON		●			● MOORE			● SOLBERG			● WRIGHT			●			
● FRITZELL		●			● MUTCH			● SORUM			● MR. PRESIDENT						
● GOODMAN		●			● NAADEN			● STENEHJEM									

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

House Bill No. 1580. — A Bill for an Act to amend and reenact sections 43-20-02, 43-20-06, 43-20-07, 43-28-05, 43-28-11, 43-28-12.1, 43-28-12.2, subsection 3 of section 43-28-15, sections 43-28-16, 43-28-17, 43-28-18, 43-28-22, and 43-28-24 of the North Dakota Century Code, relating to license requirements and fees of dentists and dental hygienists, grounds for suspension of dental license, compensation of members of the board of dental examiners, and providing that examinations may be conducted by a designee of the board.

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 43, nays 3, absent and not voting 4.

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

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS ON CONSENT CALENDAR

House Bill No. 1559. — A Bill for an Act to amend and reenact subsection 1 of section 47-11.1-02 of the North Dakota Century Code, relating to the time for disclaiming a present or future interest.

Which has been read the second time.

ROLL CALL

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

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

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Goodman moved that the Senate do concur in the House amendments to Senate Bill No. 2178, as printed on page 1067 of the Senate Journal, which motion prevailed.

Senator Goodman moved that the rules be suspended, that Senate Bill No. 2178 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2178. — A Bill for an Act to create and enact a new section to chapter 57-60, relating to refunds of overpayments; and to amend and reenact sections 57-60-04, 57-60-05, 57-60-08, and 57-60-11 of the North Dakota Century Code, relating to payment, assessment, and refund of taxes for coal conversion facilities and to hearings and appeals in connection therewith.

Which has been read.

ROLL CALL

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

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

So the bill passed and the title was agreed to.

Report of Standing Committee

Mr. PRESIDENT Your Committee on STATE AND FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1069

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. 1069 was placed on the 14th

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. 1095

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 17, delete the words "fifty percent of any" and insert in lieu thereof the word "all"
- On page 4 of the engrossed bill, line 19, delete the comma and words ", up to a maximum of fifty thousand dollars"
- On page 4 of the engrossed bill, line 25, delete the words "Fifty percent of any" and insert in lieu thereof the word "All"

and renumber the lines accordingly.

And when so amended recommends the same do pass.

Chuck Goodman Chairman
Senator Chuck Goodman

House Bill No. 1095 was placed on the sixth

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

Mr. President : Your Committee on Education
to whom was referred House Bill No. 1153

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.

Sen. Nelson Chairman
Senator Gary Nelson Tenth

House Bill No. 1153 was placed on the Tenth

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. 1196

Has had the same under consideration and recommends that the same

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

Lodoen Chairman
Senator Lodoen

HOUSE Bill No. 1196 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. 1251

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:

Hal Christensen Chairman
Sen. H. Christensen

House Bill No. 1251 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. 1270

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

Sen. H. Christensen

House Bill No. 1270 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. 1304

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to establish a certified addiction counselor-client privilege for confidential communications."

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

SECTION 1. DEFINITIONS. As used in this Act:

1. "Client" means a person who consults or is examined or interviewed by a counselor.
2. "Confidential communication" means a communication which is not intended to be disclosed to third parties, except persons present to further the interest of the client in the consultation, examination, or interview, persons reasonably necessary for the transmission of the communication, or persons who are participating in the diagnosis and treatment under the direction of the counselor, including members of the client's family.
3. "Counselor" means an addiction counselor who has been certified by the professional standards and certification committee appointed by the state health officer in accordance with qualifications established by that committee or who is reasonably believed by the client so to be, while engaged in the diagnosis or treatment of a physical, mental, or emotional condition, including alcohol or any addiction.
4. "Privilege" means the counselor-client privilege authorized under sections 1 through 4 of this Act.

SECTION 2. CERTIFIED ADDICTION COUNSELOR - CLIENT GENERAL RULE OF PRIVILEGE. A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of diagnosis or treatment of the client's

physical, mental, or emotional condition, including alcohol or drug addiction, among the client, the client's counselor, and persons who are participating in the diagnosis or treatment under the direction of the counselor, including members of the client's family.

SECTION 3. WHO MAY CLAIM THE PRIVILEGE. The privilege may be claimed by the client, the client's guardian or conservator, or the personal representative of a deceased client. The person who was the counselor at the time of the communication is presumed to have authority to claim the privilege but only on behalf of the client.

SECTION 4. EXCEPTIONS TO THE PRIVILEGE.

1. There is no privilege under this Act for communications relevant to an issue in proceedings to hospitalize the client for mental illness, including alcohol or drug addiction, if the counselor in the course of diagnosis or treatment has determined the client is in need of hospitalization.
2. If the court orders an examination of the physical, mental, or emotional condition of a client, whether a party or a witness, communications made in the course thereof are not privileged under this Act with respect to the particular purpose for which the examination is ordered unless the court orders otherwise.
3. There is no privilege under this Act as to a communication relevant to an issue of the physical, mental, or emotional condition of the client in any proceeding in which the client relies on a condition as an element of the client's claim or defense or, after the client's death, in any proceeding in which any party relies upon the condition as an element of the party's claim or defense."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass/

H. Christensen

Chairman

Senator H. Christensen

House Bill No. 1304 was placed on the sixth

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

Mr. President: Your Committee on Judiciary

to whom was referred House Bill No. 1411

Has had the same under consideration and recommends that the same

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

be amended as follows:

On page 3, line 11, after the word "least" delete the word "two" and insert in lieu thereof the word "three"

On page 3, line 13, delete the numeral "2" and insert in lieu thereof the numeral "3"

On page 3, line 14, after the word "least" delete the word "two" and insert in lieu thereof the word "three"

On page 3, line 17, after the word "subsection" delete the numeral "2" and insert in lieu thereof the numeral "3"

On page 3, line 21, after the word "do" delete the word "either" and insert in lieu thereof the word "any"

On page 3, after line 26, insert the following subsection:

"2. Return the list of nominees and direct the committee to reconvene."

and renumber the lines, subsections and pages accordingly

And when so amended recommends the same do pass

Had Christensen
Senator H. Christensen Chairman

House Bill No. 1411 was placed on the sixth

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

Mr. President Your Committee on Judiciary to whom was referred House Bill No. 1481

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:

Had Christensen
Sen. H. Christensen Chairman

House Bill No. 1481 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. 1482

Has had the same under consideration and recommends that the same

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

Chuck Goodman
Senator Chuck Goodman Chairman

House Bill No. 1482 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. 1545

Has had the same under consideration and recommends that the same

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

be amended as follows:


On page 2 of the engrossed bill, line 16, delete the word "the" and insert the words, "reimbursement for meals at a rate not to exceed two times the regular out-of-state meal allowance."

On page 2 of the engrossed bill, delete line 17

On page 2 of the engrossed bill, delete line 18

And renumber the lines accordingly

And when so amended recommends the same do pass.


Senator Lodoen Chairman

HOUSE Bill No. 1545 was placed on the Sixth

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

Mr. President: Your Committee on Judiciary

to whom was referred HOUSE Bill No. 1554

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 27, following the comma, insert the following words "or the custodial parent if the parents are separated or divorced,"

On page 2, of the engrossed bill, delete all of line 17, and on line 18, delete the words "provisions of this Act in" and insert in lieu thereof the words "chapter 27-20 shall not be applicable to"

And renumber the lines accordingly

And when so amended recommends the same do pass.


Senator H. Christensen Chairman

House Bill No. 1554 was placed on the sixth

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. 1558


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 Lodoen Chairman

HOUSE Bill No. 1558 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. 1563

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 23 after the period, delete the words, "The committee shall develop a master plan for the"

On page 1 of the engrossed bill, delete lines 24, 25, 26, 27, and 28

On page 2 of the engrossed bill, line 1, delete the words, "section 48-10-01."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.



Senator Lodeon Chairman

HOUSE Bill No. 1563 was placed on the Sixth

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

Mr. PRESIDENT : Your Committee on INDUSTRY, BUSINESS, & LABOR to whom was referred HOUSE Bill No. 1568

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 20, overstrike the words, "and which are not"

On page 1, line 21, overstrike the line

On page 1, line 22 overstrike the word "service" and the comma

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.



Senator Reiten Chairman

HOUSE Bill No. 1568 was placed on the Sixth

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

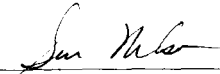
Mr. President : Your Committee on Education to whom was referred HOUSE Bill No. 1590

Has had the same under consideration and recommends that the same

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

JOURNAL OF THE SENATE

be amended as follows:



Senator Gary Nelson Chairman

House Bill No. 1590 was placed on the Fourteenth

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

Mr. PRESIDENT: Your Committee on INDUSTRY, BUSINESS, & LABOR
to whom was referred HOUSE Bill No. 1622

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:



Senator Reiten Chairman

HOUSE Bill No. 1622 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. 1636

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 Lodoen Chairman

HOUSE Bill No. 1636 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 CONCURRENT
RESOLUTION No. 3039

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 24, after the word, "the" insert the word
"research and"

And renumber the lines accordingly

And when so amended recommends the same do pass.



Senator Lodoen Chairman

HOUSE CONCURRENT
RESOLUTION No. 3039 was placed on the Sixth

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

FIRST READING OF
HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3072. — A concurrent resolution directing the Legislative Council to conduct a study of state financing of the remainder of the Garrison Diversion Project.

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

House Concurrent Resolution No. 3073. — A concurrent resolution directing the Legislative Council to conduct a study of the legal status of the Garrison Dam.

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

MESSAGES FROM THE HOUSE
House Chamber

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

Senate Bill No. 2090
Senate Bill No. 2282
Senate Bill No. 2312

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2090

On page 1, line 13, delete ", by paying into"

On page 1, delete lines 14 through 17

On page 1, line 18, delete "the fund by the teacher"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2282

On page 1, line 2, after the numerals "57-39.2-04" insert the following: "and a new subdivision to subsection 26 of section 57-39.2-04"

On page 1, line 3, after the word "diabetic" insert the words "and bladder dysfunction"

On page 1, after line 15, insert the following new section:

"SECTION 2. A new subdivision to subsection 26 of section 57-39.2-04 of the 1979 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Supplies, equipment, and devices to be used exclusively by a person with bladder dysfunction, including catheters, collection devices, incontinent pads and pants, and other items used for the care and management of bladder dysfunction."

And renumber the lines, pages, sections and subdivisions accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2312

On page 2, line 11, delete the following: ", licensed public"

On page 2, line 12, delete the word "accountant"

House Chamber

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

Senate Bill No. 2065
Senate Bill No. 2083
Senate Bill No. 2095
Senate Bill No. 2164

Senate Bill No. 2265
Senate Bill No. 2317

ROY GILBREATH, Chief Clerk
House Chamber

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

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

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. 3071
House Concurrent Resolution No. 3074

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 1088
House Bill No. 1209
House Bill No. 1314
House Bill No. 1378

and subsequently passed the same.

Very respectfully,

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. 2237

ROY GILBREATH, Chief Clerk
HOUSE AMENDMENTS TO
SENATE BILL NO. 2237

On page 1 of the engrossed bill, line 7, delete the word "Section" and

insert in lieu thereof the following "If House Bill No. 1516 is not approved by the forty-seventh legislative assembly, then section"

And renumber the lines, sections, and pages accordingly.

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

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

LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE

Senate Chamber

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

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

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

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. 1035
House Bill No. 1174
House Bill No. 1224
House Bill No. 1295
House Bill No. 1494
House Bill No. 1510
House Bill No. 1616
House Concurrent Resolution No. 3012
House Concurrent Resolution No. 3023
House Concurrent Resolution No. 3030
House Concurrent Resolution No. 3047

LEO LEIDHOLM, Secretary

Senate Chamber

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

House Bill No. 1118

House Bill No. 1158
 House Bill No. 1263
 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. 1175
 House Bill No. 1291
 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. 4086
 Very Respectfully,

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

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
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 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

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber

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

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
Which the President has signed.

LEO LEIDHOLM, Secretary

Senator Nething moved that at the conclusion of the 5th Order of Business, the 13th Order of Business and after the reading of House Bills Nos. 1069, 1153, 1184, 1196, 1251, 1270, 1420, 1481, 1482, 1512, 1558, 1590, 1622, 1636, the Senate adjourn and convene at 1:30 p.m., Wednesday, March 4, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary