

FIFTY-SECOND DAY

Bismarck, March 19, 1981

The Senate convened at 9:30 a. m., with President Sands presiding.

The prayer was offered by Rev. Martin C. Reif, Pastor, United Presbyterian Church, USA, Bismarck.

O God, whose mercy is from everlasting to everlasting and Whose truth is forever, in all humility and reverence we bow in Your presence offering to You again the devotion of our hearts. Amid the confusion of our age, trouble within and outside ourselves, make our hearts a quite place. Sure of Your presence may we face the work of this day with courage, a quiet faith and an understanding of our fellow human beings.

In the struggle between light and darkness in our time may we walk in the light and live in the light, that we may continue to be the light of the world: in the Master's Name we pray. Amen.

The roll was called and all members were present except Senators H. Christensen, Goodman and Reiten.

A quorum was declared by the President.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

March 19, 1981

The Honorable Ernest M. Sands
President of the Senate
Senate Chambers
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 18, 1981, I signed the following Senate Bills:

Senate Bill: 2106
Senate Bill: 2107
Senate Bill: 2139
Senate Bill: 2168
Senate Bill: 2227
Senate Bill: 2287
Senate Bill: 2294
Senate Bill: 2309
Senate Bill: 2326
Senate Bill: 2345
Senate Bill: 2369
Senate Bill: 2371
Senate Bill: 2067
Senate Bill: 2072
Senate Bill: 2093
Senate Bill: 2179

Senate Bill: 2189
 Senate Bill: 2200
 Senate Bill: 2256
 Senate Bill: 2257
 Senate Bill: 2300
 Senate Bill: 2367

Sincerely,
 ALLEN I. OLSON
 Governor

APPOINTMENT OF CONFERENCE COMMITTEES

Senator Solberg moved that the Senate do not concur in the House amendments to Senate Bill No. 2079 as printed on page 1480 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2079:

Senator Mutch, Chairman
 Senator Erickson
 Senator Tennefos

Senator Nothing moved that the Senate do not concur in the House amendments to Senate Bill No. 2141 as printed on page 1480 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2141:

Senator Tennefos, Chairman
 Senator Mutch
 Senator Parker

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. 2152
 Senate Bill No. 2213
 Senate Bill No. 2308

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL NO. 2152

- On page 1, line 5, after the words "North Dakota" insert a period
- On page 1, line 5, delete the ";" and delete the words "and to amend and reenact subsection 4 of"
- On page 1, delete lines 6 through 9
- On page 1, delete lines 12 through 21
- On page 2, delete lines 3 through 20
- On page 2, line 31, delete the word "Provided,"
- On page 2, delete lines 32 through 35
- On page 3, delete lines 1 through 4

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2213

- On page 1, line 3 of the engrossed bill, delete the words

"to allow farm implements to be moved" and insert in lieu thereof the following: ", relating to movement of farm implements on public highways."

On page 1, of the engrossed bill, delete lines 4 and 5

On page 1, line 12 of the engrossed bill, remove the overstrikes over the words "~~between-sunrise-and~~"

On page 1, line 13 of the engrossed bill, remove the overstrikes over the word "~~sunset~~", and after the period insert the following: "Furthermore, the limitation shall not apply to implements of husbandry being moved at any time by resident farmers or ranchers on public state, county, or township highway systems other than interstate highway systems."

On page 1, line 23 of the engrossed bill, after the first comma insert the following: "or if load exceeds borders, such extension shall be lighted,"

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2308

On page 1, line 1, delete the following: "sections 13-04-01" and insert in lieu thereof the word "section"

On page 1, line 2, delete the word "and"

On page 1, line 3, delete the words "and terms on installment bank loans and" and insert in lieu thereof the word "on"

On page 1, line 4, after the word "contracts" and before the period insert the following: "; and to repeal section 51-13-06 of the North Dakota Century Code, relating to refinancing retail installment contracts"

On page 1, delete lines 7 through 27

On page 2, delete lines 1 and 2

On page 2, line 3, delete the numeral "2" and insert in lieu thereof the numeral "1"

On page 2, line 11, overstrike the following: ", at not exceeding"

On page 2, line 12, delete the word "twenty-one" and overstrike the remainder of the line

On page 2, line 13, overstrike the words "unpaid balance of the contract" and after the period insert the following new sentence: "A retail seller who complies with the disclosure provisions of this Chapter is deemed a regulated lender under section 47-14-09."

On page 2, line 32, overstrike the words "and in section"

On page 2, line 33, overstrike the numerals "51-13-06"

On page 2, after line 35, insert the following new section:

"SECTION 2. REPEAL. Section 51-13-06 of the 1979 Supplement to the North Dakota Century Code is hereby repealed."

And renumber the lines and pages accordingly

House Chamber

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

which the House has passed unchanged:
Senate Bill No. 2412

ROY GILBREATH, Chief Clerk
House Chamber

Mr President: I have the honor to return herewith the following,
which the House has failed to pass:

Senate Bill No. 2195
Senate Concurrent Resolution No. 4014
Senate Concurrent Resolution No. 4028

ROY GILBREATH, Chief Clerk

MOTION

Senator Nothing moved that House Bill No. 1648 be moved to the
head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1648. — A Bill for an Act making an appropriation for
defraying the expense of additional duties of lieutenant governor
prescribed by the governor; providing an exemption; stating legisla-
tive intent; and declaring an emergency.

Which has been read.

ROLL CALL

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

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

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

Senator Nothing moved that the vote by which House Bill No. 1648
was passed, be reconsidered and the motion to reconsider be laid on
the table.

Which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to House Bill No. 1006
recommended by the Committee on Appropriations and printed on
page 1504 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1033
recommended by the Committee on Appropriations and printed on
page 1505 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1036
recommended by the Committee on Appropriations and printed on
pages 1505, 1506 of the Senate Journal be adopted, which motion
prevailed.

Senator Goodman moved that the amendments to House Bill No. 1529
recommended by the Committee on Finance and Taxation and printed
on page 1507 of the Senate Journal be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on:

House Bill No. 1184

Senators:

Senator Dykshoorn

Senator Cussons

Senator Redlin

House Bill No. 1563

Senators:

Senator Solberg

Senator Bakewell

Senator Cussons

Very Respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

Senate Bill No. 2314

and the President has appointed as a conference committee to act with a like committee from the House on:

Senate Bill No. 2314

Senators:

Senator Wright

Senator Goodman

Senator Barth

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. 1328

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

Senate Bill No. 2112

Senate Bill No. 2120

Senate Bill No. 2344

Senate Bill No. 2416

Senate Concurrent Resolution No. 4001

Senate Concurrent Resolution No. 4021

Senate Concurrent Resolution No. 4050

Senate Concurrent Resolution No. 4055

Senate Concurrent Resolution No. 4056

Senate Concurrent Resolution No. 4057

Senate Concurrent Resolution No. 4059

Senate Concurrent Resolution No. 4062

Senate Concurrent Resolution No. 4065

Senate Concurrent Resolution No. 4066

Senate Concurrent Resolution No. 4068

Senate Concurrent Resolution No. 4069

Senate Concurrent Resolution No. 4071

Senate Concurrent Resolution No. 4072

Senate Concurrent Resolution No. 4073

Senate Concurrent Resolution No. 4078

Senate Concurrent Resolution No. 4081
 Senate Concurrent Resolution No. 4083
 Senate Concurrent Resolution No. 4084 LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE

Senate Chamber

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

Senate Bill No. 2112
 Senate Bill No. 2120
 Senate Bill No. 2344
 Senate Bill No. 2416
 Senate Concurrent Resolution No. 4001
 Senate Concurrent Resolution No. 4021
 Senate Concurrent Resolution No. 4050
 Senate Concurrent Resolution No. 4055
 Senate Concurrent Resolution No. 4056
 Senate Concurrent Resolution No. 4057
 Senate Concurrent Resolution No. 4059
 Senate Concurrent Resolution No. 4062
 Senate Concurrent Resolution No. 4065
 Senate Concurrent Resolution No. 4066
 Senate Concurrent Resolution No. 4068
 Senate Concurrent Resolution No. 4069
 Senate Concurrent Resolution No. 4071
 Senate Concurrent Resolution No. 4072
 Senate Concurrent Resolution No. 4073
 Senate Concurrent Resolution No. 4078
 Senate Concurrent Resolution No. 4081
 Senate Concurrent Resolution No. 4083
 Senate Concurrent Resolution No. 4084

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

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

House Bill No. 1262
 House Bill No. 1410
 House Bill No. 1562
 House Bill No. 1645
 House Bill No. 1655
 Senate Concurrent Resolution No. 3018
 Senate Concurrent Resolution No. 3022
 Senate Concurrent Resolution No. 3029
 Senate Concurrent Resolution No. 3037
 Senate Concurrent Resolution No. 3038
 Senate Concurrent Resolution No. 3059
 Senate Concurrent Resolution No. 3064
 Senate Concurrent Resolution No. 3070
 Senate Concurrent Resolution No. 3071
 Senate Concurrent Resolution No. 3076

LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE

Senate Chamber

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

House Bill No. 1262
 House Bill No. 1410

House Bill No. 1562
House Bill No. 1645
House Bill No. 1655
Senate Concurrent Resolution No. 3018
Senate Concurrent Resolution No. 3022
Senate Concurrent Resolution No. 3029
Senate Concurrent Resolution No. 3037
Senate Concurrent Resolution No. 3038
Senate Concurrent Resolution No. 3059
Senate Concurrent Resolution No. 3064
Senate Concurrent Resolution No. 3070
Senate Concurrent Resolution No. 3071
Senate Concurrent Resolution No. 3076
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 amended:

House Bill No. 1019

LEO LEIDHOLM, Secretary
Senate Chamber

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

Senate Bill No. 2079

Senate Bill No. 2141

and the President has appointed as a conference committee to act with
a like committee from the House on:

Senate Bill No. 2079

Senators:

Senator Mutch
Senator Erickson
Senator Tennesfos
Senate Bill No. 2141

Senators:

Senator Tennesfos
Senator Mutch
Senator Parker
Very respectfully,

LEO LEIDHOLM, Secretary

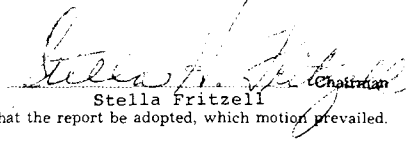
Report of Procedural Committee

MR. PRESIDENT:

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

Senate Bill No. 2113
Senate Bill No. 2251
Senate Bill No. 2296
Senate Bill No. 2299
Senate Bill No. 2354
Senate Bill No. 2378
Senate Bill No. 2381
Senate Bill No. 2413
Senate Bill No. 2423
Senate Concurrent Resolution No. 4047
Senate Concurrent Resolution No. 4053
Senate Concurrent Resolution No. 4082

and find the same correctly } Enrolled


Stella Fritzell, Chairman

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

MOTION

Senator Nething moved that the Senate stand in recess until 1:00 p.m., which motion prevailed.

The Senate reconvened, with President Sands presiding.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

March 19, 1981

The Honorable Ernest M. Sands
President of the Senate
Senate Chamber
Bismarck, North Dakota 58505
Dear Mr. President:

This is to inform you that on March 19, 1981, I forwarded without signature Senate Bill 2307.

Sincerely,
ALLEN I. OLSON
Governor

Correction and Revision of The Journal

Mr. President Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifty-first day and recommends that the same be corrected as follows:

On page 1493, line 20, delete "form" and insert in lieu thereof the word "from"

And when so corrected recommends that the same be approved.

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

..... Chairman
Senator Tennefos

MESSAGES FROM THE HOUSE

House Chamber

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

House Bill No. 1037
House Bill No. 1307
House Bill No. 1392
House Bill No. 1422
House Bill No. 1447
House Bill No. 1458
House Bill No. 1615
House Bill No. 1634
House Concurrent Resolution No. 3020
House Concurrent Resolution No. 3052
House Concurrent Resolution No. 3061
House Concurrent Resolution No. 3074
House Concurrent Resolution No. 3077
House Concurrent Resolution No. 3078
House Concurrent Resolution No. 3080

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

ROY GILBREATH, Chief Clerk
House Chamber

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

Senate Bill No. 2051
Senate Bill No. 2069
Senate Bill No. 2070
Senate Bill No. 2090
Senate Bill No. 2112
Senate Bill No. 2120
Senate Bill No. 2166
Senate Bill No. 2282
Senate Bill No. 2288
Senate Bill No. 2325
Senate Bill No. 2339
Senate Bill No. 2344
Senate Bill No. 2349
Senate Bill No. 2375
Senate Bill No. 2383
Senate Bill No. 2416
Senate Bill No. 2418
Senate Bill No. 2429
Senate Concurrent Resolution No. 4001
Senate Concurrent Resolution No. 4018
Senate Concurrent Resolution No. 4021
Senate Concurrent Resolution No. 4050
Senate Concurrent Resolution No. 4055
Senate Concurrent Resolution No. 4056
Senate Concurrent Resolution No. 4057
Senate Concurrent Resolution No. 4059
Senate Concurrent Resolution No. 4062
Senate Concurrent Resolution No. 4065
Senate Concurrent Resolution No. 4066
Senate Concurrent Resolution No. 4068
Senate Concurrent Resolution No. 4069
Senate Concurrent Resolution No. 4071
Senate Concurrent Resolution No. 4072
Senate Concurrent Resolution No. 4073
Senate Concurrent Resolution No. 4078
Senate Concurrent Resolution No. 4081
Senate Concurrent Resolution No. 4083
Senate Concurrent Resolution No. 4084

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it did concur in the Senate amendment to House Bill No. 1589, and now has not concurred in the Senate amendment to House Bill No. 1589, and has appointed the following to a Conference Committee:

Rep. Boyum
Rep. G. Larson
Rep. Gerl
Very respectfully,

ROY GILBREATH, Chief Clerk

Report of Procedural Committee

MR. PRESIDENT:

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

Senate Memorial Resolution No. 1

and find the same correctly { Enrolled

Senator Dykshoorn

Stella Fritzell Chairman
Stella Fritzell

moved that the report be adopted, which motion prevailed.

MR. PRESIDENT:

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

- House Bill No. 1003
- House Bill No. 1050
- House Bill No. 1105
- House Bill No. 1190
- House Bill No. 1204
- House Bill No. 1418
- House Bill No. 1466
- House Bill No. 1653

and find the same correctly Re { Engrossed

Senator Bakewell

Stella Fritzell Chairman

moved that the report be adopted, which motion prevailed.

MR. PRESIDENT:

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

Senate Bill No. 2253

and find the same correctly { Engrossed

Senator Moore

Stella Fritzell Chairman

moved that the report be adopted, which motion prevailed.

MOTION

Senator Nething moved that House Bills Nos. 1489, 1591, HCR No. 3072, House Bills Nos. 1060, 1038, 1061, 1050, 1105, 1190, 1204, 1418, 1466 and 1653 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1489. — A Bill for an Act to create and enact two new sections to chapter 38-16 of the North Dakota Century Code, relating to the reclamation of lands affected by surface mining operations and providing a civil penalty for failure to reclaim affected lands; and to amend and reenact section 38-16-03 of the North Dakota Century Code, relating to reports filed with the state soil conservation committee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 17, nays 30, absent and not voting 3.

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

House Bill No. 1489 was declared lost.

MESSAGE FROM THE HOUSE
House Chamber

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

House Bill No. 1392

And subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

House Bill No. 1591. — A Bill for an Act to create and enact a new subsection to section 20.1-13-10 of the North Dakota Century Code, requiring an observer in a vessel towing a person on water skis or similar devices; to amend and reenact section 20.1-13-07 of the North Dakota Century Code, requiring certain minors to have an adult or boating course to operate a motorboat; and to provide an effective date.

Which has been read.

Senator R. Christensen moved that House Bill No. 1591 be amended as follows:

On page 2, line 10, after the period insert the following:

“However, this subsection shall not apply to members of any organization regularly staging water ski shows, tournaments, or exhibitions while engaged in the performance of such shows, tournaments, or exhibitions. The department shall adopt rules to allow such organizations to practice in preparation for such events, as prescribed in section 20.1-13-11.”

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

Senator R. Christensen moved that the rules be suspended, that House Bill No. 1591 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

House Bill No. 1591. — A Bill for an Act to create and enact a new subsection to section 20.1-13-10 of the North Dakota Century Code, requiring an observer in a vessel towing a person on water skis or similar devices; to amend and reenact section 20.1-13-07 of the North Dakota Century Code, requiring certain minors to have an adult or boating course to operate a motorboat; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 36, nays 12, 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
• ADAMS			• GROETBERG			• NELSON		• STREIBEL
• ALBERS			• HANSON			• NETHING		• STROMME
• BAKEWELL			• HOLMBERG			• OLIN		• TALLACKSON
• BARTH			• ISLER			• PARKER	•	• TENNEFOS
• BERUBE			• LASHKOWITZ			• PETERSON		• THANE
• CHRISTENSEN, H. #5	•		• LEE			• QUAIL		• TIBBNEY
• CHRISTENSEN, R. #W			• LEIBHAN			• REDLIN		• TWETEN
• CUSSONS			• LIPS			• REITEN		• VOSPER
• DOTZENROD			• LODGEN			• ROEN		• WALSH
• DYKSHOORN			• MELLANP			• SHABLOW		• WENSTROM
• ERICKSON			• MOORE			• SOLBERG		• WRIGHT
• FRITZELL		•	• MUTCH		•	• SORUM		• MR. PRESIDENT
• GOODMAN			• NAADEN		•	• STENEHJEM		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1591 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SECOND 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.

Which has been read.

The question being on the final adoption of the resolution, as amended, House Concurrent Resolution No. 3072 was declared adopted on a voice vote.

Senator Nething moved that the vote by which House Concurrent Resolution No. 3072 was adopted, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

- Senate Bill No. 2051
- Senate Bill No. 2069
- Senate Bill No. 2070
- Senate Bill No. 2090
- Senate Bill No. 2112
- Senate Bill No. 2120
- Senate Bill No. 2166
- Senate Bill No. 2282
- Senate Bill No. 2288
- Senate Bill No. 2325
- Senate Bill No. 2339
- Senate Bill No. 2344
- Senate Bill No. 2349
- Senate Bill No. 2375
- Senate Bill No. 2383
- Senate Bill No. 2416
- Senate Bill No. 2418
- Senate Bill No. 2429

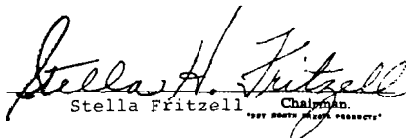
_____ were delivered to the } Governor for his approval
 on March 19, 1981.

Stella H. Fritzell
 Stella Fritzell
 Chairman

The committee on Enrollment and Engrossment respectfully reports that:

- ~~Senate Concurrent Resolution No. 4001~~
- ~~Senate Concurrent Resolution No. 4018~~
- ~~Senate Concurrent Resolution No. 4021~~
- ~~Senate Concurrent Resolution No. 4050~~
- ~~Senate Concurrent Resolution No. 4055~~
- ~~Senate Concurrent Resolution No. 4056~~
- ~~Senate Concurrent Resolution No. 4057~~
- ~~Senate Concurrent Resolution No. 4059~~
- ~~Senate Concurrent Resolution No. 4062~~
- ~~Senate Concurrent Resolution No. 4065~~
- ~~Senate Concurrent Resolution No. 4066~~
- ~~Senate Concurrent Resolution No. 4068~~
- ~~Senate Concurrent Resolution No. 4069~~
- ~~Senate Concurrent Resolution No. 4071~~
- ~~Senate Concurrent Resolution No. 4072~~
- ~~Senate Concurrent Resolution No. 4073~~
- ~~Senate Concurrent Resolution No. 4078~~
- ~~Senate Concurrent Resolution No. 4081~~
- ~~Senate Concurrent Resolution No. 4083~~
- ~~Senate Concurrent Resolution No. 4084~~

_____ were delivered to the } Secretary of State for his filing
 on March 19, 1981 (date)


 Stella Fritzell Chairman
1981 NORTH DAKOTA SENATE

SECOND READING OF HOUSE BILLS

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

Which 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 6, absent and not voting 3.

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. #W			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS		●	● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLANP			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE		●	● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH		●	● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1060 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1038. — A Bill for an Act making an appropriation for defraying the expenses of the judicial branch of the government of the state of North Dakota.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
ROLL CALL											
REGULAR SESSION									1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● 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. #W			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS		●	● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLANP			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE		●	● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH		●	● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1038 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator H. Christensen moved that House Bill No. 1572 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1572. — A Bill for an Act to provide that all county justices shall be licensed to practice law in this state; to provide that all county justice courts be made courts of record by providing for court reporter or electronic court reporter services; and to provide for appeals from county justice courts directly to the North Dakota supreme court; to create and enact section 27-01-01.1 of the North Dakota Century Code, providing for the assumption of the expenses of the district courts by the state; to amend and reenact sections 11-11-12, 27-01-05, 27-05.1-05, 27-06-02, 27-06-06, 27-06-09, 27-09.1-14, 27-18-07, 27-20-05, subsection 1 of section 27-20-07, sections 27-20-49, 29-07-01.1, and 29-32-05 of the North Dakota Century Code, relating to supplies and attendants for local courts, expenses of actions following a change of venue, family court budgets, salaries and expenses of district court reporters, transcripts in criminal actions, bailiffs of district courts, compensation

House Bill No. 1105. — A Bill for an Act to create and enact section 27-17-01.1 of the North Dakota Century Code, relating to equal benefits for all judges of the same classification; and to provide for an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 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
● ADAMS			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKWELL			● HOLMBERG			● OLIN		● TALACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. JS			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. JS			● LEIBHAN			● REDLIN		● TWETEN
● CUSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODDOEN			● ROEN		● WALSH
● DYKSHOORN			● MELLANP			● SHABLOW		● WENSTROM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		MR. PRESIDENT
● GOODMAN			● NAA DEN			● STENEHJEM		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1105 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1190. — A Bill for an Act to amend and reenact section 20.1-03-12 and subsections 6 through 9 of section 20.1-03-12 of the North Dakota Century Code, relating to the schedule of fees for licenses and permits; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 38, nays 8, absent and not voting 4.

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

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1190 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1204. — A Bill for an Act to amend and reenact sections 23-17.2-01, 23-17.2-02, 23-17.2-03, 23-17.2-04, 23-17.2-05, 23-17.2-09, 23-17.2-11, 23-17.2-13, 23-17.2-14, and 23-17.2-15 of the North Dakota Century Code, relating to the certification of need for capital expenditures, new institutional health service, and major medical equipment.

Which has been read.

ROLL CALL

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

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

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1204 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MOTION

Senator Nething moved that the Senate stand in recess for fifteen minutes, which motion prevailed.

The Senate reconvened, with President Sands presiding.

MESSAGES TO THE HOUSE

Senate Chamber

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

Senate Bill No. 2253

Senate Concurrent Resolution No. 4085

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. 1632

House Concurrent Resolution No. 3046

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. 1435

House Bill No. 1509

Very Respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

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

Senate Bill No. 2437

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. 1464

House Bill No. 1608

Very Respectfully,

LEO LEIDHOLM, Secretary
Senate Chamber

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

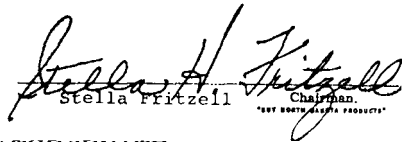
House Bill No. 1648

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Memorial Resolution No. 1
was delivered to the } Secretary of State for his filing
on March 19, 1981
(date)


Stella H. Fritzell
Chairman
"LET NORTH DAKOTA PROSPER"

MESSAGE TO THE SENATE

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

House Concurrent Resolution No. 3041

and subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

MOTIONS

Senator Goodman moved that the Senate reconsider its action whereby it did not concur with the House amendments to Senate Bill No. 2239, which motion prevailed.

Senator Moore moved that the Senate do concur in the House amendments to Senate Bill No. 2239, as printed on page 1441 of the Senate Journal, which motion prevailed.

Senator Goodman moved that the rules be suspended, that Senate Bill No. 2239 be deemed properly 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. 2239. — A Bill for an Act to create and enact a new section to chapter 57-61 of the North Dakota Century Code to provide an exemption for coal used for space heating purposes and for coal used by the state and political subdivisions.

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 31, nays 17, 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. JS			• LEE			• QUAIL		•	• TIERNEY		•
• CHRISTENSEN, R. FM			• LEIBMAN			• REDLIN			• TWETEN		•
• CUSSONS			• LIPS			• REITEN			• VOSPER		•
• DOTENROD		•	• LODDEN			• ROEN			• WALSH		•
• DYKSHOORN			• MELLAN			• SHARLOW		•	• WENSTROM		•
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		•
• FRITZELL			• MUTCH		•	• SORUM			• MR. PRESIDENT		•
• GOODMAN			• NAAEN			• STENEHEM					

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1418. — A Bill for an Act to create a department of human services; to amend and reenact sections 25-01-01.1, 25-02-04, 25-02-09, 25-10-01, 25-10-04, 25-12-02, 27-21-01, subsection 5 of section 39-08-01, section 50-01.1-01, subsection 1 of section 50-01.1-04, sections 50-06-01, 50-06-01.1, 50-06-05.1, 50-06-06.2, 50-06.1-01, subsection 1 of section 50-09-01, sections 50-10-01, 50-24.1-03, 50-26-01, 50-26-04, subsection 1 of section 54-07-01.2, sections 54-38-01, 54-38-05, 54-40-09, 54-42-06, and 54-44.3-19 of the North Dakota Century Code, relating to the developmental disabilities council, the superintendent of the state hospital, care of patients at the state hospital, the mental health and retardation division of the state health department, local mill levy for support of mental health and retardation service units, the state youth authority, penalty for driving under the influence of intoxicating liquors or controlled substances, definitions of state and county social service boards, the creation of multicounty welfare districts, powers and duties of the social service board, use of federal funds for clinic services, the division of vocational rehabilitation, definition of state agency for administration of aid to dependent children, definition of state agency for aid to crippled children, county share of medical assistance, the governor's council on human resources, governor's power to appoint majority of certain board members, the division on alcoholism and drug abuse, human service centers, agencies subject to the merit system, and authority of merit system board to provide service to cities and political subdivisions; to repeal sections 1-01-48, 25-10-05, 25-12-01, 25-12-02, 25-12-03, 25-12-04, 25-12-05, 50-06-02, 50-06-03, 50-06-03.1, 50-06-04, 50-06-07, 50-06-08, 50-06-09, 50-06-10, 50-06-13, 54-40-10, and 54-40-11 of the North Dakota Century Code, relating to the division of child welfare, mental health and retardation service units, members of the social service board, the executive director of the social service board, report of the social service board to the governor, certification for human service centers, and collocation of human service centers with county social service boards; authorizing the legislative council to make some statutory revisions; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 39, nays 7, absent and not voting 4.

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. #34	● LEIBMAN	● REDLIN	● TWETEN
● CUSSONS	● LIPS	● REITEN	● VOSPER
● DOTZENROD	● LODDEN	● ROEN	● WALSH
● DYKSHOORN	● MELLAN	● SHABLOW	● WENSTROM
● ERICKSON	● MOORE	● SOLBERG	● WRIGHT
● FRITZELL	● MUTCH	● SORUM	● MR. PRESIDENT
● GOODMAN	● NAAEDN	● STENEHJEM	

So the bill passed and the title was agreed to.

Senator Nothing moved that the vote by which House Bill No. 1418 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1466. — A Bill for an Act to provide an appropriation to the North Dakota state water commission in cooperation with the Red River joint water resource board for the purpose of the investigation, development, preliminary engineering analysis, estimate of costs and construction of flood control projects and related works in the Red River watershed in North Dakota.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION						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			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBMAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAN			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAAEDN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senator Nothing moved that the vote by which House Bill No. 1466 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1653. — A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to the salaries of judges of county courts of increased jurisdiction.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 42, nays 7, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						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			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBMAN			● REDLIN			● TWETEN		
● CUSSONS		●	● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAN			● SHABLOW			● WENSTROM		

• ERICKSON	• MOORE	• SOLBERG	• WRIGHT
• FRITZELL	• MUTCH	• SORUM	MR. PRESIDENT
• GOODMAN	• NAADEN	• STENEHJEM	

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1653 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed. MOTION

Senator Peterson moved that House Bill No. 1332 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1332. — A Bill for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, providing a minimum fine for persons under twenty-one years of age who purchase or possess alcoholic beverages or enter licensed premises where alcoholic beverages are sold or displayed.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 33, nays 16, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON		•	• NETHING			• STROMME		•
• 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. 1072. — A Bill for an Act to amend and reenact section 54-46.1-01 of the North Dakota Century Code, relating to the central microfilm unit.

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 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			• 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.

Senator Nething moved that the vote by which House Bill No. 1072 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1292. — A Bill for an Act to amend and reenact subdivision b of subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to county bonds issued for the construction, enlargement, or repair of bridges.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	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. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● HUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAAEN			● STENEHEJM					

So the bill passed and the title was agreed to.

MOTION

Senator Tierney moved that House Bill No. 1293 be laid over one legislative day, which motion prevailed.

House Bill No. 1343. — A Bill for an Act to amend and reenact section 18-02-07 of the North Dakota Century Code, relating to aid, contracts, and cooperation between the state forester and other entities; and to provide an appropriation.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	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. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● HUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAAEN			● STENEHEJM					

So the bill passed and the title was agreed to.

House Bill No. 1373. — A Bill for an Act to provide limitations on increases or forced reductions in property taxes levied by taxing districts for certain years; and declaring an emergency.

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

ROLL CALL

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

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

House Bill No. 1373 was declared lost.

House Bill No. 1384. — A Bill for an Act to create and enact a new subsection to section 28-33-02 of the North Dakota Century Code, relating to when an interpreter is required for deaf persons.

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 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
ADAMS ●			GROTBERG			NELSON	●	STREIBEL
ALBERS ●			HANSON			NETHING	●	STORMME
BAKEWELL		●	HOLMBERG		●	OLIN	●	TALLACKSON
BARTH	●		ISZLER		●	PARKER	●	TENNEFOS
BERUBE ●			LASHKOWITZ	●		PETERSON	●	THANE
CHRISTENSEN, H. JS		●	LEE	●		QUAIL	●	TIERNEY
CHRISTENSEN, R. JW		●	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. 1395. — A Bill for an Act to amend and reenact section 20.1-03-07.1 of the North Dakota Century Code, relating to authorization for nonresidents to hunt waterfowl in specified hunting zones, and removing time limits on nonresident waterfowl hunting licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 38, nays 9, 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
ADAMS ●			GROTBERG			NELSON	●	STREIBEL
ALBERS		●	HANSON			NETHING	●	STORMME
BAKEWELL		●	HOLMBERG		●	OLIN	●	TALLACKSON
BARTH	●		ISZLER		●	PARKER	●	TENNEFOS
BERUBE ●			LASHKOWITZ	●		PETERSON	●	THANE
CHRISTENSEN, H. JS		●	LEE	●		QUAIL	●	TIERNEY
CHRISTENSEN, R. JW		●	LEIBHAN	●		REDLIN	●	TWETEN
CUSSONS		●	LIPS	●		REITEN	●	VOSPER
DOTZENROD	●		LODOEN	●		ROEN	●	WALSH
DYKSHOORN	●		MELLAND	●		SHABLOW	●	WENSTROM
ERICKSON		●	MOORE	●		SOLBERG	●	WRIGHT
FRITZELL		●	MUTCH	●		SORUM		MR. PRESIDENT
GOODMAN		●	NAADEN	●		STENEHJEM	●	

So the bill passed and the title was agreed to.

MOTION

Senator Holmberg moved that House Bill No. 1450 be laid over one legislative day, which motion prevailed.

House Bill No. 1463. — A Bill for an Act to amend and reenact subsection 2 of section 40-58-20 of the North Dakota Century Code, relating to the assessment of property in an urban renewal area for the purpose of tax increment financing; and to provide retroactive application.

Which has been read.

ROLL CALL

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

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			● STENEHEJEM					

So the bill passed and the title was agreed to.

House Bill No. 1520. — A Bill for an Act to create and enact a new section to chapter 20.1-03 of the North Dakota Century Code, relating to the requirement of a habitat restoration stamp for resident and nonresident small game hunting licenses and for the use of stamp revenue for wildlife habitat and propagation restoration in the state.

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.

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			● STENEHEJEM					

So the bill passed and the title was agreed to.

House Bill No. 1571. — A Bill for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the exclusion of prepaid funeral plans in medical assistance eligibility determinations.

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
ADAMS ●			GROTBERG ●			NELSON ●		STREIBEL ●
ALBERS ●			HANSON ●			NETHING ●		STROMME ●
BAKEWELL ●			HOLMBERG ●			OLIN ●		TALLACKSON ●
BARTH ●			ISZLER ●			PARKER ●		TENNEFOS ●
BERUBE ●			LASKOWITZ ●			PETERSON ●		THANE ●
CHRISTENSEN, H. #5 ●			LEE ●			QUAIL ●		TIERNEY ●
CHRISTENSEN, R. #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. 1605. — A Bill for an Act to provide a statement of legislative intent; and to create and enact a new section to chapter 5-03 of the North Dakota Century Code to provide for distribution of the liquor tax for the 1981-83 biennium to the state general fund and to the native American alcohol abuse education fund which latter fund is to be distributed to alcohol abuse education programs on Indian reservations in North Dakota.

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 22, nays 26, 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 ●			LASKOWITZ ●			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 ●		

House Bill No. 1605 was declared lost.

Report of Procedural Committee

MR. PRESIDENT:

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

- House Bill No. 1006
- House Bill No. 1022
- House Bill No. 1023
- House Bill No. 1024
- House Bill No. 1033
- House Bill No. 1036
- House Bill No. 1051
- House Bill No. 1444
- House Bill No. 1529

and find the same correctly Re- Engrossed

Stella H. Fritzell

 Stella Fritzell, Chairman

Senator Dotzenrod

moved that the report be adopted, which motion prevailed.

MR. PRESIDENT:

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

House Bill No. 1005

and find the same correctly } Engrossed

Stella H. Fritzell
Stella Fritzell
Chairman

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

SECOND READING OF HOUSE BILLS

House Bill No. 1619. — A Bill for an Act to require expert opinion before initiating an action based upon medical professional negligence, except in obvious cases.

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 31, nays 17, 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
•			•			•					•
	•		•	GROTEBERG		•	NELSON				•
		•	•	HANSON		•	NETHING			•	STROMME
				HOLMBERG	•		OLIN			•	TALLACKSON
		•		ISZLER	•		PARKER	•		•	TENNEFOS
				LASHKOWITZ		•	PETERSON			•	THANE
	•		•	LEE		•	QUAIL			•	TIERNEY
•	CHRISTENSEN, H. #5			LEIBHAN	•		REDLIN	•			TWETEN
•	CHRISTENSEN, R. #36			LIPS		•	REITEN			•	VOSPER
•	CUSONS			LODOEN		•	ROEN				WALSH
•	DOTZENROD			MELLAND		•	SHABLOW				WESTROM
•	DYKSHORN	•		MOORE	•		SOLBERG	•			WRIGHT
•	ERICKSON			MUTCH		•	SORUM				MR. PRESIDENT
•	FRITZELL			NAADEN	•		STENEHEIM	•			
•	GOODMAN										

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has reconsidered its action by which it did not concur with the House amendments to Senate Bill No. 2239, and has now concurred with the House amendments to Senate Bill No. 2239, and has dissolved the Senate conference committee on same.

Very Respectfully,

LEO LEIDHOLM, Secretary

SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

- Senate Bill No. 2113
- Senate Bill No. 2251
- Senate Bill No. 2296
- Senate Bill No. 2299
- Senate Bill No. 2354
- Senate Bill No. 2378
- Senate Bill No. 2381
- Senate Bill No. 2413
- Senate Bill No. 2423
- Senate Concurrent Resolution No. 4047
- Senate Concurrent Resolution No. 4053
- Senate Concurrent Resolution No. 4082

LEO LEIDHOLM, Secretary
MESSAGE TO THE HOUSE
Senate Chamber

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

Senate Bill No. 2113
Senate Bill No. 2251
Senate Bill No. 2296
Senate Bill No. 2299
Senate Bill No. 2354
Senate Bill No. 2378
Senate Bill No. 2381
Senate Bill No. 2413
Senate Bill No. 2423
Senate Concurrent Resolution No. 4047
Senate Concurrent Resolution No. 4053
Senate Concurrent Resolution No. 4082

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

LEO LEIDHOLM, Secretary

MOTIONS

Senator Nothing moved that House Bill No. 1626 be laid over one legislative day, which motion prevailed.

Senator Stenehem moved that House Bill No. 1061 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1061 — A Bill for an Act to amend and reenact sections 4-16-09, 4-30-54, 11-03-08, 11-05-16, 11-08-06, 11-08-07, subsection 1 of section 11-08-08, sections 11-08-11, 11-08-13, 11-08-14, 11-09-22, 11-10-02, subsection 8 of section 11-10-06, subsections 2 and 4 of section 11-10-10, sections 11-11-10, 11-15-10, subsection 2 of section 11-17-01, subsection 18 of section 11-17-04, subsection 1 of section 11-17-08, sections 11-19-08, 11-19-13, 11-19-14, 11-19-15, 11-30-16, 12-45-01, 12-46-13, 12-51-07, 12-53-05, 12-53-13, 12-60-13.1, 12.1-01-04, 14-03-09, 15-22-06, 18-02-09, 19-01-12, 23-05-06, 23-07.1-08, 23-07.1-09, 23-07.1-10, 24-06-05, 24-07-22, 24-07-24, 24-07-25, 24-07-28, subsections 2 and 8 of section 25-03.1-02, sections 25-03.1-03, 25-03.1-29, 27-01-01, 27-02-11, 27-02-13, subsection 4 of section 27-05-06, sections 27-06-08, 27-08.1-01, 27-08.1-03, 27-08.1-08, 27-08.2-01, 27-15-01, 27-15-02, 27-15-10, subsection 2 of section 27-23-01, sections 27-23-02, 28-20-19, 28-20-22, 28-26-07, 28-26-19, 29-01-01, subsection 4 of section 29-01-09, sections 29-01-14, 29-01-15, 29-02-13, 29-05-31, 29-07-06, 29-10.1-38, 29-22-01, 29-22-02, subsection 6 of section 30.1-01-06, sections 31-01-16, 31-01-18, 31-01-19, 31-09-05, 31-09-06, 31-09-07, 32-22-18, 32-24-01, 32-29-05, 33-06-01, 33-06-03, 33-06-04, 36-01-17, 36-01-18, 36-11-10, 36-11-11, 39-06-16, subsection 7 of section 39-06.1-03, sections 40-13-02, 40-18-01, 40-18-03, 40-18-14, 40-18-19, 42-01-07, 42-03-01, 42-03-03, 44-05-01, 44-08-09, 44-09-01, 44-11-12, 46-04-01, 46-04-05, 47-19-14, and 47-19-37 of the North Dakota Century Code, changing references in the North Dakota Century Code to county court of increased jurisdiction, county judges with increased jurisdiction, county justice court, and county justices to county court and county judge, and to require that certain district court expenses be paid by the state; to repeal sections 27-20.05.1 and 28-26-03 of the North Dakota Century Code, relating to county juvenile supervisors and costs on appeal from a county justice; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 43, nays 4, absent and not voting 3.

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

So the bill passed and the title was agreed to.

Senator Nothing moved that the vote by which House Bill No. 1061 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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

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

ROLL CALL

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

NORTH DAKOTA SENATE									1981 LEGISLATURE		
REGULAR SESSION						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. #W			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS		•	• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

House Bill No. 1068 was declared lost.

MOTION

Senator Tennefos moved that House Bills Nos. 1306 and 1357 be laid over one legislative day, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

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

House Concurrent Resolution No. 3039

House Concurrent Resolution No. 3049

House Concurrent Resolution No. 3051

and subsequently passed the same.

Very respectfully,

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. 1076

House Bill No. 1108

House Bill No. 1077

House Bill No. 1145

House Bill No. 1084

ERICKSON ●	MOORE ●	SOLBERG ●	WRIGHT ●
FRITZELL ●	MUTCH ●	SORUM ●	MR. PRESIDENT
GOODMAN ●	NAADEN ●	STENEHJEM ●	

House Concurrent Resolution No. 3035 was declared adopted.

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

Which has been read.

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes 38, nays 8, absent and not voting 4.

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

House Concurrent Resolution No. 3036 was declared adopted.

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

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

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3034 was declared lost on a voice vote.

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 second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3045 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3048 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3050 was declared adopted on a voice vote.

House Concurrent Resolution No. 3055. — A concurrent resolution to create a new article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal the present article IV of

the Constitution of the State of North Dakota, relating to the legislative assembly; and to provide an effective date.

STATEMENT OF INTENT

This amendment creates a new article to the constitution providing for a legislative assembly that consists of a senate and house of representatives and establishes terms of office and the number of allowable legislators in each house. Provides for qualifications of legislators, legislative district organization, and reorganization based on one-man one-vote principles, legislative procedures, and restrictions upon legislators serving in other state offices.

The amendment also repeals the present article IV of the Constitution of the State of North Dakota, and provides that these changes will take effect on December 1, 1984.

Was read the second time.

Senator Holmberg moved that House Concurrent Resolution No. 3055 be amended as follows:

On page 1 of the engrossed resolution, line 24, delete the word "November"

On page 2 of the engrossed resolution, line 19, delete the word "any" and insert in lieu thereof the word "a"

On page 3 of the engrossed resolution, line 6, delete the word "three-fourths" and insert in lieu thereof the word "two-thirds"

And renumber the lines accordingly

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

Senator Holmberg moved that the rules be suspended, that House Concurrent Resolution No. 3055 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

House Concurrent Resolution No. 3055. — A concurrent resolution to create a new article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; to repeal the present article IV of the Constitution of the State of North Dakota, relating to the legislative assembly; and to provide an effective date.

STATEMENT OF INTENT

This amendment creates a new article to the constitution providing for a legislative assembly that consists of a senate and house of representatives and establishes terms of office and the number of allowable legislators in each house. Provides for qualifications of legislators, legislative district organization, and reorganization based on one-man one-vote principles, legislative procedures, and restrictions upon legislators serving in other state offices.

The amendment also repeals the present article IV of the Constitution of the State of North Dakota, and provides that these changes will take effect on December 1, 1984.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes 42, nays 5, absent and not voting 3.

NORTH DAKOTA SENATE											
ROLL CALL											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●		GROTBORG		●	NELSON		●	STREIBEL	
●	ALBERS		●	HANSON		●	NETHING		●	STRONME	
●	BAKEWELL		●	HOLMBERG		●	OLIN		●	TALLACKSON	
●	BARTH		●	ISZLER		●	PARKER		●	TENNEFOS	
●	BERUBE		●	LASKOWITZ		●	PETERSON		●	THANE	
●	CHRISTENSEN, H. IS		●	LEE		●	QUAIL	●	●	TIERNEY	

● CHRISTENSEN, R. FN	● LEIBMAN	● REDLIN	● TWETEN
● CUSSONS	● LIPS	● REITEN	● VOSPER
● DOTZENROD	● LODOEN	● ROEN	● WALSH
● DYKSHOORN	● MELLAND	● SHABLOW	● WENSTROM
● ERICKSON	● MOORE	● SOLBERG	● WRIGHT
● FRITZELL	● MUTCH	● SORUM	MR. PRESIDENT
● GOODMAN	● NAADEN	● STENENJEM	

House Concurrent Resolution No. 3055 was declared adopted.

Senator Nething moved that the vote by which House Concurrent Resolution No. 3055 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3056 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3058 was declared adopted on a voice vote.

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 second time

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3062 was declared adopted on a voice vote.

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 second time.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3063 was declared lost on a division vote for lack of a majority vote.

MOTIONS

Senator Tennesfos moved that the Senate reconsider the action whereby House Concurrent Resolution No. 3063 lost, which motion lost for lack of a majority vote.

Senator Nething moved that House Concurrent Resolution No. 3069 be laid over one legislative day, which motion prevailed.

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 second time and has committee recommendation of do not pass.

The question being on the final adoption of the resolution, House Concurrent Resolution No. 3073 was declared lost on a voice vote.

House Concurrent Resolution No. 3081. — A concurrent resolution providing for the completion of the legislative journals of the House and the Senate.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes 45, nays, 0, absent and not voting 5.

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● ADAMS						● GROTEBERG			● NELSON			● STREIBEL					
● ALBERS			● HANSON						● NETHING			● STROMME					
● BAKWELL			● HOLMBERG						● OLIN			● TALLACKSON					
● BARTH			● ISZLER			● PARKER			● PETERSON			● TENNEFOS					
● BERUBE			● LASHKOWITZ			● PETERSON			● QUAIL			● THANE					
● CHRISTENSEN, H. 15			● LEE			● REDLIN			● REITEN			● TIERNEY					
● CHRISTENSEN, R. 136			● LEIBMAN			● ROEN			● SHABLOW			● TWETEN					
● CUSSONS			● LIPS			● SOLBERG			● SORUM			● VOSPER					
● DOTZENROD			● LODGEN			● STENEHJEM						● WALSH					
● DYKSHOORN			● MELLAND						● WENSTROM			● WRIGHT					
● ERICKSON			● MOORE						● WRIGHT			● MR. PRESIDENT					
● FRITZELL			● MUTCH														
● GOODMAN			● NAADEN														

House Concurrent Resolution No. 3081 was declared adopted.

MOTION

Senator Nething moved that the conference committee on Senate Bill No. 2239 be dissolved, which motion prevailed.

Report of Standing Committee

Mr. PRESIDENT Your Committee on JOINT CONSTITUTIONAL REVISION
SENATE CONCURRENT
 to whom was referred RESOLUTION No. 4088

Has had the same under consideration and recommends that the same

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

On page 1, line 21, delete the word "general" and insert in lieu thereof "primary"

And when so amended recommends the same do pass.

Wenstrom Co-Chairman Swiontek Co-Chairman
 SENATE Sen. Wenstrom Rep. Swiontek
 CONCURRENT RESOLUTION No. 4088 was placed on the 6th

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

Mr. President Your Committee on Judiciary
 to whom was referred Senate Concurrent Resolution 4089

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. Christensen Chairman
 Sen. H. Christensen
 Senate Concurrent Resolution No. 4089 was placed on the eleventh

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

Mr. President Your Committee on Appropriations
to whom was referred House Bill No. 1040

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 3, after the word "Dakota" and before the period insert the following: "; and to amend and reenact section 20.1-02-17.2 of the North Dakota Century Code, relating to lands acquired by the game and fish department"

On page 1 of the engrossed bill, line 15, delete the numerals "5,321,590" and insert in lieu thereof the numerals "5,156,222"

On page 1 of the engrossed bill, line 16, delete the numerals "2,621,925" and insert in lieu thereof the numerals "2,646,925"

On page 1 of the engrossed bill, line 19, delete the numerals "745,850" and insert in lieu thereof the numerals "945,850"

On page 1 of the engrossed bill, line 21, delete the numerals "110,000" and insert in lieu thereof the numerals "135,000"

On page 1 of the engrossed bill, line 25, delete the numerals "11,312,657" and insert in lieu thereof the numerals "11,397,289"

On page 1 of the engrossed bill, after line 25, insert the following new section:

"SECTION 2. HABITAT RESTORATION - APPROPRIATION. There is hereby appropriated the sum of \$505,000, or such lesser amounts as may be collected pursuant to House Bill No. 1520, to the game and fish department to lease privately owned lands for wildlife habitat to reestablish wildlife population during the biennium beginning July 1, 1981, and ending June 30, 1983. These funds shall be spent only for purposes and utilizing guidelines as outlined in House Bill No. 1520."

On page 1 of the engrossed bill, delete lines 26 through 28

On page 2 of the engrossed bill, delete lines 1 through 7

On page 2 of the engrossed bill, after line 21, insert the following:

"SECTION 5. AMENDMENT. Section 20.1-02-17.2 of the 1979 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-02-17.2. LANDS ACQUIRED BY GAME AND FISH DEPARTMENT ~~TO QUALIFY AS GARRISON DIVERSION MITIGATION LANDS. Lands Any lands to be acquired by the game and fish department shall qualify as mitigated acres (hectares) required by the federal fish and wildlife service in regard to the Garrison Diversion Project first be presented to the appropriate federal agency for consideration as mitigation and enhancement acreage for federally assisted projects.~~"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment reduces the salaries and wages line item of the Game and Fish Department by \$165,368 which is the amount included to fund a noncontributory state employee retirement program.

This amendment increases the operating expenses line item by \$25,000,

JOURNAL OF THE SENATE

the capital improvements line item by \$200,000, and noxious weed contro line item by \$25,000 for the following enhancements:

Operating Expenses:

Trees	\$10,000
Seed, grass, etc.	10,000
Signs	5,000
Total	<u>\$25,000</u>

Capital Improvements - Wildlife Development:

Roads and trails	\$ 62,000
Feeders and grain bins	13,000
Fences	25,000
Total	<u>\$100,000</u>

Capital Improvements - Fishing Areas:

Bank erosion control	\$ 10,000
Hypolymnetic drawdowns for water quality improvement	14,000
Roads and trails	15,000
Parking lots	5,000
Toilets	6,000
Dam repair	50,000
Total	<u>\$100,000</u>

Noxious weed control - chemicals \$ 25,000

This amendment also adds a new section appropriating \$505,000 to be collected pursuant to House Bill No. 1520 to be spent for restoration of wildlife habitat.

It also amends Section 20.1-02-17.2 to provide that any lands acquired by the Game and Fish Department shall first be presented to the appropriate federal agency for consideration as mitigation and enhancement acreage for federally assisted projects.

And when so amended recommends the same do pass.

Senator Lips Chairman

House Bill No. 1040 was placed on the 6th

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

Mr. President Your Committee on Appropriations

to whom was referred House Bill No. 1083

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 Lips Chairman

House Bill No. 1083 was placed on the 14th

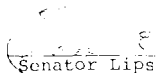
order of business on the calendar for the succeeding legislative day.

Mr. President Your Committee on Appropriations

to whom was referred ___ House ___ Bill No. 1243

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 Lips Chairman

House ___ Bill No. 1243 was placed on the 14th

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

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

Senator Nething moved that at the conclusion of the 5th Order of Business and after the reading of SCR No. 4089, House Bills Nos. 1006, 1033, 1036, 1083, 1243, 1293, 1306, 1357, 1450, 1529, and 1626, and HCR 3069, the Senate adjourn and convene at 9:00 a.m., Friday, March 20, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary