

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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SIXTH DAY

Bismarck, January 11, 1983

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

The prayer was offered by Rev. Don Bentz, Faith Lutheran Church, Bismarck.

Almighty God, You have given us this good land as our heritage. Make us always remember Your generosity and constantly do Your will. Bless our land with honest industry, truthful education, and an honorable way of life. Save us from violence, discord, and confusion; from pride and arrogance, and from every evil course of action. Make us a united people. Defend our liberties and give those whom we have entrusted with the authority of government the spirit of wisdom, that there might be justice and peace in our land. When times are prosperous, let our hearts be thankful; and, in troubled times, do not let our trust in You fail. We ask all this through Jesus Christ our Lord.

ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

MR. PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifth day and finds the same to be correct.

SEN. TWETEN, Chairman

SEN. J. MEYER MOVED that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SB 2029, SB 2065, SB 2085, SB 2103, SB 2110, SB 2113,
SB 2121

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

HB 1012, HB 1064, HB 1137, HB 1139, HB 1155

Very respectfully,
CHARLES FLEMING, Chief Clerk

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2052 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

SB 2052 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2053 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2053 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2056 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2056 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2058 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 line 16 after the word "his" overstrike the word "post-office" and insert immediately thereafter the words "residential mailing" and after the word "address" overstrike the words ", telephone number if he has one,"

On page 2 delete lines 21 through 26, and insert in lieu thereof "each signature contained on the attached petition was executed in my presence; and that to the best of my knowledge and belief each person whose signature appears on the attached petition is a qualified elector; and that each signature contained on the attached petition is the genuine signature of the person whose name it purports to be."

On page 3 line 7 after the word "and" delete the word "post-office" and insert in lieu thereof the words "residential mailing."

Any renumber the lines accordingly.

SEN. CHRISTENSEN, Chairman

SB 2058 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2061 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Vice Chairman

SB 2061 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2081 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2081 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2089 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SB 2089 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2090 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SB 2090 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2091 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SB 2091 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2097 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2097 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2102 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2102 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2111 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2111 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2112 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2112 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2124 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. STENEHJEM, Vice Chairman

SB 2124 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2126 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. STENEHJEM, Vice Chairman

SB 2126 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2129 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 11, remove the overstrike over the words "~~not to exceed~~" and "~~dollars~~"

On page 1, line 11, after the overstruck word "~~two~~" insert the word "five"

On page 1, after line 24, insert the following new language:

"g. The fee for each additional copy of the same document, requested at the same time, may not exceed two dollars."

On page 1, line 26, remove the overstrike over the words "general fund of this state,"

On page 1, line 27, remove the overstrike

On page 1, delete line 28

On page 2, delete line 1

On page 2, line 2, delete the word "assembly"

On page 2, line 7, overstrike the word "two" and insert immediately thereafter the word "five"

On page 2, line 7, after the comma overstrike the words "for each certified copy" and immediately thereafter insert the following language: "for the first certified copy, and not to exceed two dollars for each additional certified copy of the same document requested at the same time"

And renumber the lines accordingly

SEN. WRIGHT, Chairman

SB 2129 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2130 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2130 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Education to which was referred SB 2188 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

SB 2188 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Education to which was referred SB 2192 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

SB 2192 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2195 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 22, delete the word "man" and insert in lieu thereof the word "person"

On page 2, line 6, after the period insert the following sentence: "Where feasible, such developments should avoid disturbance of prehistoric graves."

And renumber the lines accordingly

SEN. WRIGHT, Chairman

SB 2195 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Education to which was referred SB 2199 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

SB 2199 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

Sen. Lips introduced:

SB 2279: A BILL for an Act to amend and reenact section 26-08-11 of the North Dakota Century Code, or in the alternative to amend and reenact section 26.1-05-19 of the North Dakota Century Code as amended by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to authorized investments for domestic insurance companies.

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

Sen. Lips introduced:

SB 2280: A BILL for an Act to amend and reenact section 26-08-10 of the North Dakota Century Code, or in the alternative to amend and reenact section 26.1-05-18 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to directors authorizing the investment of funds and prohibited investment practices by domestic insurance companies.

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

Sen. Tallackson and Rep. Kingsbury introduced:

SB 2281: A BILL for an Act to authorize the director of institutions to enter into a ninety-nine year lease with the city of Grafton for land for a fire station, and providing that the lease shall terminate if the city ceases to use the property as a fire station; and to declare an emergency.

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

Sen. Wright introduced:

SB 2282: A BILL for an Act to amend and reenact sections 4-08-15 and 4-08-15.1 of the North Dakota Century Code, or in the alternative to amend and reenact subsections 4 and 5 of section 55 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, relating to county mill levys for county agent work.

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

Sen. Lips introduced:

SB 2283: A BILL for an Act to amend and reenact section 26-08-11.1 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 6 of section 26.1-05-19 of the North Dakota Century Code as created by House Bill No. 1054, relating to investments in a data processing system by domestic insurance companies.

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

Sen. Lips introduced:

SB 2284: A BILL for an Act to amend and reenact sections 10-30-06, 10-30-08, and 10-30-09 of the North Dakota Century Code, relating to state development corporations.

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

Sen. Lips introduced:

SB 2285: A BILL for an Act to create and enact two new sections to chapter 24-02 of the North Dakota Century Code, relating to the method of filing claims under a highway contract performance bond; and to amend and reenact section 48-02-17 of the North Dakota Century Code, relating to when claims are barred against contractor and surety including public buildings.

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

FIRST READING OF HOUSE BILLS

HB 1107: A BILL for an Act to create and enact a new subsection to section 54-52-01 of the North Dakota Century Code, relating to the definition of the phrase "account balance"; and to amend and reenact subsections 7 and 8 of section

54-52-17 of the North Dakota Century Code, relating to distribution of account balances.
Was read the first time and referred to the Committee on State and Federal Government.

HB 1108: A BILL for an Act to amend and reenact subsection 6 of section 54-52-17 of the North Dakota Century Code, relating to the benefits payable to a surviving spouse.
Was read the first time and referred to the Committee on State and Federal Government.

HB 1123: A BILL for an Act to amend and reenact section 15-11-19 of the North Dakota Century Code, relating to the library of the law college.
Was read the first time and referred to the Committee on Education.

HB 1171: A BILL for an Act to amend and reenact sections 12-47-03, 12-48.1-02, 12-54.1-03, 39-01-02, and 54-21-25 of the North Dakota Century Code, relating to the service of process in the penitentiary by law enforcement officers or the warden's designee, short leaves for state farm inmates, good time for penitentiary inmates as a control and security measure, penitentiary vehicles and cars, contracts for services with private or other correctional facilities, and the exchange and transfer of prisoners.
Was read the first time and referred to the Committee on Judiciary.

HB 1212: A BILL for an Act to amend and reenact section 16.1-12-07 of the North Dakota Century Code, relating to filing deadline to withdraw from a nomination.
Was read the first time and referred to the Committee on Judiciary.

MOTION

SEN. CHRISTENSEN MOVED that SB 2137 be returned to the Senate floor from the Committee on Judiciary, which motion prevailed.

SEN. CHRISTENSEN REQUESTED the unanimous consent of the Senate to withdraw SB 2137. There being no objection, it was so ordered by the President.

MOTION

SEN. WRIGHT MOVED that SB 2167 be returned to the Senate floor from the Committee on Social Services and Veterans Affairs, which motion prevailed.

SEN. WRIGHT REQUESTED the unanimous consent of the Senate to withdraw SB 2167. There being no objection, it was so ordered by the President.

MOTION

SEN. PETERSON MOVED that SB 2047 which is on the Eleventh order of business today be referred back to the Committee on Education, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2043: A BILL for an Act to amend and reenact sections 15-52-16, 15-52-17, 15-52-18, 15-52-20, and 15-52-22 of the North Dakota Century Code, relating to the medical center loan fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 44 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Miller Heinrich; Hilken; Holmberg; Kilander; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Meyer, D.; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Barth; Dotzenrod; Heigaard; Krauter; Kusler; Maixner; Matchie; Meyer, J.; Moore

ABSENT AND NOT VOTING: None

SB 2043 passed and the title was agreed to.

SB 2048: A BILL for an Act to create and enact a new section to chapter 15-53.1 of the North Dakota Century Code, relating to mill levy authorizations for reorganized school districts; and to amend and reenact sections 15-53.1-22 and 15-53.1-25 of the North Dakota Century Code, relating to the inclusion of a proposed mill levy in the special election regarding a reorganization plan.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2048 passed and the title was agreed to.

SB 2051: A BILL for an Act to amend and reenact section 6-03-38, subsection 11 of section 6-06-06, and section 7-02-14 of the North Dakota Century Code, relating to the powers of banks, credit unions, and savings and loan associations, and granting the supervisory body of each the power to authorize any activity each institution could engage in if federally chartered.

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 0 YEAS, 53 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grothberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: None

SB 2051 was declared lost.

SB 2060: A BILL for an Act to amend and reenact section 12.1-17-04 of the North Dakota Century Code, relating to the crime of terrorizing.

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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman;

Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2060 passed and the title was agreed to.

SB 2063: A BILL for an Act to amend and reenact section 54-35-02.4 of the North Dakota Century Code, relating to the powers and duties of the committee on public employees retirement programs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2063 passed and the title was agreed to.

SB 2064: A BILL for an Act to amend and reenact sections
 61-05-01, 61-05-03, 61-05-07, 61-05-08, 61-05-10, 61-05-13,
 61-05-14, 61-05-15, 61-05-20, 61-06-01, 61-06-09, 61-06-10,
 61-06-13, 61-06-15, 61-06-17, 61-06-21, 61-06-22, 61-07-01,
 61-07-03, 61-07-04, 61-07-08, 61-07-09, 61-07-15, 61-07-16,
 61-07-18, 61-07-19, 61-07-20, 61-07-33, 61-08-05, 61-08-12,
 61-08-25, 61-08-32, 61-09-01, 61-09-02, 61-09-03, 61-09-13,
 61-09-20, 61-10-01, 61-10-05, 61-10-12, 61-10-25, 61-10-26,
 61-10-32, 61-10-33, 61-10-38, 61-11-03, 61-11-05, 61-11-08,

61-11-11, 61-11-13, 61-13-02, 61-14-01, 61-14-03, 61-14-07, 61-14-08, 61-14-09, and 61-14-15 of the North Dakota Century Code, relating to the organization, government, powers, fiscal affairs, boundaries, and dissolution of irrigation districts, assessments in irrigation districts, flood irrigation districts, organization of corporations for irrigation purposes, and general rules governing irrigation; and to repeal section 61-10-16 of the North Dakota Century Code, relating to exclusion of lands from an irrigation district; 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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2064 passed and the title was agreed to.

SB 2075: A BILL for an Act to amend and reenact sections 1-03-01 and 1-03-02 of the North Dakota Century Code, relating to holidays and to when the day following the holiday shall be a holiday; and to declare an emergency.

Which has been read and has committee recommendation of DO NOT PASS.

MOTION

SEN. BARTH MOVED that SB 2075 be amended as follows:

On page 1 of the bill, line 3, delete the semi-colon and insert a period, and delete the remainder of the line.

On page 1, line 4, delete the word "emergency"

On page 2, delete lines 11 through 13.

MOTION

SEN. BARTH MOVED that the amendments be adopted, which motion prevailed.

MOTION

SEN. BARTH MOVED that the rules be suspended, that SB 2075 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SB 2075: A BILL for an Act to amend and reenact sections 1-03-01 and 1-03-02 of the North Dakota Century Code, relating to holidays and to when the day following the holiday shall be a holiday.

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 22 YEAS, 31 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Dotzenrod; Grotberg; Heigaard; Hilken; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Maixner; Meyer, D.; Meyer, J.; Peterson; Redlin; Stromme; Tallackson; Vosper; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Miller Heinrich; Holmberg; Kilander; Lips; Lodoen; Matchie; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Reiten; Satrom; Stenehjelm; Streibel; Tennefos; Thane; Todd; Tweten; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2075 was declared lost.

SB 2086: A BILL for an Act authorizing the state of North Dakota acting by job service North Dakota to sell and convey lots thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, and forty, block 9, Kelley and Fuller's second addition to Jamestown, Stutsman County, North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Miller Heinrich

ABSENT AND NOT VOTING: None

SB 2086 passed and the title was agreed to.

SB 2105: A BILL for an Act to amend and reenact section 16.1-06-04 and subsection 8 of section 16.1-11-22 of the North Dakota Century Code, relating to form and quality of ballots.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: Bakewell

ABSENT AND NOT VOTING: Lee; Wenstrom

SB 2105 passed and the title was agreed to.

SB 2107: A BILL for an Act to amend and reenact sections 16.1-11-11 and 16.1-15-22 of the North Dakota Century Code, relating to filing dates for county and legislative district candidates' petitions and the transmittal of the abstract of votes by the county auditor to the secretary of state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2107 passed and the title was agreed to.

SB 2117: A BILL for an Act to amend and reenact section 46-06-03 of the North Dakota Century Code, relating to petition filing deadline to place the newspaper name on the primary election ballot.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2117 passed and the title was agreed to.

SB 2122: A BILL for an Act to amend and reenact section 28-32-05 of the North Dakota Century Code, relating to notice requirements for administrative agency hearings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grothberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Peterson

SB 2122 passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

SEN. LIPS: Mr. President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

MR. PRESIDENT: On Thursday, January 6, 1983, the Senate Appropriations Committee held a hearing on the community services block grant moneys anticipated by the Office of Management and Budget during the period beginning October 1, 1983, and ending September 30, 1985. If any member of the Legislative Assembly desires copies of the minutes and testimony presented to the Senate Appropriations Committee during the block grant hearing, the Senate Appropriations Committee Clerk will make copies available to you. I inform you about the availability of the information at this time, since your approval or disapproval of the appropriation for the Office of Management and Budget includes the legislative action regarding the use of the federal block grant funds.

MOTION

SEN. NETHING MOVED that after the reading of SB 2052, SB 2053, SB 2056, SB 2061, SB 2081, SB 2089, SB 2090, SB 2091, SB 2097, SB 2102, SB 2111, SB 2112, SB 2124, SB 2126, SB 2130, SB 2188, SB 2192, and SB 2199, the Senate adjourn and convene at 1:00 p.m., Wednesday, January 12, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary